

Sec. 22.24.1. - Solar energy ordinance.

This ordinance is established to set forth processes for permitting large and small solar energy systems, and to regulate the installation and operation of a solar energy system within Meeker County, outside the incorporated limits of municipalities, pursuant to Minnesota Statutes chapters 216C.25, 500.30 and Minnesota Rules chapter 1325.1100, as amended.

- A. *Interpretation.* In interpreting and applying the provisions of this ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, and general welfare. Where the provisions of this ordinance impose greater restriction than those of any statute, other ordinance or regulations, the provisions of this ordinance shall be controlling. Where the provisions of any statute, other ordinance or regulation impose greater restrictions than this ordinance, the provisions of such statute, other ordinance or regulation shall be controlling.
- B. *Definitions.*
1. *Accessory use.* A use clearly incidental or subordinate to the principle use of a lot or a building located on the same lot as the principle use.
  2. *Array (solar).* Any number of solar photovoltaic modules or panels connected together to provide a single electrical output.
  3. *Eligible energy technology.* As defined in Minnesota Statutes § 216B.1691.
  4. *Large solar energy system.* A solar farm, where the primary land use of the parcel is for a solar array. Solar farms are composed of multiple solar panels on multiple mounting systems (poles or racks), and generally have a direct current (DC) rated capacity of 100 kilowatts or greater.
  5. *Module (solar).* A number of individual solar cells connected together in an environmentally protected housing producing a standard output voltage and power. Multiple modules/panels can be assembled into an array for increased power and/or voltage.
  6. *Photovoltaic array.* A group of solar photovoltaic modules connected together to increase voltage and/or power to the level required for a given system.
  7. *Photovoltaic device.* A system of components that generate 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.
  8. *Power purchase agreement.* A legally enforceable agreement between two or more persons where one of more of the signatories agrees to provide electrical power and one or more of the signatories agrees to purchase the power.
  - 9.

except where noted below. An application to the county for a permit under this section is not complete unless it contains the following:

1. A site plan of existing conditions showing the following:
  - a. Existing property lines and property lines extending 100 feet from the exterior boundaries, including the names of the adjacent property owners and current use of those properties.
  - b. Existing public and private roads, showing widths of the roads and associated easements.
  - c. Location and size of any abandoned wells, sewage treatment systems and dumps.
  - d. Existing buildings and any impervious surface.
  - e. Topography at two-foot intervals and source of contour interval. A contour map of the surrounding properties may also be required.
  - f. Existing vegetation (list type and percent of coverage, i.e., grassland, farmed field, wooded areas, etc.)
  - g. Waterways, watercourses, lakes and public water wetlands.
  - h. Delineated wetland boundaries within 100 feet of the array.
  - i. The 100-year flood elevation and regulatory flood protection elevation, if applicable.
  - j. Floodway, flood fringe, and/or general floodplain district boundary, if applicable.
  - k. The shoreland district boundary, if any portion of the project is located in the shoreland district.
  - l. In the shoreland district, the ordinary high water level and the highest known water level.
  - m. In the shoreland district, the toe and top of any bluffs within the project boundaries, if applicable.
  - n. Surface water drainage patterns.
  - o. Upon the request of the zoning administrator, planning commission, or county board, the applicant shall submit any other information or exhibits as necessary to make findings, recommendations and disposition on the conditional use permit application.
2. Site plan of proposed conditions.
  - a. Location and spacing of solar panels.
  - b. Location of access roads.
  - c. Planned location of underground or overhead electric lines connecting the solar farm to the building substation or other electric load.
  - d.

5. *[Requirements for a signed waiver.]* Any setback distance within 750 feet of a non-owner residence and 1,000 feet from an incorporated municipality for the construction of a 100-kilowatt rated direct current (DC) capacity or larger solar project requires a signed waiver from the non-owner residence or from the municipality. The signed waiver shall be recorded as part of the Conditional Use Permit with the Meeker County Recorder.
- F. *Standards for solar energy systems, accessory.* Solar energy systems are a permitted accessory use in all zoning districts, subject to the following standards:
  1. *Accessory building limit.* Solar systems, either roof or ground-mounted, do not count as an accessory building for the purpose of meeting limits on the number of accessory structures allowed per residential lot or the coverage limits, as set forth in the Meeker County Zoning Ordinance.
  2. *Height.* Active solar systems are subject to the following height requirements:
    - a. Building- or roof-mounted solar systems shall not exceed the maximum allowed height in any zoning district. For purposes of height measurement, solar systems other than building-integrated systems shall be considered to be mechanical devices and are restricted consistent with other building-mounted mechanical devices for the zoning district in which the system is being installed.
    - b. Ground- or pole-mounted solar systems shall not exceed the maximum allowed height for the zoning district in which it is located when oriented at maximum tilt.
  3. *Location within lot.* Solar systems must meet the accessory structure setback for the zoning district.
    - a. *Roof-mounted solar systems.* In addition to the building setback, the collector surface and mounting devices for roof-mounted solar systems that are parallel to the roof surface shall not extend beyond the exterior perimeter of the building on which the system is mounted or built. The collector and racking for roof-mounted systems that have a greater pitch than the roof surface shall be set back from all roof edges by at least two feet. Exterior piping for solar hot water systems shall be allowed to extend beyond the perimeter of the building on a side yard exposure not more than two feet six inches.
    - b. *Ground-mounted solar systems.* Ground-mounted solar energy systems may not extend into the side yard, rear, or road right-of-way setback when oriented at minimum design tilt.
    - c. *Large ground-mounted systems.* Ground-mounted solar systems that result in the creation of one or more acres of impervious surface, must comply with the MPCA construction stormwater permit requirements.