

**MINUTES  
CITY OF COLUMBIA HEIGHTS  
PLANNING COMMISSION MEETING  
TUESDAY, JANUARY 07, 2025**

The meeting was called to order at 6:00 pm by Chair Wolfe.

**CALL TO ORDER/ROLL CALL**

Commissioners present: Eric Sahnaw, Paul Moses, Clara Wolfe, Ahmed Maameri and John Gianoulis

Commissioners absent: Tom Kaiser

Also present: Andrew Boucher, City Planner; Sarah LaVoie, Administrative Assistant; Mitch Forney, Community Development Coordinator; Connie Buesgens, Council Liaison.

**APPROVAL OF MINUTES**

**1. Approval of December 03, 2024 Planning Commission Meeting Minutes**

*Motion by Sahnaw, seconded by Moses, to approve the minutes from the meeting of December 03, 2024. All ayes. MOTION PASSED.*

**PUBLIC HEARINGS**

**2. Zoning Ordinance Amendments to amend Chapter 9 – Land Use:**

**9.104 Administration and Enforcement**

**9.106 General Development Standards**

**9.107 Specific Development Standards**

**9.110 Commercial Districts**

**9.111 Industrial Districts**

Introduction: Boucher stated Staff discussed potential updates to City Zoning Code – Chapter 9 Land Use at the December 3rd, 2024 Planning Commission Workshop based on observations, feedback, and recommendations from staff and community members to make adjustments to the Zoning Code that reflect the needs of the community while encouraging consistency as future development occurs. The proposed amendments are as follows:

1. Amending 9.104 Administration and Enforcement (I) to change Interim Use Permit to Zoning Review Permit and include over-height fences, seasonal sales stands, accessory structures under 200 sq. ft., and parking/impervious surface additions to be reviewed administratively as well as establishing a permit for Accessory Dwelling Units.
2. Amending 9.106 General Development Standards to reduce the minimum required parking for two-bedroom or more dwelling units to 2 spaces per unit with one of these being enclosed. Also including language to (e) Calculating space to allow: “The Council, at its discretion, may reduce the minimum required parking to not less than 1.5 parking spaces per unit for multifamily structures with seven or more units, after consideration of factors including but not limited to the present or future availability of transit services, shared parking, pedestrian orientation, and occupancy characteristics.”
3. Amending 9.106 General Development Standards to include language under the Dwellings

- section to contain habitable space based on the adopted MN Building Code.
4. Amending 9.107 Specific Development Standards to require a sound study as a specific condition for car washes as well as considering adding the minimum of one acre of property to this use along with recreational vehicle sales.
  5. Amending 9.110 Commercial Districts and 9.111 Industrial Districts to remove fences greater than six feet in height from conditional uses to permitted accessory use, adjusting General Business (GB) to move minor automobile and motorcycle repair and car washes from permitted uses to conditional uses, along with consignment/secondhand stores from conditional uses to permitted uses. In I-1 and 2 Districts, major and minor automobile repair is proposed to be changed from permitted to conditional uses.

Boucher mentioned 9.104 Administration and Enforcement - Interim Uses are no longer applicable in the Zoning Code as there are no uses at this point that would require an Interim Use Permit. Staff proposes a zoning text amendment to replace Interim Uses with a Zoning Review Permit. This would allow for certain items such as over-height fences, seasonal sales stands, accessory structures under 200 sq. ft., and parking/impervious surface additions to be reviewed administratively as well as establishing a process for Accessory Dwelling Units to ensure compliance with the owner/occupancy deed restriction and rental licensing.

Boucher explained 9.106 General Development Standards includes an amendment to (3) Accessory Dwelling Units (h) to reflect the requirement of habitable space based on the adopted MN Building Code. Other sections of 9.106 proposed to be amended include establishing a one (1) off-street parking space requirement for Accessory Dwelling Units and amending the two-bedroom or larger unit parking requirement from two enclosed spaces to one enclosed space. Many multi-family developments proposed within the City are handled as PUDs rather than proceeding by right or requiring only rezoning. This prompted discussion about whether the City's current parking standards are too restrictive or unattainable, warranting a potential review and adjustment. Frequent reliance on PUDs for relatively straightforward redevelopments—such as single-parcel, single-use residential projects—raises concerns about whether the existing standards reflect the City's goals and practical realities.

