

ORDINANCE NO. 2254

**AN ORDINANCE REVISING SOLAR ENERGY SYSTEMS AND THEREBY
AMENDING REVISED CITY CODE - 1982, SECTIONS
11-1602.2, 11-1602.3, 11-1602.4 AND ADDING 11-1602.5, 11-1602.6
AND 11-1602.7**

The City of Coon Rapids does ordain:

Section 1. Revised City Code - 1982 Section 11-1602.2 is hereby repealed and replaced as follows: (deletions in brackets, additions double underlined)

11-1602.2 Definitions.

(1) Building-integrated Solar Energy Systems. A Solar Energy System that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building-integrated systems include but are not limited to, photovoltaic or hot water systems that are contained within roofing materials, windows, skylights, pavement, and awnings.

(2) Community-scale Solar Energy Systems. A Ground-mounted Solar Energy System on a parcel (or contiguous parcels under the same ownership) 20 acres or more in size that converts sunlight into electricity for the primary purpose of serving electric demands either on-site or off-site.

(3) Ground-mounted. A Solar Energy System mounted on a rack or pole that rests or is attached to the ground.

(4) Neighborhood-scale Solar Energy Systems. A Solar Energy System on a parcel less than 20 acres in size, either ground- or roof-mounted, that converts sunlight for the primary purpose of serving electric demands either on-site or off-site, including solar carports in both residential and non-residential areas, and roof-mounted systems of any size.

(5) Roof-mounted. A Solar Energy System mounted on a rack that is fastened to or ballasted on a structure roof.

(6) Solar Carport. A Solar Energy System of any size that is installed on a carport structure that is accessory to a parking area.

(7) Solar Energy System. A device, array of devices, or structural design feature, the purpose of which is to provide for generation or storage of electricity from sunlight, or the collection, storage and distribution of solar energy for space heating or cooling, daylight for interior lighting, or water heating. Includes both Community-scale Solar Energy Systems and Neighborhood-scale Solar Energy Systems

Section 2. Revised City Code - 1982 Section 11-1602.3 is hereby repealed and replaced as follows: (deletions in brackets, additions double underlined)

11- 1602.3 Building-integrated Solar Energy Systems. Passive or Building-integrated Solar Energy Systems are exempt from the requirements of this section and shall be regulated as any other building component.

Section 3. Revised City Code - 1982 Section 11-1602.4 is hereby repealed and replaced as follows: (deletions in brackets, additions double underlined)

11-1602.4 Permitting Process.

(1) All Solar Energy Systems require a Building Permit. In addition to the general application information required as part of the Building Permit, the applicant must submit the following:

a. Scaled Horizontal and Vertical (elevation) Drawings. The drawings must show the location of the system on the building, or on the property for a ground-mounted system, including all structures, property lines, easements, power lines and setbacks to property lines.

i. Community-Scale Solar Energy Systems require a detailed site plan for both existing and proposed conditions, showing location of all solar arrays, other structures, property lines, rights-of-way, service roads, floodplains, wetlands and other protected natural resources, topography, and electric equipment. The site plan should show all zoning districts and overlay districts.

b. Pitched roof-mounted Systems: For all roof-mounted systems, other than a flat roof, the elevation drawings shall show the highest finished slope of the solar collector and the slope of the finished roof surface on which it is mounted.

c. Flat-roof-mounted Systems: For flat-roof applications a drawing shall be submitted showing the distance to the roof edge and any parapets on the building and shall identify the height of the building on the street frontage side, the shortest distance of the system from the street frontage edge of the building, and the highest finished height of the solar collector above the finished surface of the roof.

Section 4. Revised City Code – 1982 Section 11-1602.5 is hereby added as follows:

(additions double underlined)

11-1602.5 Neighborhood-Scale Solar Energy Systems. Neighborhood-scale Solar Energy Systems are a permitted accessory use, and are subject to the following performance standards. Solar Carports and associated electric vehicle charging equipment are a permitted accessory use on surface parking lots in all districts regardless of the existence of another building.

(1) Setbacks. Ground-mounted Neighborhood-Scale Solar Energy Systems including any appurtenant equipment shall comply with the front setback requirement for the district in which it is installed, and be set back a minimum of five feet from all side, side street and rear lot lines. Installations shall not compel a sight triangle obstruction as defined in City Code Section 11-201 for users of public or private roadway systems. Drainage conveyance from solar energy systems (including snow melt) shall be directed to drainage and utility easements.

(2) Height. Roof-mounted Neighborhood-Scale Solar Energy Systems shall comply with the maximum height requirements in the applicable zoning district. For a Roof-mounted System installed on a flat roof, the highest point of the system may exceed the district's height limit by up to six feet above the rooftop to which it is attached. Ground-mounted Neighborhood-Scale Solar Energy Systems, including Solar Carports in residential districts, shall not exceed 15 feet in height when oriented at maximum tilt. Solar Carports in non-residential districts shall not exceed 20 feet in height.

