



PLANNING COMMISSION MEETING
ISD #15 District Office Building 4115 Ambassador Blvd.
Wednesday, April 17, 2024 at 7:00 PM

AGENDA

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE**
2. **ROLL CALL**
3. **ADOPT AGENDA**
4. **APPROVE MINUTES**
[A.](#) Planning Commission Minutes - December 20, 2023
5. **PUBLIC COMMENT**
6. **PUBLIC HEARINGS**
[A.](#) Solar Farm Zoning Ordinance Amendment
7. **REGULAR BUSINESS ITEMS**
8. **DISCUSSION BY PLANNING COMMISSIONERS**
9. **ADJOURNMENT**

**CITY OF ST. FRANCIS
ST. FRANCIS, MN
PLANNING COMMISSION MINUTES
DECEMBER 20, 2023**

1. **Call to Order:** The Planning Commission meeting was called to order at 7:00 pm by Chairwoman Fairbanks

2. **Roll Call:** Present were Dean Becker, Liz Fairbanks, Gail Genin, Deborah Humann, Dustin Hingos, Dustin Pavek, and Danial White. Absent: None.

Others in attendance: Kate Thunstrom, Community Development Director; Beth Richmond, City Planner; and, Kevin Robinson, City Council.

3. **Adopt Agenda:** Motion by Pavek, second by Hingos to approve the agenda. Motion carried 7-0.

4. **Approve Minutes:** Motion by Genin, second by Becker to approve the September 20, 2023 minutes. Motion carried 7-0.

5. **Public Comment:** None

6. **Public Hearing:**

a. Educational Facility Zoning Ordinance Amendment

Richmond reviewed the Staff packet in regard to the educational facility zoning ordinance amendment. She shared that this is a request from the School District to allow educational facilities in the B-1 Business District.

Public Hearing opened at 7:09 p.m.

Chris Lindquist, 4115 Ambassador Boulevard NW, an employee of the School District came forward and shared that this has been something they have been working on for a while. He noted that they did not foresee the changes in the legislation that came about that changed the age of the young adults in this program from 21 to 22. He said that they have a space crunch with their current space. He added that this building is not their perfect location; however, they need space to support this program.

The Commission asked if the School District and the City owned this building together in the past. Richmond explained it was a variety of School Districts that co-owned the building together. Mr. Lindquist gave the background on the building and shared that it was built for use as a school building.

The Commission asked about parking for the facility. Richmond shared that if this is something that the City is supportive of then this would go through the interim use permit process and this would be discussed later. She noted that this parking lot does need to be updated.

The Commission asked how long they anticipate staying in this building. Mr. Lindquist stated it would likely be more than ten years.

The Commission asked about the interim requirements from the City. Richmond explained that there would need to be a clear end but this can be set as part of the permitting process.

The Commission asked about anticipated enrollment for the following year. Mr. Lindquist stated they were looking at enrollment in the upper 20s, low 30s.

Amy Balabon, 23318 Salish Street, came forward and asked what another school building on Bridge Street would do for the traffic in the morning and afternoon. She shared she is a parent who has a child in the Middle and the High School and traffic is very bad in the morning and afternoon. She asked if the students at this facility would have the same drop-off and pick-up time as the other students.

Deb Parson, 4115 Ambassador Boulevard, came forward and shared that this building would not be adding any additional traffic.

The Commission asked if the students are picked up at their homes or at the school. Ms. Parson said at their homes.

Public Hearing closed at 7:22 p.m.

The Commission discussed that they do not see this as the future for Bridge Street; however, they acknowledge that this program needs the space. They asked if there has been any other interest in this property. Richmond explained that this property does not receive much interest. She noted there was a church earlier in the year that was considering the property.

The Commission asked what would happen if the School District is allowed to use the building and then there is commercial interest in the building. Richmond explained that the interim use permit would be good for as long as the permit allows. She said the City would not be able to kick them out of using the building because there is interest.

The Commission discussed that not a lot has been going into this area of Bridge Street and it would be a good addition since this building has sat vacant for so long and there is plenty of other room for commercial development.

Chairwoman Fairbanks shared she is not against them; however, she did have concerns. She stated that Bridge Street is not pedestrian-friendly and if this does move forward they will need to push the County on getting some pedestrian crossings. She shared concerns with parking and safety. She noted that this seems to be a great temporary solution, but not long-term. She added that she is also concerned that School Districts do not always spend money properly.