Boucher stated the City strives to ensure that multifamily housing developments provide adequate parking without burdening residents or the community. However, if concessions are regularly made during the development process, the standard appears to be ineffective.

Boucher noted 9.107 Specific Development Standards, which include requiring a sound study as a specific condition for car washes and adding a minimum of one acre of property to the car wash use along with recreational vehicle sales.

Boucher mentioned 9.110 Commercial Districts and 9.111 Industrial Districts include removing fences greater than six feet in height from conditional uses to permitted accessory uses as well as adjusting General Business (GB) to move minor automobile and motorcycle repair and car washes from permitted uses to conditional uses along with consignment/secondhand stores from conditional uses to permitted uses. In I-1 and I-2 Districts, major and minor automobile repair could have changes from permitted to conditional uses.

Boucher noted Section 9.104 (F) of the Zoning Ordinance outlines certain findings of fact that must be met in order for the City to grant approval for a zoning amendment. The findings are as follows:

**a. *The amendment is consistent with the comprehensive plan.***

The City's 2040 Comprehensive Plan identifies strengthening the identify and image of the community as a desirable place to live, work, and play as well as preserving and enhancing the existing viable commercial and industrial areas within the community. The zoning code amendments proposed will help achieve more consistency with the 2040 Comprehensive Plan.

**b. *The amendment is in the public interest and is not solely for the benefit of a single property owner.***

The zoning text amendments are in response to concerns expressed by residents over commercial businesses and ensuring consistency across zoning districts.

**c. *Where the amendment is to change the zoning classification of a particular property, the existing use of the property and the zoning classification of property within the general area of the property in question are compatible with the proposed zoning classification.***

The amendment is not to change the zoning classification of a particular property.

**d. *Where the amendment is to change the zoning classification of a particular property, there has been a change in the character or trend of development in the general area of the property in question, which has taken place since such property was placed in its current zoning classification.***

The amendment is not to change the zoning classification of a particular property.

Questions/Comments from Members:

Gianoulis mentioned that he liked the changes. He asked what a homeowner would have to do with the zoning review permit if they wanted to put in a 50-foot shed or greenhouse. Boucher replied that Staff would like to see an application and describe what they are doing. He added the process is aimed more towards enforcing the impervious surface maximum. He added that they would not require a survey for structures under 200 feet.

Public Hearing Opened.

Wolfe opened the public hearing. There were no public comments.

Public Hearing Closed.

*Motion by Moses, seconded by Sahnaw, to close the public hearing and to waive the reading of the*

*draft Ordinance amendment No. 1709, there being ample copies available to the public. All ayes. MOTION PASSED.*

*Motion by Wolfe, seconded by Maameri, to recommend City Council approve draft Ordinance amendment No. 1709, a Zoning Ordinance Amendment, as presented. All ayes. MOTION PASSED.*

## **OTHER BUSINESS**

### **3. Discussion on SolSmart Memo**

Introduction: Boucher stated at their November meeting, the Sustainability Commission recommended pursuing SolSmart participation and approved authorization at the November 25, 2024, Council meeting where staff also presented information regarding the SolSmart program. SolSmart is a program designed to provide no-cost technical assistance to local governments to help identify barriers to renewable energy and implement national best practices expanding solar energy use.

