

ORDINANCE 2017-05

CITY OF DUNDAS
COUNTY OF RICE, MINNESOTA

*An Interim Ordinance Establishing a Moratorium on the
Construction of Ground Mounted Solar Energy Systems*

THE CITY COUNCIL OF THE CITY OF DUNDAS DOES HEREBY ORDAIN:

Section 1. Findings.

WHEREAS, the City of Dundas (the “City”), pursuant to Title 15 of the City Code, has adopted various zoning and land use regulations related to properties within the City; and

WHEREAS, the City has determined there is a need to study the zoning regulations related to ground mounted solar energy systems; and

WHEREAS, Minnesota State Statutes Section 462.355, Subd. 4 permits the adoption of interim ordinances in order to protect the planning process; and

WHEREAS, the City finds that there is a need for an interim ordinance to be adopted for the purpose of protecting the planning and zoning process and the welfare of the citizens of the City until such a study has been completed; and

THEREFORE, the City finds that there is a need to restrict the installation of ground mounted solar energy systems in the City until the study has been completed and the City has enacted any necessary ordinance amendments.

Section 2. Moratorium Established. In accordance with the findings set forth in Section 1, there is hereby established a moratorium on the construction, erection, placement, enlargement, and expansion of any ground mounted solar energy systems within the City and on the development and use of property for such purposes.

1. During the period of the moratorium, applications for site and building plan approval, building permits, zoning permits, or any other permits and approvals related to such work shall not be accepted by the City.
2. For the purpose of the moratorium, the term “ground mounted solar” shall pertain to all solar energy systems not architecturally integrated into a building including, but not limited to, the following:
 - a. Accessory ground mounted solar energy systems. Systems which are accessory to the principal land use, designed to supply energy to the principal use.
 - b. Solar Gardens. Ground mounted solar energy systems designed to supply energy for off-site users on the distribution grid but not for export to the wholesale market or connection to the electric transmission grid.
 - c. Solar Farms. Ground mounted solar energy arrays which are the principal use on the property, that are designed for providing energy to off-site users or export to the wholesale market.

Section 3. Applicability. The moratorium shall be applicable to property throughout the City.

Section 4. Exceptions. The moratorium shall not apply to:

1. The lawful use of existing solar energy systems.
2. The repair and/or maintenance of any existing solar energy system provided that such work does not enlarge or expand a ground mounted solar energy system.
3. The installation of a building integrated solar energy system that is an accessory use consistent with Section 4, Subsection 11 of the Dundas Zoning Ordinance.

Section 5. Term. Unless repealed by City Council action at an earlier date, this moratorium shall remain in effect for one year from the effective date.

Section 6. Effective Date. This Ordinance shall become effective immediately upon its passage and publication.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL FOR THE CITY OF DUNDAS:

1. The attached Summary of Ordinance 2017-05 is hereby approved for publication.

ADOPTED by the City Council of Dundas, Minnesota, on this 27th day of November 2017.

CITY OF DUNDAS BY:

ATTEST:

Glenn Switzer, Mayor

John McCarthy, Administrator/Clerk

Ordinance 2017-05

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CITY OF DUNDAS
STATE OF MINNESOTA

*An Interim Ordinance Establishing a Moratorium on the
Construction of Ground Mounted Solar Energy Systems*

The following is the official summary of Ordinance 2017-05, which was approved and adopted by the Dundas City Council on November 27, 2017:

The City established a moratorium on the construction, erection, placement, enlargement and expansion of any ground mounted solar energy systems within the City and on the development and use of property for such purposes.

A copy of the entire Ordinance 2017-05 is available for inspection by any person during regular office hours at the Dundas City Hall, 216 Railway Street North, Dundas, MN 55019; and is posted at the Dundas city website: www.cityofdundas.org

ADOPTED BY THE DUNDAS CITY COUNCIL on the 27th day of November 2017.

Published by order:

John McCarthy, City Administrator/Clerk
in the Northfield News on December 2, 2017