

ORDINANCE NO 100A
AN ORDINANCE AMENDING ORDINANCE NO. 100
NEW GERMANY ZONING ORDINANCE

The City Council of the City of New Germany ordains the following amendments to Ordinance No. 100 New Germany Zoning Ordinance:

SECTION I Chapter V. Definitions is amended by eliminating the individual numbering of each definition and adding the following new definitions, alphabetically:

Photovoltaic (PV) device - A system of components that generates electricity from incident sunlight by means of the photovoltaic effect, whether or not the device is able to store the energy produced for later use.

Photovoltaic (PV) effect - The phenomenon that occurs when photons, the "particles" in a beam of light, knock electrons loose from the atoms they strike. When this property of light is combined with the properties of semiconductors, electrons flow in one direction across a junction, setting up a voltage. With the addition of circuitry, current will flow and electric power will be available.

Photovoltaic (PV) module (PV Panel) - The essentially planar assembly of solar cells and ancillary parts, such as interconnections, terminals, (and protective devices such as diodes) intended to generate direct current or alternating current in direct and diffuse sunlight.

Photovoltaic (PV) system - A complete set of components for converting sunlight into electricity by the photovoltaic process, including the array and balance of system components.

Solar energy - Electromagnetic energy transmitted from the sun (solar radiation).

Solar electric system - A set of devices whose primary purpose is to collect solar energy and convert (and possibly store) it into electric power by means of any combination of collecting, transferring, or converting solar-generated energy.

Solar electric system, Retail - A solar electric system established for the primary purpose of meeting all or part of the electric energy needs of the host building, whether residential, commercial, industrial, or institutional.

Solar electric system, Wholesale - A solar electric system established for the primary purpose of generating electricity and selling it directly to a third party (e.g., electric utility company).

Solar panel - See Photovoltaic (PV) module.

SECTION II Chapter VI Administration, Section 6. Single Family Detached Dwelling Unit Requirements is amended by adding the following subsection:

D. Pursuant to the authority granted in Minnesota Statutes, Section 462.3593, the City of New Germany opts out of the requirements of Minnesota Statutes, Section 462.3593, which defines and regulates Temporary Family Health Care Dwellings.

SECTION III Chapter VIII. Section 2.A.5. A - Agricultural District Interim Uses is amended by deleting “*Reserved for Future Use*” and adding:

1. Retail and wholesale solar electric systems.

SECTION IV Chapter VIII. Section 2.B.5. R-1 Single Family Residential District Interim Uses is amended by deleting “*Reserved for Future Use*” and adding:

1. Retail solar electric systems.

SECTION V Chapter VIII. Section 2.C.5. R-2 Multiple Family Residential District Interim Uses is amended by deleting “*Reserved for Future Use*” and adding:

1. Retail solar electric systems.

SECTION VI Chapter VIII. Section 2.D.5. B - Business/Commercial District Interim Uses is amended by deleting “*Reserved for Future Use*” and adding:

1. Retail solar electric systems.

SECTION VII Chapter VIII. Section 2.E.5. I - Industrial District Interim Uses is amended by deleting “*Reserved for Future Use*” and adding:

1. Retail and Wholesale solar electric systems.

SECTION VIII Chapter X. Performance Standards is amended by adding the following provisions:

Section 13. Solar Electric Systems

- A. Solar electric systems require an interim use permit in all zoning districts.
- B. Wholesale solar electric systems shall be limited to the A - Agricultural District and the I - Industrial District.
- C. Retail solar electric systems in the R-1 Single Family Residential District and R-2 Multiple Family Residential District shall be limited to roof top systems. Roof top solar electric systems shall be mounted parallel to the plane of the roof, shall not extend more than one foot above the plane of the roof, shall not be located any closer than three feet from any side, top or bottom edge of the roof, and shall not occupy more 75 per cent of the area of the roof plane it is affixed to.

- D. Retail solar electric systems located in the A - Agricultural District, B - Business/Commercial District, and I-Industrial District may include roof top systems and ground mounted systems. Roof top systems shall not project more than four feet above the plane of the roof nor be located closer than six feet from the outer edge of the roof top. Ground mounted systems shall not exceed fifteen feet in height, shall not be located in any required front yard area, shall not be located closer than fifteen feet to a side or rear yard, and shall not be located closer than 100 feet to an existing adjacent residence. Ground mounted systems shall not exceed 10% lot coverage or 10,000 square feet, whichever is less. Square footage is calculated by the area encumbered by the outermost measurements of the solar equipment layout.
- E. Wholesale solar electric systems shall be set back a minimum of 50 feet from roadways and a minimum of 50 feet from all property lines. The maximum height of wholesale solar electric system equipment, structures and accessory appurtenances shall not exceed 15 feet. Wholesale solar electric systems shall be enclosed by a minimum six feet high security fence.
- F. Wholesale solar electric systems shall not be lighted, except for shrouded, downcast security lights on major equipment or storage buildings. Signage shall be limited to equipment labeling, security warnings and messages, entrance identification and directional signs, and a single site identification sign. No individual sign shall exceed thirty-six square feet in area or extend more than 15 feet in height.
- G. 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 Board of Supervisors or the appropriate roadway authority.
- H. No solar electric system shall create or constitute a public nuisance, as regulated in this Ordinance.
- I. Electric power lines within all ground mounted solar electric systems shall be buried underground.
- J. All solar energy systems, supporting structures or other buildings shall be consistent with applicable State Building Codes, State Electrical Codes, State Fire Codes and State Plumbing Codes.
- K. All applicable solar energy equipment shall be certified by either the Underwriters Laboratories (UL) or Canadian Electrical Code (CSA 22.1), or the Solar Rating and Certification Corporation (SRCC) for thermal systems.
- L. All solar electric systems unused, abandoned or inoperable for more than twelve months shall be removed by the system owner or the property owner. The property shall be returned to a condition comparable to that prior to the installation of the solar energy system.
- M. In addition to the Section 5.B. Site Plan Review application submittal requirements of Chapter VII., solar electric system applications shall include the following details:
 - 1. Grading plan.
 - 2. Location of access roads.
 - 3. Locations of overhead and underground electric lines.
 - 4. Dimensions, location and spacing of PV panels.
 - 5. Description of the racking method, including fixed or tracking technology.

6. Description and location of buildings, inverters, transformers, disconnects & combiners, and other structures and equipment.
 7. Typical elevations or photos of sample solar arrays.
 8. Site lighting and signage.
 9. Decommissioning plan and site restoration plan, including financial assurances.
 10. Fire Department Access.
- N. Fencing, landscaping, and other screening shall be required for any ground mounted solar electric system. Deviations from dimensional standards (including setbacks) may be considered through public hearing procedures for permitting, based upon mitigation of off-site impacts through fencing, landscaping, screening, or other mitigation measures.
- O. All ground mounted solar electric systems shall prepare a stormwater management plan consistent with the Carver County Watershed Management Organization requirements. Any site grading shall be accompanied by an erosion and sedimentation control plan consistent with Best Management Practices for control components.
- P. All permit applications for ground mounted solar electric systems shall include a description of the vegetation or material under the solar system components and the method of ground care and vegetative maintenance.

SECTION IX Ordinance No. ____ was adopted by the New Germany City Council on _____ and shall become effective upon its publication.

ATTEST:

Steve VanLith, Mayor

Twyla Menth, Clerk

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