(3) Coverage. The surface area of a pole- or Ground-mounted Neighborhood-Scale Solar Energy Systems shall not exceed half the footprint of the principal structure.

(a) Ground-mounted Neighborhood-Scale Solar Energy Systems shall be exempt from lot coverage or impervious surface standards if the soil under the collector is maintained in vegetation and not compacted.

(b) Ground-mounted Neighborhood-Scale Solar Energy Systems shall not count toward accessory structure limitations.

(c) Solar Carports in non-residential districts are exempt from lot coverage limitations and the surface area limitations within this section.

(4) Aesthetics. Ground-mounted and Roof-mounted Neighborhood-Scale Solar Energy Systems shall not be restricted for aesthetic reasons if the system is not visible from the closest edge of any public right-of-way other than an alley, or if the system meets the following standards.

(a) Roof-mounted Systems on pitched roofs that are visible from the nearest edge of the front right-of-way shall have the same finished pitch as the roof and be no more than ten inches above the roof.

(b) Roof-mounted Systems on flat roofs that are visible from the nearest edge of the front right-of-way shall not be more than six feet above the finished roof and are exempt from any rooftop equipment or mechanical system screening requirements.

Section 5. Revised City Code – 1982 Section 11-1602.6 is hereby added as follows:

(additions double underlined)

11-1602.6 Community-Scale Solar Energy Systems. Community-Scale Solar Energy Systems must be located on a parcel, or contiguous parcels under the same ownership, at least 20 acres in size, and are a conditional use in all districts. A Community-Scale Solar Energy System may be either an accessory use or the principal use of the parcel. All Community-scale Solar Energy Systems are subject to the following performance standards:

(1) Setbacks.

a. All structures must comply with setback limitations for the district in which the system is located.

b. Installations shall not compel a sight triangle obstruction as defined in City Code Section 11-201 for users of public or private roadway systems. Drainage conveyance from Solar Energy Systems (including snow melt) shall be directed to drainage and utility easements.

c. Roadway setback of 150 feet from the ROW centerline of State highways and CSAHs, 100 feet for other roads.

d. Housing unit setback of 150 feet from any existing dwelling unit.

e. Setback distance should be measured from the edge of the solar energy system, excluding security fencing, screening, or berm.

f. All setbacks can be reduced by 50% if the array is fully screened from the setback point of measurement.

(2) Height. Community-Scale Solar Energy Systems shall not exceed 15 feet in height when oriented at maximum tilt.

(3) Ground cover and buffer areas. Community-Scale Solar Energy Systems are exempt from lot coverage or impervious surface standards for the applicable zoning district and management of the soil under the collector must follow the following standards:

a. Large-scale removal of mature trees on the site is discouraged. City may set additional restrictions on tree clearing or require mitigation for cleared trees.

b. The project site design shall include the installation and establishment of ground cover meeting the beneficial habitat standard consistent with Minnesota Statutes, section 216B.1642, or successor statutes and guidance as set by the Minnesota Board of Water and Soil Resources (BWSR).

c. The applicant shall submit a planting plan accompanied by a completed “Project Planning Assessment Form” provided by BWSR for review by BWSR or the County SWCD.

d. Beneficial habitat standards shall be maintained on the site for the duration of operation, until the site is decommissioned. The owner of the solar array shall complete BWSR’s “Established Project Assessment Form” at year 4 and every 3 years after that, and allow the County SWCD, BWSR, or City staff to conduct a site visit to verify compliance.

e. City may require submittal of inspection fee at the time of the initial permit application to support ongoing inspection of the beneficial habitat ground cover.

f. The applicant shall submit a financial guarantee in the form of a letter of credit, cash deposit or bond in favor of the City equal to one hundred twenty-five (125) percent of the costs to meet the beneficial habitat standard. The financial guarantee shall remain in effect until vegetation is sufficiently established.

(4) Screening. Community-Scale Solar Energy Systems shall be screened from existing residential dwellings.

a. A screening plan shall be submitted that identifies the type and extent of screening.

b. Screening shall be consistent with City’s standards typically applied for other land uses requiring screening.

c. Screening shall not be required along property lines within the same zoning district, except where the adjoining lot has an existing residential use.

d. City may require screening where it determines there is a clear community interest in maintaining a viewshed.

Section 6. Revised City Code – 1982 Section 11-1602.7 is hereby added as follows:

(additions double underlined)

11-1602.7 Abandoned or Unused Systems. All Abandoned or Unused Solar Energy Systems must be removed within 90 days of the cessation of operations unless an extension is approved by the Director. If an extension is not approved, such Solar Energy Systems will be in violation of this Chapter and the City may process the violation as an administrative procedures action under Chapter 2-1100. After removal, the owner or operator must restore the site to its original or an improved condition.

Introduced this 7th day of September, 2021.

Adopted this _____ day of September, 2021.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk