

ORDINANCE NO. 344

**CITY OF ST. FRANCIS
ANOKA COUNTY**

**AN ORDINANCE AMENDING THE ZONING CODE TO MODIFY THE STANDARDS
FOR THE ESTABLISHMENT OF SOLAR FARMS – 1ST READING**

THE CITY COUNCIL OF THE CITY OF ST. FRANCIS, ANOKA COUNTY, MINNESOTA,
ORDAINS:

Changes in the following sections are denoted with an underline for new text or a ~~strikethrough for deleted language~~. Renumbering shall occur as needed when sections are added or deleted.

Section 1. Section 10-67-04 Solar Energy System of the St Francis Code of Ordinances is hereby amended to read as follows:

10-67-04 - Solar energy system.

- A. The following standards shall apply to all solar energy systems:
- B. Site Design Standards.
 - 1. Compliance with Building Code: All SESs shall require a building permit, shall be subject to approval of the City Zoning Administrator and Building Official, and shall be consistent with the State of Minnesota Building Code.
 - 2. Compliance with State Electric Code: All photovoltaic systems shall comply with the Minnesota State Electrical Code.
 - 3. Compliance with State Plumbing Code: Solar thermal systems shall comply with applicable Minnesota State Plumbing Code requirements.
 - 4. Compliance with MN Energy Code: All SESs shall comply with HVAC-related requirements of the Energy Code.
 - 5. Utility Notification: No grid-intertied photovoltaic system shall be installed until the owner has submitted notification to the utility company of the customer's intent to install an interconnected customer-owned generator. Off-grid systems are exempt from this requirement.
 - 6. Permitting Deadlines: Solar Energy Systems must complete work outlined within the Building Permit within six (6) months of the date the Building Permit was issued. All requests for an extension to this deadline must be made prior to the deadline, and must be made in writing to the City Building Official. The City Building Official shall issue an extension within seven (7) days of receiving the request if the party making the request provides good cause, which shall be broadly interpreted, for the request.

7. Installation: Installation of a solar system shall not constitute a right to sunlight from any adjoining property, nor does the city assure access to sunlight.
8. Security and Equipment buildings: Security and equipment building(s) on the site of solar farms shall be permitted uses accessory to the solar farm.
9. Landscaping: Buffer screening from routine view of the public right-of-way and immediate adjacent residences shall be required in an attempt to minimize the visual impact of above grade site improvements and any extensive or imposing perimeter securing fencing that is proposed. Low lying screening, shrubbery or other native vegetation shall be required around site perimeter security fencing.
10. Controlled Access: The owner or operator shall contain all unenclosed electrical conducts located above ground within a structure (or structures) with controlled access.
11. All CSESs and Solar Farms—Power and communication lines: All on-site power and communication lines running between banks of solar panels and buildings shall be buried underground on premise. The Zoning Administrator may grant exemptions to this requirement in instances where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines.
12. ~~All CSESs and Solar Farm—Decommissioning Plan: A decommissioning plan with cost estimates shall be required to ensure that CSESs and Solar Farms are properly removed after their useful life. Decommissioning must occur within 180 days of abandonment. Five (5) years after commencement of the use, the owner or operator shall post a bond, letter of credit, or establish an escrow account. This security shall be in an amount equal to the estimated decommissioning cost.~~

All CSESs and Solar Farms—Agreement for Decommissioning and Public Infrastructure:

- (a) As part of the permitting for all CSESs and Solar Farms, the City shall require all applicants and property owners to enter into an agreement with the City for protection from the developer and property owner of all public infrastructure and to require security for the ongoing maintenance of the site during the permit, and for the decommissioning and reclaiming of the property.
- (b) Prior to receiving an application for a building permit or making any improvements to the property, the applicant and property owner shall enter into a contract in writing with the City requiring the applicant to indemnify the City for damage to any public improvements or infrastructure at the applicant's sole cost and in accordance with the City's specifications and usual contract conditions.
- (c) The agreement shall require the applicant to create an escrow deposit or furnish an irrevocable letter of credit or a certified check as is determined by the City Attorney, City Engineer, and City Administration. The amount of the deposit or security is to be based upon the estimate of the total cost to remove any infrastructure and reclaim the property to its original condition at the conclusion of the CSES or Solar Farm. The deposit or security shall equal one hundred fifty percent (150%) of the estimate of all costs to remove any infrastructure and reclaim the property, plus any amount deemed necessary by the City Engineer to

protect any public infrastructure during the construction or decommissioning of this project. This amount may be reduced or increased upon approval of a City Council resolution based upon such consideration as the size of the project, past performance by the applicant and/or financial credibility of the applicant, but in no case shall the amount be less than fifty percent (50%) of the estimate. On request of the applicant, if evidence is presented that the described work and improvements have been paid for, the amount of the deposit may be reduced in a sum equal to the estimated cost of the reclamation work so completed.

(d) Decommissioning must occur within 180 days of abandonment.

- 13. Easements: Solar energy systems shall not encroach on public drainage, utility, roadway, or trail easements.
- 14. Glare: No solar energy equipment or solar electric systems shall create or cause unreasonable glare on other property or public roadways. Unreasonable glare shall mean a public safety hazard as determined by the City Council or the appropriate roadway authority.
- 15. Ground Cover: The following provisions shall be met for all ground-mounted CSESs and Solar Farms related to the establishment of vegetated ground cover:
 - (a) The project site design shall include the installation and establishment of ground cover that provides native perennial vegetation and foraging habitat beneficial to game birds, songbirds, and pollinators. A minimum of 85% of the land area shall be planted with a native seed mix. This ground cover shall be maintained on the site for the duration of operation, until the site is decommissioned.
 - (b) At the applicant’s request, they may take the additional steps necessary to meet the beneficial habitat standard for solar sites consistent with Minnesota Statutes, section 216B.1642, or successor statutes and guidance as set by the Minnesota Board of Water and Soil Resources (BWSR).

Section 2. This Ordinance shall take effect and be enforced from and after its passage and publication according to law.

Approved and adopted by the City Council of the City of St. Francis this 3rd day of February, 2025.

SEAL

CITY OF ST. FRANCIS

By: _____
Mark Vogel, Mayor

Attest: Jenni Wida, City Clerk

DRAFTED BY:

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