

MINUTES
Blue Earth County Planning Commission
Regular Meeting
Wednesday February 3, 2016
7:30 p.m.

1. CALL TO ORDER

The meeting was called to order at 7:30 p.m. by Chairman Lyle Femrite. Planning Commission members present were Bill Anderson, Kurt Anderson, Kip Bruender, Lyle Femrite, Chuck Grams, Barry Jacques and Joe Smentek. County staff members Aaron Stubbs, Chris Meeks, and George Leary were also present.

2. APPROVAL OF MINUTES

Mr. Smentek made a motion to approve the minutes from the January 6, 2016 Regular Planning Commission Meeting. Mr. Grams seconded the motion which carried unanimously.

3. AGENDA APPROVAL

Mr. Leary asked for time at the end of the meeting to discuss an upcoming workshop.

4. NEW BUSINESS

PC 04-16

Blue Earth County - Request to amend Chapter 14 (the Shoreland Ordinance) and Chapter 24 (the Zoning Ordinance) of the Blue Earth County Code of Ordinances. The amendments to the Shoreland Ordinance will include the addition of a definition related to a small solar energy system and to include small solar energy systems as defined by the ordinance as a permitted accessory use within the Shoreland Overlay District. The amendments to Chapter 24 will include the addition of definitions and updates to the solar energy standards section. The amendments will update the applicable zoning districts where solar energy systems are listed as either permitted or conditional uses.

Mr. Stubbs presented the staff report.

There was no public comment.

There was some discussion on the state mandates for the production of renewable energy. Staff was also asked if other counties have developed solar energy ordinances. Staff indicated that a number of other counties have adopted or are in the process of adopting solar energy ordinances.

Kurt Anderson asked how large might a photovoltaic system be to produce 100 KW of electricity. Mr. Stubbs responded that the industry has indicated it takes approximately two acres of land to accommodate panels to produce one megawatt of power. He added that a small system might be a system found on the roof of a home or mounted in the yard.

Discussion continued of systems found in the shoreland area. Kurt Anderson expressed his concern of allowing solar systems in the shoreland area. Mr. Stubbs provided clarification of what is allowed in shoreland stating that only small solar systems are allowed and only as an accessory use, meaning they may

not be constructed as the primary use on a property, but must be accessory to a primary use which is generally a residence. Kurt Anderson recalled discussion from the solar workshops that would not allow free standing solar systems in the shoreland district. Mr. Stubbs reviewed the existing ordinance which prohibits ground mounted systems in the shoreland district and stated there are no changes proposed to that issue. Mr. Anderson asked if that might be something that could be appealed to the Board of Adjustment. Mr. Stubbs stated that would be different from a normal area variance and may fall into the category of a use variance. Mr. Anderson expressed his concern with having a couple of billboard sized arrays 100 feet from a beach vs. a system that is several hundred feet and well screened and if so, why not allow it to be pole mounted if on contiguous property and would then classify as an accessory use. Mr. Anderson added that leniency may be needed for the systems in shoreland but farther out. Mr. Stubbs commented that the DNR would have input on changes made in the Shoreland district and questioned if the county would have the ability to be lenient. Mr. Leary stated that the intent of staff was to bring forward an amendment to the ordinance that addresses the issues that staff has found in the short year the ordinance has been in place and during which time four large solar projects have been reviewed. He asked the commission to consider forwarding a recommendation of the amendments presented. He added that staff has not received many requests for small solar systems. Mr. Bruender surmised that Mr. Anderson's question had been answered in that pole mounted systems were not allowed in the shoreland district. Mr. Anderson agreed. Mr. Bruender continued and stated when the ordinance was developed there was an understanding that if started to receive recommendations they would bring this back for review. Mr. Bruender indicated he is comfortable with the language and it is likely that it is he who will get the calls if there are problems and to this point there have not been problems. Mr. Anderson agreed with Mr. Bruender. He acknowledged that he had pushed pretty hard to make it restrictive to protect the closer proximity to the shoreline. He added if that is going to test the outer limits, he is comfortable with it as long as the property owners would have access to their fair hearing. He added that he would like to know how large an area is needed to produce 100 kilowatts of electricity and how much electricity could be produced by a 120 square foot panel. Mr. Smentek checked on this and found that a typical 100 KW system requires 8 to 10,000 square feet of unobstructed space according to Solar Energy Systems LLC.

Mr. Jacques asked if staff knew the capacity of the BENCO project. Staff did not immediately know the answer.

Following the discussion, Mr. Bruender made a motion to forward a recommendation of approval of the request as recommended by staff to the County Board. Mr. Smentek seconded the motion and the motion carried unanimously.

5. OTHER BUSINESS

Mr. Leary indicated that a workshop has been arranged for the Board of Adjustment, Planning Commission, County Attorney, Planning and Zoning Staff and Scott Anderson from the Law Firm of Rupp, Anderson & Waldspurger. The workshop is March 16th from 3:00 to 8:30 and a meal will be served. In the past, our workshops have included a number of other counties. This workshop will be specific to the needs of Blue Earth County.

ADJOURNMENT

There was no further business. Bill Anderson made a motion to adjourn the meeting which was seconded by Mr. Jacques and the meeting was adjourned at 8:10 p.m.

Planning Commission Chair

Date

Planning Commission Secretary

Date