Boucher explained Communities are recognized through a designation of Bronze, Silver, Gold, or Platinum through actions, outreach, and education in a series of categories such as Permitting and Inspection, Planning and Zoning, Government Operations, Community Engagement, and Market Development. There were two prerequisites required prior to participation; creating an online solar permit and inspection checklist and preparing a solar statement which are included in this report. The only requirements left before a Bronze Designation is to review the memo technical staff prepared and present the findings to the Planning Commission. Metropolitan Council and SolSmart program staff reviewed the City of Columbia Heights' Zoning Code to verify and document opportunities to strengthen and encourage development of renewable energy as well as providing a baseline spreadsheet to track the City's progress through the program. The City has already receive credit in some of the categories for actions that have already been verified, actions that require documentation, and those recommended to pursue.

Boucher noted the City has already scored 45 points for Baseline Status based on completed actions in Permitting and Inspections. By signing and presenting the Planning and Zoning memo to the Planning Commission, the City will have 5 points for Planning and Zoning Baseline Status.

Boucher reviewed what actions the City has already completed which include:

- Actions Completed for Permitting and Inspection
- No more than one inspection required for small rooftop solar PV
- Post solar PV inspection requirements online, including the inspection process and what details will be reviewed
- Demonstrate that residential permit fees for solar PV are \$500 or less
- Review zoning requirements and identify restrictions that intentionally or unintentionally prohibit solar PV development and compile these findings in a memo
- Present PZ-1 memo findings to Planning Commission or relevant body

Boucher mentioned that some of the recommended actions for Permitting and Inspections that can be taken or are in the process of being completed by staff include:

- Train permitting and inspection staff on best practices for permitting and inspecting solar PV and/or solar and storage systems and training must have occurred in the past two years
- Provide an online process for solar PV permit submission and approval
- Post community metrics related to the number of solar PV and solar + storage permits & inspections processed by the community annually, average annual permitting & inspection timelines.
- Adopt a standard solar PV permit application form aligned with best practices
- Train fire/safety staff on solar PV and/or solar and storage systems; training must have occurred in the past two years.
- Share site specific solar PV and/or solar and storage permit data, including addresses, with first responders and their departments (e.g. software that allows users to view searchable, filterable data about a specific site and system)

Boucher stated other actions related to Planning and Zoning for staff, the Planning Commission, and City Council to pursue include the following:

1. Draft proposed language for changes to zoning code based on PZ-1 memo and Planning Commission dialogue; involve planners and/or local zoning experts and/or the public (e.g. through community based organizations) in the creation of the draft language (5 points)
2. Codify in the zoning ordinance that accessory use rooftop solar PV is explicitly allowed by-right in all major zones. (10 points; required for Gold)
3. Ensure the zoning ordinance language does not include intentional or unintentional barriers to accessory use rooftop solar PV, including but not limited to aesthetic or performance standards, screening requirements, limits to visibility, excessive restrictions to system size or rooftop coverage, glare or glint regulations, and subjective design reviews. (10 points; required for Gold)
4. Ensure the zoning ordinance permits small ground-mounted solar PV as an accessory use in at least one zoning district. (5 points)
5. Ensure the zoning ordinance exempts small ground-mounted solar PV from certain restrictions on accessory uses (e.g. setbacks, coverage or impervious surface calculations, or other restrictions). (5 points)
6. Ensure the zoning ordinance establishes a clear regulatory pathway for large-scale solar PV (e.g. through a special use permit or through inclusion among allowed conditional uses). (5 points)
7. Post an online fact sheet that provides an overview of what zoning allows for solar PV under what conditions and in which districts (e.g. types and sizes of solar systems permitted, the processes required, and other relevant information) (5 points).
8. Include specific solar PV goals, metrics, and strategies in the most current published version of relevant local plans (e.g. energy plan, climate plan, comprehensive plan) (10 points).
9. Draft new or updated language and provide a timeline for the inclusion of specific solar PV goals, metrics, and/or strategies into existing and/or future plans (5 points).
10. Share solar PV progress towards achieving targets or metrics from PZ-20 on the solar landing page (5 points).
11. Include specific large-scale solar PV goals, metrics, and strategies in the most current published version of relevant local plans (e.g. energy plan, climate plan, comprehensive plan) (10 points).

12. Develop a solar PV assessment that identifies community-wide feasibility for solar PV development within a jurisdiction (differentiate between large-scale, municipal, etc.) (20 points).
13. Enable solar rights through a local solar access ordinance (10 points).
14. Codify in the zoning ordinance that accessory use energy storage systems are explicitly allowed by right in all major zones (20 points).

Boucher mentioned actions in the section of Government Operations that have been completed, require documentation and verification, or can be pursued include:

1. Procure solar energy for municipal operations through an offsite physical PPA, virtual PPA, green tariff, or similar structure (20 points).
2. Install solar PV on local government facilities and/or local government-controlled land. (20 points; required for Platinum)
3. Discuss community goals for solar PV, net metering, community solar, and/or interconnection processes with the local utility and explore areas for future collaboration (10 points).
4. Conduct feasibility analysis for solar PV on local government facilities and/or local government controlled land (10 points).
5. Install solar PV integrated with other technologies such as battery storage or electric vehicle charging on local government facilities and/or local government-controlled land (20 points).
6. Post metrics related to the number of municipal solar PV or solar PV plus storage/EV installations and installed capacity, municipal solar PV energy procured (ownership, PPAs, community solar offtake), and percent (%) of municipal energy usage offset by renewable energy (10 points).

Staff Recommendation:

Boucher stated Staff recommends the following future amendments to the Zoning Code based on the memo prepared by SolSmart/Metropolitan Council staff:

- A. 9.101 Purpose, Authority, and Jurisdiction (B) Purpose amended to include (B)(11) "Encourage and strengthen solar development and use of renewable energy while protecting public health, safety, and welfare of its residents and furthering progress towards specific community goals and plans."; amend (B)(2) to reflect other specific goals defined in plans such as the Energy Action Plan and the 2040/2050 Comprehensive Plans.
- B. 9.103 Definitions amended to include the following definitions:
  - a. 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.
  - b. Solar photovoltaic system: A solar energy system that converts solar energy directly into electricity, the primary components of which are solar panels, mounting devices, inverters, and wiring.
  - c. Grid-connected solar energy system: A solar photovoltaic system that is connected to an electric circuit served by an electric utility company.
  - d. Roof-mounted solar energy system: A solar photovoltaic system mounted on a rack that is ballasted on, or is attached to, the roof of a building or structure. Roof-mount systems

- are accessory to the primary use.
  - e. Ground-mounted solar energy system (Accessory Use): A solar photovoltaic system mounted on a rack or pole that is ballasted on, or is attached to, the ground and the system is accessory to the primary use.
  - f. Ground-mounted solar energy system (Primary Use): A solar photovoltaic system mounted on a rack or pole that is ballasted on, or is attached to, the ground and is the primary land use for the parcel(s) on which it is located. Primary use systems are permitted through a discretionary approval process.
  - g. Community-scale solar energy system: A solar photovoltaic system that qualifies for the Community Solar Gardens identified by the State of Minnesota Commerce Department's Energy and Utilities.
  - h. Amending Accessory Building/Structure and Structure definitions to explicitly state that solar equipment and installations are not considered to be structures.
- C. 9.106 General Development Standards amended to include the following provisions:
- a. (B) Lot Controls (11) Yard Encroachments should include (i) Ground-mounted solar and equipment as being part of the list of uses not considered as encroachments into required yards, provided they are not located closer than one foot to the property line OR having them subject to the same side/rear yard setbacks as accessory structures.
  - b. (B) Lot Controls (13) Height limitations should be amended to exempt rooftop solar equipment from height limitation and removing the 25% roof area coverage requirement for mechanical/electrical equipment.
  - c. (C) Accessory uses and structures (6) Mechanical equipment should be amended to exempt solar installations and equipment from screening requirements.
  - d. (H) Performance Standards (1) Purpose should be amended to exempt solar equipment and installations from performance standards.
- D. 9.107 Specific Development Standards should be amended to include Roof-mounted solar energy system, Ground-mounted solar energy system (Accessory Use), Ground-mounted solar energy system (Primary Use), and Community-scale solar energy system.
- a. a. Roof-mounted solar energy system
    - i. On a pitched/sloped roof, solar energy systems shall be installed parallel to the roof surface.
    - ii. Pitched/sloped and flat roof solar energy systems shall be exempt from height limitations.
    - iii. Roof-mounted solar energy systems shall comply with applicable state and local fire codes to ensure emergency access to the roof, provide pathways to specific areas of the roof, provide areas for smoke ventilation, and provide emergency egress from the roof.
  - b. Ground-mounted solar energy system (Accessory Use)
    - i. Ground-mounted solar energy systems (Accessory Use) are not considered to be accessory structures and are allowed to be placed anywhere on the property, including the front yard, so long as they are not located closer than one foot to the property line OR subjecting them to the same setback requirements as accessory structures with a provision for allowing them in front yard setbacks.
    - ii. Ground-mounted solar energy systems are exempt from lot coverage and impervious surface requirements if the area under the system contains

