

To: **Planning Commission**
Through: **Ben Boike, Community Development Director**
From: **Melissa Houtsma, City Planner**
Date: **January 18, 2022**

PC Case 22-03 – Ordinance Amendment Regarding Free Standing Solar Energy Systems

BACKGROUND:

After receiving a variance application for a free-standing solar energy system, City Staff was prompted to review sample code language and draft an amendment to allow for free standing solar energy systems in residential zoning districts. In such review, City Staff believes the language best fits within the “Accessory Buildings and Structures” section of the code.

Ordinance Components:

- Creation of a definition for, “Solar Energy System”.
 - The current code does not include a definition for this.
- Allowed as an additional accessory structure.
 - The code allows for up to two detached accessory structures, one being a detached garage and one being an additional structure (typically a storage shed).
- Defined and established a consistent method of measurement for the system size.
 - As was discussed during the variance application for a free-standing system, there are multiple methods and considerations to determine the system size.
 - Size is determined by the length and width of the solar panels, it does not discount the measured system size around the tilt/angle of the system or the structural supports.
- Retains consistent maximum size for an additional accessory structure.
 - As a free-standing energy system is categorized as the additional allowable accessory structure, it has a maximum size of 200-250 sq. ft. (dependent on lot size).
 - Staff believes this is an appropriate size based on the average and median single family residential lot size in West St. Paul (photo samples included in the attachments).
 - Average single family lot size – 11,353 sq. ft. or .26 acres
 - Median single family lot size – 8,751 sq. ft. or .20 acres
 - Sample lot dimensions – 106’x106’ (11,236 sq. ft.)
– 80’x140’ (11,200 sq. ft.)

ENVIRONMENTAL COMMITTEE:

The Environmental Committee reviewed the proposed amendment at their January 5th meeting and had the following comments,

- Number of allowable detached accessory structures,
 - City Staff confirmed that per code, residential lots are allowed one detached garage and one additional accessory structure. Essentially allowing two detached accessory structures.
- Structure size and permitting requirements,
 - It was stated during the meeting that no permit is required if a structure is installed if it is smaller than 100 sq. ft. This is incorrect, if a structure is smaller than 200 sq. ft., it does not require a building permit; however it does require a zoning permit to ensure that all minimum setbacks, height maximums, and other zoning requirements are being met. In addition, it is likely that an electrical permit would be required for any installation of free standing solar.
- Residential vs. commercial solar systems,
 - Presently, this ordinance is strictly limited to residential properties. Further data and exploration would be required to incorporate rules and regulations for commercial properties as they are typically larger in size and intensity of use.
- Existing regulations on rooftop/roof-mounted solar systems,
 - While this aspect is not presently addressed in the zoning ordinance there are multiple sections of language in both the building and fire codes that establish regulations and requirements. Such as methods to mount and secure systems to the roof, supporting structural requirements, proximity/setbacks for fire safety, etc.
- Determination for allowable square footage/size,
 - The 200/250 square feet maximums align with the current language for accessory structures, additionally South St. Paul has a similar threshold. Furthermore, with the smaller residential lot sizes in West St. Paul, City Staff is recommending the code be more restrictive in the initial stages. Starting off with a lower threshold to evaluate results, which can then be used if/when there is interest in increasing/altering that threshold at a later date.
 - Additionally, further detailed in Staff's presentation, it was internally evaluated how this threshold relates and works in conjunction with current property layouts.

STAFF RECOMMENDATION:

Staff recommends the Planning Commission hold a public hearing and make a recommendation on the proposed ordinance amendment.

ATTACHMENTS:

Staff Presentation
Redlined Ordinance

TIMELINE:

January 18: Planning Commission (Public Hearing)

January 24: City Council First Reading

February 14: City Council Final Reading (Public Hearing)