

ORDINANCE NO. 307

AN ORDINANCE AMENDING ORDINANCE 169, THE ARLINGTON ZONING ORDINANCE, BY ADDING SUBDIVISION 11 TO SECTION 13 PROVIDING FOR CERTAIN SOLAR ENERGY SYSTEMS AS ACCESSORY USES

- I. THE CITY COUNCIL OF THE CITY OF ARLINGTON, MINNESOTA TO PROMOTE THE PUBLIC SAFETY, HEALTH, AND WELFARE, HEREBY ORDAINS ORDINANCE 169, THE ZONING ORDINANCE, SHALL BE AMENDED BY ADDING SUBDIVISION 11 TO SECTION 13 AS FOLLOWS:**

SUBDIVISION 11. SOLAR ENERGY SYSTEMS.

- A. Purpose. The purpose of this Subdivision is to allow for rooftop and building integrated solar energy systems as accessory uses in certain zoning classifications.
- B. Findings. The City finds certain solar energy systems, accessory to existing uses, benefit the public health, safety, and welfare by:
1. Promoting the use of and investment in an abundant, clean, and renewable energy resource,
 2. Promoting a reduction in greenhouse gas emissions,
 3. Supporting local utility cost savings, and
 4. Creating access to community-based solar energy.
- C. Definitions. For the purpose of this Section, certain terms and words are defined as follows:
1. Solar Easement means an easement that limits the height or location or both of permissible development on land on which the easement is placed in terms of a structure or vegetation, or both, for the purpose of providing access for the benefited land to sunlight as defined in Minnesota Statutes Section 500.30, Subdivision 3 as may be amended.
 2. Solar Energy System means a device, combination of devices, or structural design feature, of which a substantial purpose is to provide for the collection, storage, use, and distribution of solar energy for electricity generation, space heating or cooling, or water heating.
 3. Solar Energy System, Building Integrated means an active solar energy system that is an integral part of a structure or structural component rather than a separate mechanical or ground mounted device.
 4. Solar Energy System, Ground Mounted means a solar energy system structurally mounted to the ground which is not roof mounted.

5. Solar Energy System, Rooftop means an active solar energy system that is structurally mounted to a code-compliant roof of an existing building or structure.
6. Solar Energy System, Wall-Mounted means an active solar energy system that is structurally mounted to a code-compliant wall of an existing building or structure.

D. Solar Energy Systems as an allowed accessory use.

1. Rooftop, wall, and building integrated solar energy systems are allowed as accessory uses, subject to Section 11(E), 'General Provisions' of this Ordinance, in the following zoning classifications: R-1/AG & R-2/AG Residence & Agricultural District, R-1 One and Two Family Residence District, R-2 Multiple Family Residence District, B-1 Service Business District, I-1 Limited Industrial District, I-2 General Industrial District, and the P/I Public Institutional District.
2. Rooftop and building integrated solar energy systems are allowed as accessory uses, subject to Section 11(E), "General Provisions" of this Ordinance in the following classification: B-2 Central Business District.

E. General Provisions. The following standards apply to all accessory solar energy systems:

1. A maximum of one (1) solar energy system per lot or parcel shall be allowed.
2. Building and electrical permits shall be secured.
3. Solar energy systems shall be placed to limit visibility from the public right-of-way to the extent possible and to blend into the building design, provided that minimizing visibility still allows the owner to reasonably capture solar energy.
4. Rooftop solar energy systems:
 - a. Shall not exceed the maximum height allowed in the applicable zoning district.
 - b. Shall be setback at least one foot from every building wall, roof edge, roof peak, roof ridge, and roof valley.
 - c. Shall not cover greater than eighty (80) percent of each side of the roof or wall to which they are affixed.
5. Glare from solar energy systems to adjacent or nearby properties shall be minimized.
6. Solar energy system annual power output (kWh) shall be no more than one hundred twenty (120) percent of the total energy used by the lot or parcel over the previous year. The City, at its discretion, may allow an array designed to produce more than 120% of the energy used provided an interim use permit is issued.

- F. Ground mounted solar energy systems are prohibited as principal or accessory uses in all zoning classifications.
- G. Solar Access Easements Allowed. The City elects to allow solar easements to be filed consistent with Minnesota Statutes, Chapter 500.30, as may be amended from time to time. Owners of land or solar skyspace are responsible for negotiating, drafting, and executing solar easements. Solar easements shall be filed with the City and the Sibley County Recorder's Office.

II. EFFECTIVE DATE.

This Ordinance is effective upon its adoption and publication as prescribed by law.

Adopted by the City of Arlington on the 5th day of July, 2016.

For City of Arlington:

By Richard Nagel
It's Mayor

By Liza M. Donabauer
It's Administrator

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Second Reading: July 5, 2016
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