
10-67-04. Solar energy system.

- A. The City of St. Francis shall refer any application for a large electric power generating plant (LEPGP) to the Minnesota Public Utilities Commission (MN PUC) for approval.
- B. The following standards shall apply to all solar energy systems:
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 CSES 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.

-
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.
- C. *Community Solar Energy Systems (Solar Gardens/CSES)*. Roof or ground mounted CSESs designed to supply energy for off-site users on the distribution grid (but not for export to the wholesale market or connection to the electric transmission grid) shall meet the following requirements:
1. CSESs shall be located on a contiguous or aggregate site area footprint of at least five (5) acres in size (whether commonly owner/controlled or not-so owned or operated). The site area footprint size shall be computed by a determination of the Zoning Administrator.
 2. CSESs are prohibited within the Floodplain districts.
 3. All CSES components must meet the setback, height and impervious surface limitations for the district in which the systems is located.
 4. CSESs shall require a building permit and are subject to the accessory use standards for the district in which they are located.
- D. *Solar Farms*. Ground-mounted solar energy arrays which are the principal use on the property, that are designed for providing energy to off-site users or export to the wholesale market, shall be a permitted with standards use in Agricultural districts except as otherwise regulated or prohibited in this section. Solar farms shall be subject to the following:
1. Solar farms which have a generating capacity of 50 megawatts or more of power shall fall under the jurisdiction of the Minnesota Public Utilities Commission.
 2. Solar Farm Energy Systems generating less than 50 megawatts shall require a Conditional Use Permit.
 3. Solar farms shall be located on a contiguous or aggregate site area footprint of at least 5 acres in size (whether commonly owner/controlled or not-so owned or operated). The site area footprint size shall be computed by a determination of the Zoning Administrator.
 4. Prohibitions: the City prohibits community solar farms within Floodplain districts.
 5. All Solar Farm components must meet the setback, height and impervious surface limitations for the district in which the system is located.
- E. In addition to the criteria listed in Part 10-33-00, the City Council shall not approve any conditional use permit for solar energy systems unless they find all the following conditions have been met:
1. CUPs runs with the land: A CUP may be terminated if the owner/operator violates the terms of the CUP; provided however that the Zoning Administrator send a written notice of violation to the owner/operator giving thirty (30) days to remedy the violation. In the event the event the owner/operator fails to remedy the violation, the Zoning Administrator may send written notice of CUP termination to the owner/operator.
- F. *Conditional Use Permit Submittal Requirements*. A CUP application for Solar Energy System shall be accompanied by horizontal and vertical elevation drawings, drawn to scale. The drawings shall show the location of the system components on the property as well as other elements including, but not limited to, the following:
1. Existing features.
 2. Proposed features.

-
3. Property boundaries.
 4. Property zoning designation(s) including district property line and roadway setbacks.
 5. Solar arrays, connecting lines and all affiliated installations and structures.
 6. Access points, drive aisles, security features and fencing.
 7. Topography & surface water drainage patterns and treatment systems.
 8. Wetlands, woodlands, grasslands and prairielands.
 9. Existing and proposed/preserved/protected wildlife corridors (wetland/woodland/topography connectivity).
 10. Landscape plan, including required screening of site perimeter securing fencing.
 11. Floodplains.
 12. Soils.
 13. Historical features.
 14. Archeological features.
 15. Wildlife and ecological habitat.
 16. Environmental mitigation measures.
 17. Description of project staging (if applicable).