

ORDINANCE NO. 2015-B

**CASTLE ROCK TOWNSHIP
DAKOTA COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING *ORDINANCE NO. 2013-01*
*CASTLE ROCK TOWNSHIP ZONING ORDINANCE***

The Board of Supervisors of Castle Rock Township ordains the following amendments to *Ordinance No. 2013-01 Castle Rock Township Zoning Ordinance*:

SECTION I SECTION IV Definitions is amended by adding the following new definitions:

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 photovoltaic 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 Section 6.04 K. AG Agriculture District Interim Uses is amended by adding the following:

3. Retail solar electric systems.
4. Wholesale solar electric systems.

SECTION III Section 6.05 RR-I Rural Residential District is amended by adding the following:

H. Interim Uses and Interim Use Permits.

1. Retail solar electric systems.
2. Wholesale solar electric systems.

I. Standards for Granting Interim Use Permits. In addition to Section 8.08 of this Ordinance and other requirements of this Ordinance, the issuance of an Interim Use Permit shall be subject to the Township's findings for the following conditions:

1. The interim use shall not have an unmitigated negative impact on any environmental system, natural feature, or adjacent property.
2. The interim use shall not negatively impact the Township's goal for agricultural preservation.
3. The interim use shall not be incompatible with area land uses.
4. The interim use shall not lead to the premature conversion of adjacent land uses to unplanned or incompatible land uses.
5. The interim use shall not create transportation access, congestion, or safety hazards or create undue burden and increased maintenance on local, collector, or arterial roadways.

SECTION IV Section 6.06 RR-II Rural Residential District is amended by adding the following:

H. Interim Uses and Interim Use Permits.

1. Retail solar electric systems.

I. Standards for Granting Interim Use Permits. In addition to Section 8.08 of this Ordinance and other requirements of this Ordinance, the issuance of an Interim Use Permit shall be subject to the Township's findings for the following conditions:

1. The interim use shall not have an unmitigated negative impact on any environmental system, natural feature, or adjacent property.
2. The interim use shall not negatively impact the Township's goal for agricultural preservation.
3. The interim use shall not be incompatible with area land uses.
4. The interim use shall not lead to the premature conversion of adjacent land uses to unplanned or incompatible land uses.
5. The interim use shall not create transportation access, congestion, or safety hazards or create undue burden and increased maintenance on local, collector, or arterial roadways.

SECTION V Section 6.07 Commercial/Industrial District is amended by adding the following:

I. Interim Uses and Interim Use Permits.

1. Retail solar electric systems.

J. Standards for Granting Interim Use Permits. In addition to Section 8.08 of this Ordinance and other requirements of this Ordinance, the issuance of an Interim Use Permit shall be subject to the Township's findings for the following conditions:

1. The interim use shall not have an unmitigated negative impact on any environmental system, natural feature, or adjacent property.
2. The interim use shall not negatively impact the Township's goal for agricultural preservation.
3. The interim use shall not be incompatible with area land uses.
4. The interim use shall not lead to the premature conversion of adjacent land uses to unplanned or incompatible land uses.
5. The interim use shall not create transportation access, congestion, or safety hazards or create undue burden and increased maintenance on local, collector, or arterial roadways.

SECTION VI SECTION VII Performance Standards is amended by adding the following:

7.21 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 RR-I Rural Residential District and AG Agriculture District.
- C. Retail solar electric systems in residential districts 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 than 75 per cent of the area of the roof plane it is affixed to.

D. Retail solar electric systems located in the AG Agriculture District and C/I Commercial/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 yard area, 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 100 feet from the centerlines of roadways, a minimum of 50 feet from all property lines, and a minimum of 75 feet from any adjacent property residential dwelling. 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 shall be consistent with applicable State Building Codes, State Electrical 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.

M. In addition to the Site Plan Review requirements of Section 5.05, ground mounted solar electric system applications shall include the following details:

1. Grading plan.
2. Stormwater management plan.
3. Location of access roads.
4. Locations of overhead and underground electric lines.
5. Dimensions, location and spacing of PV panels.

6. Description of the racking method, including fixed or tracking technology.
7. Description and location of buildings, inverters, transformers, disconnects & combiners, and other structures and equipment.
8. Typical elevations or photos of sample solar arrays.
9. Site lighting and signage.
10. Decommissioning plan and site restoration plan, including financial assurances.

N. Fencing, landscaping, and other screening may 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 corresponding watershed requirements: the Vermillion River Watershed "Water Resources Management Ordinance" or the North Cannon River Watershed Management Organization Model Stormwater Ordinance, "An Ordinance Establishing Erosion Control and Stormwater Management Requirements for Land Disturbances." 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 VII Effective Date. This Ordinance shall be effective on the first day of publication after adoption.

ADOPTED this 9th day of November, 2015, by the Board of Supervisors of Castle Rock Township.

ATTEST:

Barbara M. Lang
Barbara M. Lang, Clerk

Sandy Weber
Sandy Weber, Chair

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