vegetative ground cover such as grass, native planting and vegetations, or pollinator habitats as the tilt and spacing allows for precipitation to drain into the pervious ground cover.

- c. Ground-mounted solar energy system (Primary Use),
  - d. Community-scale solar energy system.
- E. E. 9.109 Residential Districts, 9.110 Commercial Districts, 9.111 Industrial Districts, and 9.115 Public and Open Space Districts all amended to include rooftop solar PV and ground-mounted solar as a permitted accessory use by right in all zoning districts. Additional recommendations include establishing ground-mounted solar as well as community-scale solar energy system as permitted primary uses in all zoning districts.

Boucher explained items that Staff, the Planning Commission, and the City Council should give additional consideration to are highlighted. These topics include potential amendments to existing definitions, lot controls, accessory uses, and performance standards to exempt solar installations and equipment from height, roof coverage, and setback requirements. Other items to discuss in the future are the establishment of larger-scale solar systems as primary uses and whether these should be permitted or conditional uses; consideration of a solar access ordinance, and if renewable energy goals and specifications should be included in consideration of Planned Unit Developments, Subdivision Regulation, and other processes requiring city approval or funding.

Questions/Comments from Members:

Moses asked what yard encroachments would entail. Boucher replied that it is how far something can go into the required setback.

Moses noted that a ground-mounted solar would throw a shade, so the angle of the ground-mounted solar would need to be changed depending on the season. He added that it would have a similar impact on the yard as a canopy or a sun shade and it would have an impact on the yard. He asked if that would be considered a yard encroachment. Boucher replied that it would. He added that the other alternative is for it to be considered an accessory use/structure. He asked the Planning Commission for their opinion.

Gianoulis asked if it would be treated with the same requirements as an accessory structure, but would not count as an accessory structure. Boucher agreed and mentioned that the definitions for an accessory structure could be tweaked.

Sahnaw mentioned that he did not think the properties that would take advantage of the ground-mounted system would be numerous since they would more likely be on the roof and away from the tree canopy. He added that it makes sense that if someone takes advantage of the ground-mounted system the City makes it easy to do so.

Boucher wondered if rooftop solar equipment should be held to the same standards and what a structure would be. He asked what the maximum height of a rooftop solar array could get to. Moses replied that it is usually two to three feet. Flat roofs might be four to five feet extra. There are capacities for some solar panels to be able to automatically tilt based on the direction of the sun,

which would require an eight to ten-foot maximum.

Sahnow asked if the Planning Commission would like to modify the requirements for the mounted solar energy system in order to allow for the solar panel to be at its maximum angle. Moses mentioned that it is more expensive to have solar systems at an angle.

Boucher asked the commissioners if there should be specific language included on how solar systems should be oriented. Sahnow suggested striking the language. Moses agreed and added that installing solar requires going through a solar installer who understands how it should be properly installed. He explained that having more leeway would help the solar installer in order to not tie their hands.

