



CITY OF MARSHALL AGENDA ITEM REPORT

Presenter:	Ilya Gutman
Meeting Date:	Tuesday, April 25, 2023
Category:	NEW BUSINESS
Type:	INFO/ACTION
Subject:	Request for Conditional Use Permit by Western MN Municipal Power Agency, located at 1200 North 7 th Street
Background Information:	<p>This area has been recently annexed into the city and is currently zoned A – Agricultural District. Solar panels are a Conditional Use Permit in an A – Agricultural District. Staff believe all standards for hearing are met. Typical conditions are attached.</p> <p>The conditional use permit regulations are found in Section 86-46 https://library.municode.com/mn/marshall/codes/code_of_ordinances?nodeId=PTIICOOR_CH86ZO_ARTIADEN_DIV2COUSPE_S86-46ISPU and the Standards for Hearing are found in Section 86-49. https://library.municode.com/mn/marshall/codes/code_of_ordinances?nodeId=PTIICOOR_CH86ZO_ARTIADEN_DIV2COUSPE_S86-49STHE. An aerial photo and master plan are attached.</p> <p>At the April 12, 2023, Planning Commission meeting, after a public hearing, a motion was made by Doom, seconded by Deutz, to recommend approval to City Council as recommended by city staff. All voted in favor.</p>
Fiscal Impact:	None known.
Alternative/Variations:	None recommended
Recommendations:	<p>that the Council approve the request by the Western MN Municipal Power Agency for a Conditional Use Permit to have solar panels in an A – Agricultural District at 1200 North 7th Street with the following conditions:</p> <ol style="list-style-type: none"> 1. That the regulations, standards, and requirements as set forth in the City Code and as pertains to the class of district in which such premises are located shall be conformed with. 2. That the City reserves the right to revoke the Conditional Use Permit in the event that any person has breached the conditions contained in this permit provided that the City serve the person with written notice specifying items of any default and allow the applicant a reasonable time in which to repair such default. 3. That the property is maintained to conform to the Zoning Code and not cause or create negative impacts to adjacent existing or future properties.