Motion by Fairbanks, second by Becker to recommend approval of the amendment and allow educational facilities in B-1 district as an interim use. This would give the City the opportunity to review each proposed educational facility and set parameters for how long the facility would be able to operate within the B-1 district. The interim use designation would allow educational facilities as a temporary use while preserving the land for commercial uses in the future. Motion passed 6-0.

b. 2023 Code Revisions

Richmond reviewed the staff packet concerning the 2023 code revisions.

The Commission discussed how the change to allowing living on Sacred Settlements could promote cult activity. Richmond explained that this is to provide additional housing opportunities to the homeless, previously homeless, or extremely low income.

The Commission noted that there have been areas who have had success with this kind of living.

Robinson asked if the housing on Sacred Settlements will be mobile. Richmond explained there are very specific definitions for exactly what this will look like in the State statute.

Richmond acknowledged that there are many questions concerning the Sacred Settlements and that the City does not have any leeway to change or add any regulations. She shared that the property would require access to water and electricity. She reviewed the other requirements in the statute.

Robinson asked if a church has owned a property for a while and they have not built anything on it and the primary structure was not there if they would be able to build this type of housing on the land. Richmond stated it would have to be contiguous with the primary structure in order to build the housing.

The Commission asked why this was being brought forward to them if they do not have a say in it due to State legislation. Richmond explained that cities are updating their codes to reflect this change.

Richmond reviewed the types of units that will be allowed for this change. She noted these homes will still be held to the same nuisance code as the rest of the City.

The Commission discussed the septic setbacks and asked if anything has changed with this. Richmond explained that this has been proposed to be added to the code because it is a step that Staff does during their review that is not notated anywhere in code that there is a septic setback.

Public Hearing opened at 7:53 p.m.

No one came forward to address the Commission.

Public Hearing closed at 7:53 p.m.

The Commission asked why they are excluding the Planning and Zoning Commission from zoning approval extensions. Richmond explained this is being removed as they are not all being brought to the Planning and Zoning Commission and the Commission only meets when there is an application to be reviewed and the Council meets twice a month. She noted that the Planning and Zoning Commission would need to meet more often if they were going to be doing extension approvals. She added that they often do not get a lot of lead time for these requests.

Motion by Hingos, second by Humann to recommend approval of the revisions of the City's Zoning Code with conditions and findings of fact as recommended by Staff. Motion passed 6-0.

7. **Regular Business Items** – None

8. **Planning Commission Discussion**

Chairwoman Fairbanks shared that she will be stepping down as Chairwoman of the Commission.

Richmond shared that they will be appointing a new Chairperson at the beginning of the next meeting.

9. **Adjournment:**

Motion by Becker, second by Humann to adjourn the meeting. Motion passed 6-0.

Meeting adjourned at 7:58 p.m.

Website Link to Packets and Minutes for the Planning Commission:

<https://www.stfrancismn.org/meetings>

Recorded by: Kate Thunstrom

DATE APPROVED:



PLANNING COMMISSION AGENDA REPORT

TO: St. Francis Planning Commission
FROM: Beth Richmond, Planner
SUBJECT: Solar Farm Zoning Ordinance Amendment
DATE: 4-10-2024 for 4-17-2024 meeting
APPLICANT: Connexus Energy (Brian Burandt)

OVERVIEW

The City has received a request from Connexus Energy to amend the City's Zoning Code to allow solar farms within the I-2 Isolated Industrial District. Land within this district is primarily owned and operated by Northrop Grumman for the manufacturing, storage, and testing of explosives and component parts. Land that is not actively used for this purpose is maintained as vacant land and includes wetlands, open green space, and wooded areas. Connexus Energy and Northrop Grumman desire to partner in developing solar energy on unused land located outside of the hazardous areas onsite.

REVIEW PROCEDURE

60-Day Land Use Application Review Process

Pursuant to Minnesota State Statutes Section 15.99, local government agencies are required to approve or deny land use requests within 60 days. Within the 60-day period, an automatic extension of no more than 60 days can be obtained by providing the applicant written notice containing the reason for the extension and specifying how much additional time is needed. The deadline for the land use request is May 20, 2024.

Public Hearing

City Code Section 10-31-03 requires that a public hearing for review of the zoning ordinance amendment request be held by the Planning Commission. The public hearing notice was published in the Anoka County Union Herald on April 5, 2024.