Boucher wondered if larger-scale solar systems should have additional requirements. Moses explained that it would not make much sense for someone to buy an acre lot to fill it with solar panels because they would not get a payback from the investment for a long time. He suggested having a condition use for it. Sahnow agreed and added that people should be allowed to do it, but they need to let the City know.

Forney mentioned that many solar systems have fences around them and wondered if it was a safety reasons or security. He asked the Planning Commission if they would want to limit the fence requirements. Moses replied that the fences were for safety.

Councilmember Buesgens asked if there were dismantling rules after a solar panel system no longer worked. Boucher replied that there is recommended decommissioning language but he would need to do further research.

Councilmember Buesgens asked if the City would have the space for microgrids and if the City would consider doing a microgrid on a City-owned lot. Boucher replied that he would add it to the list of things to follow up on.

Forney asked Moses was a microgrid is. Moses replied that microgrids are systems that are completely off the grid. It can be solar batteries and generators all running in parallel with each other. It is essentially storage. When the solar and battery are running seamlessly with each other, the solar powers the batter during the daytime, and then the battery powers the solar when there is cloud cover or the night. The generator can also come online and power both of them.

Councilmember Buesgens mentioned that she has read about communities who have created their own energy and did that by starting to use microgrids. Moses explained that the City is completely connected to Xcel and the City does not have the infrastructure of it. Microgrids are ideal for business that are electrically connected together and have the capacity to transfer power between the grid and the microgrid system.

Moses asked if there would be any changes to the battery infrastructure, or if there was any code for it. Boucher replied that it was being lumped in with the solar equipment requirements.

Forney suggested having the solar storage as an encroachment and wondered if the Planning

Commission would be interested in doing that.

Boucher asked the Planning Commission if they were interested in considering a solar access ordinance. Sahnaw replied that it would help neighbors have language while having discussions about installing solar.

Boucher asked if renewable energy goals and specifications should be included in consideration of planned unit developments, subdivision regulation, and other processes requiring City approval or funding. Sahnaw replied that he would like to see that. Forney mentioned that the Sustainability Commission could highlight the City's requirements, and what measurements would be set.

Boucher reviewed what the Planning Commission had discussed. He noted that there seemed to be consensus on a number of things such as trying to be consistent with what the code allows for. Mandates are not what the City is going for because it is important to give as much flexibility as possible. For smaller-scale structures, they would be permitted as accessory uses while larger-scale structures would be conditional use or special use permits.

Moses mentioned that a best practice is to learn a lot from industrial cities. Sahnaw stated he liked the zoning text amendments. He commended the Staff and other commissioners for modernizing the Code and Ordinances.

#### **4. Discussion on Complete Streets and Design Guidelines.**

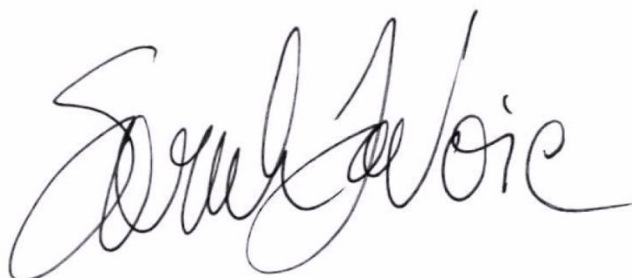
Boucher mentioned that Staff would be taking a Complete Streets policy to the Council next week for approval. This would help give items to incorporate into the design guidelines. He mentioned sign codes would also be a future discussion item. He added that he would have a draft of the Energy Action Plan for the Planning Commission in March or April.

Councilmember Buesgens mentioned that it was her last Planning Commission as a Council liaison and that Councilmember Deneen would be the new liaison. She thanked the Planning Commission for their work.

#### **ADJOURNMENT**

*Motion by Wolfe, second by Moses adjourned the meeting at 7:21 pm. All ayes. MOTION PASSED.*

Respectfully submitted,



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Sarah LaVoie, Administrative Assistant