

ORDINANCE 2018 - 03

**CITY OF DUNDAS
COUNTY OF RICE, MINNESOTA**

*An Ordinance Amending Title 15, Sections 2 and 4
Regarding Solar Energy Systems*

WHEREAS, the Dundas Planning Commission of Dundas, Minnesota, held a public hearing on July 19, 2018, after providing notice as required by State Statute and City Code, with respect to amending the Zoning Ordinance;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF DUNDAS DOES HEREBY ORDAIN:

Section 1. Title 15, Section 2 “DEFINITIONS” is hereby amended to delete Solar Collector and related definition.

Section 2. Title 15, Section 2 is hereby amended to include the following definitions.

Solar energy system, accessory. Solar energy systems accessory to the principal land use, primarily designed to supply energy for the principal use.

Solar energy system, architecturally integrated. A solar energy system or component thereof that is an integral part of a building, rather than a separate mechanical device, replacing or substituting for an architectural component of the building including but not limited to systems that are contained within roofing materials, windows, and skylights.

Solar energy system, principal. Solar energy systems designed to supply energy for off-site uses on the distribution grid, consistent with Minn. Statutes 216B.1641 as may be amended, or any ground-mount solar energy arrays that are the principal use on the lot, designed for providing energy to off-site uses or export to the wholesale market. This definition includes solar farms and community solar gardens.

Solar farm. A commercial facility that converts sunlight into electricity, whether by photovoltaics (PV), concentrating solar thermal devices (CST), or other conversion technology, for the primary purpose of wholesale sales of generated electricity. A solar farm is the principal land use for the parcel on which it is located.

Solar garden, community. A solar-electric (photovoltaic) array that provides retail electric power (or a financial proxy for retail power) to multiple community members or businesses residing or located off-site from the location of the solar energy system, consistent with Minn. Statutes 216B.1641 or successor statute.

Section 3. Title 15, Section 4, Subsection 11 is hereby amended to read as follows:

Subsection 11. Accessory Solar Energy Systems.

- (A) Solar energy systems shall be a permitted accessory use in all zoning districts, provided that the system is in compliance with all applicable zoning regulations and building codes related to accessory uses.
- (B) The use of solar energy systems is subject to the restraints of the zoning regulations contained in this chapter and any existing vegetation.
- (C) The effect of trees on the solar access of surrounding development shall be minimized to the greatest possible extent in selecting tree species and locating trees on public lands and along roadways. Whenever possible, every effort shall be made to avoid shading existing or proposed solar collectors.
- (D) Reasonable care should be taken to protect the opportunity for the utilization of solar energy systems at all locations available.
- (E) The City shall take affirmative actions to the extent possible to preserve solar access for all existing and future development.
- (F) The City does encourage the use of private easements and restrictive covenants as a means to protect access to sunlight.
- (G) Ground mounted accessory solar energy systems may be permitted in the B-2, LI, and GI districts when meeting the following standards:
 - 1. The system shall be screened from view from property in residential districts.
 - 2. The total ground area covered by the system is limited to 300 square feet.
 - 3. All systems shall meet the required setbacks for accessory structures and are not permitted in the front yard.
 - 4. The maximum height permitted is 15 feet at full tilt.
 - 5. The collector surface and any foundation, compacted soil, or other component of the solar installation that rests on the ground is considered impervious surface
 - 6. A system may be placed in the front yard meeting half the required setback for the principal structure when in receipt of a conditional use permit.
 - 7. A system may exceed 300 square feet when in receipt of a conditional use permit provided the system does not exceed the area of 25% of the principal structure's building footprint. Square footage is measured by the total area of the solar collector surface(s).
- (H) Building mounted accessory solar energy systems are permitted in all districts in the following manner:
 - 1. All systems shall be flush mounted on peaked roofs.
 - 2. A maximum of 85% of the roof may be covered by systems unless architecturally integrated into features of the building.
 - 3. No system shall extend beyond the edge of the roof.
 - 4. All systems shall meet height regulations in the district.

5. No system shall extend beyond 12 feet from the roof at maximum tilt on a flat roof. Mechanical screening shall be required on street facing sides of multi-family, commercial, and industrial buildings.
6. No residential accessory structure within the principal structure setback shall be permitted to have a roof mounted solar energy system except when in receipt of a conditional use permit.

(I) Principal use solar energy systems are not permitted.

Section 4. 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 2018-03 is hereby approved for publication.

ADOPTED by the City Council of Dundas, Minnesota, on this 10th day of September 2018.

CITY OF DUNDAS BY:

ATTEST:

Glenn Switzer, Mayor

John McCarthy, Administrator/Clerk

Ordinance 2018-03

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CITY OF DUNDAS
STATE OF MINNESOTA

*An Ordinance Amending Title 15, Sections 2 and 4
Regarding Solar Energy Systems*

The following is the official summary of Ordinance 2018-03, which was approved and adopted by the Dundas City Council on September 10, 2018:

The City amended the standards to specify regulations for accessory solar installations.

A copy of the entire Ordinance 2018-03 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 10th day of September 2018.

Published by order:

John McCarthy, City Administrator/Clerk

in the *Faribault Daily News* on September 15, 2018