ANALYSIS

The site is currently zoned I-2 Isolated Industrial. The general intent of this district is to accommodate industrial users that, due to the nature of their operations, must be isolated from urban areas. A mix of industrial, agricultural, and utility uses are permitted in the I-2 District.

The City currently allows two types of solar system uses as principal uses: solar gardens and solar farms. These uses have the following definitions:

Community solar energy system (CSES, also called a "solar garden"): A solar-electric (photovoltaic array that provides retail electric power (or a financial proxy for retail power) to multiple community members or businesses residing or located off-site from the location of a solar energy system.

Solar farm: A commercial facility that converts sunlight into electricity, whether by photovoltaics (PV), concentrating solar thermal devices (CST) or other conversion technology, for the principal purpose of wholesale sales of generated electricity.

Community solar energy systems/solar gardens are conditionally allowed within the I-2 District today. The applicant is requesting to also allow solar farms within this district. Currently, solar farms are permitted with standards in the City’s agriculture and urban reserve zoning districts. The table below shows how both solar gardens and solar farms are allowed within the City today.

	A-1	A-2	UR	I-1	I-2
Solar garden	C	C	C	C	C
Solar farm	PS	PS	PS		

Standards for each of these uses exist in the Code today and are attached for reference. If the Planning Commission is supportive of the proposed amendment, Staff recommends that solar farms in the I-2 District be held to the same standards as solar farms in the A-1, A-2, and UR districts.

RECOMMENDATION

Staff asks the Planning Commission to hold a public hearing for the requested ordinance amendment and provide a recommendation to the City Council. The Planning Commission may choose to move forward with one of the following options:

1. Recommend approval of the amendment and allow solar farms in the I-2 District as a Permitted with Standards (PS) use, with the use standards that already exist for the A-1, A-2, and UR districts.
2. Recommend denial.

If Commissioners feel that additional information is needed to make a decision, Commissioners may table the request to the next meeting and provide direction as to the information needed from Staff and/or the applicant.

ATTACHMENTS

- Applicant narrative
- Existing solar standards

Connexus and Northrop Grumman have shared environmental sustainability goals and desire to partner in developing solar in an unused corner of Northrop Grumman's property that falls outside its hazardous areas onsite.

Connexus is subject to the Minnesota mandate for utilities to evolve their generation resource mix to be 100% carbon free by 2040. As part of the strategy to comply with this mandate, Connexus is looking to develop distributed energy resources in areas that do not remove opportunities for future residential development and/or agriculture uses. Given the operations at this site, solar is a good *"fit"* as residential development and agriculture are not options.

All the power generated from this solar project will stay within the local area. This power will not flow back onto the bulk transmission system.

The site to be developed has characteristics similar to Agriculture Districts, where solar is allowed, in that it will be seeded into pollinator habitat. In addition to the benefits of locally generated renewable energy, creating and maintaining pollinator habitat contributes to ecological sustainability, food security, and human well-being, making it a valuable investment in both environmental and societal health.

10-67-04. Solar energy system.

- A. The City of St. Francis shall refer any application for a large electric power generating plant (LEPGP) to the Minnesota Public Utilities Commission (MN PUC) for approval.
- B. The following standards shall apply to all solar energy systems:
 - 1. Compliance with Building Code: All SESs shall require a building permit, shall be subject to approval of the City Zoning Administrator and Building Official, and shall be consistent with the State of Minnesota Building Code.
 - 2. Compliance with State Electric Code: All photovoltaic systems shall comply with the Minnesota State Electrical Code.
 - 3. Compliance with State Plumbing Code: Solar thermal systems shall comply with applicable Minnesota State Plumbing Code requirements.
 - 4. Compliance with MN Energy Code: All SESs shall comply with HVAC-related requirements of the Energy Code.
 - 5. Utility Notification: No grid-intertied photovoltaic system shall be installed until the owner has submitted notification to the utility company of the customer's intent to install an interconnected customer-owned generator. Off-grid systems are exempt from this requirement.
 - 6. Permitting Deadlines: Solar Energy Systems must complete work outlined within the Building Permit within six (6) months of the date the Building Permit was issued. All requests for an extension to this deadline must be made prior to the deadline, and must be made in writing to the City Building Official. The City Building Official shall issue an extension within seven (7) days of receiving the request if the party making the request provides good cause, which shall be broadly interpreted, for the request.
 - 7. Installation: Installation of a solar system shall not constitute a right to sunlight from any adjoining property, nor does the city assure access to sunlight.
 - 8. Security and Equipment buildings: Security and equipment building(s) on the site of solar farms shall be permitted uses accessory to the solar farm.
 - 9. Landscaping: Buffer screening from routine view of the public right-of-way and immediate adjacent residences shall be required in an attempt to minimize the visual impact of above grade site improvements and any extensive or imposing perimeter securing fencing that is proposed. Low lying screening, shrubbery or other native vegetation shall be required around site perimeter security fencing.
 - 10. Controlled Access: The owner or operator shall contain all unenclosed electrical conducts located above ground within a structure (or structures) with controlled access.
 - 11. All CSEs and Solar Farms—Power and communication lines: All on-site power and communication lines running between banks of solar panels and buildings shall be buried underground on premise. The Zoning Administrator may grant exemptions to this requirement in instances where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines.
 - 12. All CSES and Solar Farm—Decommissioning Plan: A decommissioning plan with cost estimates shall be required to ensure that CSEs and Solar Farms are properly removed after their useful life. Decommissioning must occur within 180 days of abandonment. Five (5) years after commencement of the use, the owner or operator shall post a bond, letter of credit, or establish an escrow account. This security shall be in an amount equal to the estimated decommissioning cost.

13. Easements: Solar energy systems shall not encroach on public drainage, utility, roadway, or trail easements.
 14. Glare: 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 City Council or the appropriate roadway authority.
- C. *Community Solar Energy Systems (Solar Gardens/CSES)*. Roof or ground mounted CSESs designed to supply energy for off-site users on the distribution grid (but not for export to the wholesale market or connection to the electric transmission grid) shall meet the following requirements:
1. CSESs shall be located on a contiguous or aggregate site area footprint of at least five (5) acres in size (whether commonly owner/controlled or not-so owned or operated). The site area footprint size shall be computed by a determination of the Zoning Administrator.
 2. CSESs are prohibited within the Floodplain districts.
 3. All CSES components must meet the setback, height and impervious surface limitations for the district in which the systems is located.
 4. CSESs shall require a building permit and are subject to the accessory use standards for the district in which they are located.
- D. *Solar Farms*. Ground-mounted solar energy arrays which are the principal use on the property, that are designed for providing energy to off-site users or export to the wholesale market, shall be a permitted with standards use in Agricultural districts except as otherwise regulated or prohibited in this section. Solar farms shall be subject to the following:
1. Solar farms which have a generating capacity of 50 megawatts or more of power shall fall under the jurisdiction of the Minnesota Public Utilities Commission.
 2. Solar Farm Energy Systems generating less than 50 megawatts shall require a Conditional Use Permit.
 3. Solar farms shall be located on a contiguous or aggregate site area footprint of at least 5 acres in size (whether commonly owner/controlled or not-so owned or operated). The site area footprint size shall be computed by a determination of the Zoning Administrator.
 4. Prohibitions: the City prohibits community solar farms within Floodplain districts.
 5. All Solar Farm components must meet the setback, height and impervious surface limitations for the district in which the system is located.
- E. In addition to the criteria listed in Part 10-33-00, the City Council shall not approve any conditional use permit for solar energy systems unless they find all the following conditions have been met:
1. CUPs runs with the land: A CUP may be terminated if the owner/operator violates the terms of the CUP; provided however that the Zoning Administrator send a written notice of violation to the owner/operator giving thirty (30) days to remedy the violation. In the event the event the owner/operator fails to remedy the violation, the Zoning Administrator may send written notice of CUP termination to the owner/operator.
- F. *Conditional Use Permit Submittal Requirements*. A CUP application for Solar Energy System shall be accompanied by horizontal and vertical elevation drawings, drawn to scale. The drawings shall show the location of the system components on the property as well as other elements including, but not limited to, the following:
1. Existing features.
 2. Proposed features.

3. Property boundaries.
4. Property zoning designation(s) including district property line and roadway setbacks.
5. Solar arrays, connecting lines and all affiliated installations and structures.
6. Access points, drive aisles, security features and fencing.
7. Topography & surface water drainage patterns and treatment systems.
8. Wetlands, woodlands, grasslands and prairielands.
9. Existing and proposed/preserved/protected wildlife corridors (wetland/woodland/topography connectivity).
10. Landscape plan, including required screening of site perimeter securing fencing.
11. Floodplains.
12. Soils.
13. Historical features.
14. Archeological features.
15. Wildlife and ecological habitat.
16. Environmental mitigation measures.
17. Description of project staging (if applicable).