

**CITY OF CHATFIELD
PLANNING & ZONING COMMISSION AGENDA
REGULARLY SCHEDULED MEETING**

Monday, November 7th, 2022

I. Planning & Zoning Commission Meeting, November 7th, 2022, 7:00 p.m.

II. Approve Prior Meeting Minutes

Approval of the August 1st, 2022, Meeting Minutes

III. Public Hearing Items

A. Solar Power Text Amendment

IV. Non-public Hearing Items

A. People's Cooperative Property Purchase

V. Staff Recap on upcoming issues, if any...

A. Parking Standards Discussion

B. Dispensary Primary Use Discussion

Adjourn

CITY OF CHATFIELD

PLANNING & ZONING COMMISSION MEETING MINUTES

Monday, August 1st, 2022

The Planning & Zoning Commission of the City of Chatfield met in regular session on Monday, August 1st, 2022. Wayne Halvorson presided as Chair and called the regular meeting to order at 7:00 PM.

Present	Absent	Name
■		Commissioner Wayne Halvorson, Chair
■		Commissioner Dan Tuohy
■		Commissioner Rich Bakken
■		Commissioner Terry Bradt
	■	Commissioner Josh Broadwater
■		Commissioner Colleen Haffner
■		Commissioner Kent Whitcomb
■		Logan Tjossem, Planner and Zoning Administrator

Prior Meeting Minutes

Motion: To approve minutes by Commissioner Tuohy
Second: Commissioner Bakken
Amendments: None.
Ayes: Unanimous.
Nays: None.
Abstention: None.
Motion carried.

Public Hearing Items

A. None

Non – Public Hearing Items

- A. Gjere Addition Planned Unit Development Final Plan and Final Plat
- Staff gave a summary of the staff report.
 - Commission members discussed the process and next steps to approve the final plan and final plat at the City Council.

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Motion: To approve the final plan and final plat for the Gjere Addition by Commissioner Tuohy.
Second: Commissioner Haffner
Amendments: None
Ayes: Unanimous.
Nays: None.
Abstention: Commissioner Halvorson
Motion carried.

B. Solar Power Text Amendment Initiation

- a. Staff summarized the suggested language for the proposed text amendment
- b. Commissioners discussed the importance of having clarification in the City's Ordinance regarding support for solar power.

Motion: To initiate the text amendment clarifying the importance of allowing solar power in the City of Chatfield by Commissioner Bradt.
Second: Commissioner Whitcomb
Amendments: None
Ayes: Unanimous.
Nays: None.
Abstention: None.
Motion carried.

Staff Recap on upcoming issues.

A) Parking Standards Discussion

- a. Staff brought up the need to review the parking standards as was made evident in previous development applications.
- b. Commission members discussed other areas that could also be reviewed and included items such as: street widths, sidewalk locations and widths, bike lanes and other pedestrian facilities, lot widths, impervious coverage, and density.

B) Dispensary Primary Use Discussion

- a. With the recent State Legislature adopting the legalization of certain levels of THC there was discussion and consensus that the issue should be reviewed and looked at ahead of time to stay ahead of any potential conflicts or lack of regulations. The issue will be a continued discussion.

CITY OF CHATFIELD

PLANNING & ZONING COMMISSION MEETING MINUTES

Monday, August 1st, 2022

Adjourn

Motion: To adjourn by Commissioner Tuohy.
Second: Commissioner Haffner
Amendments: None
Ayes: Unanimous.
Nays: None.
Abstention: None.
Motion carried.

Wayne Halvorson, Chair

Logan Tjossem, Planner & Zoning Administrator



City of Chatfield

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MEMORANDUM

TO: PLANNING & ZONING COMMISSION
FROM: LOGAN TJOSSEM, ZONING ADMINISTRATOR AND PLANNER
SUBJECT: SOLAR POWER PROPOSED TEXT AMENDMENT
DATE: 11/3/2022
CC:

Background: At the 08/01/2022 Planning and Zoning Commission meeting, the Commission members made a motion to amend the language under Section 113-259. – Solar energy systems; solar and earth-sheltered structures, to make it clearer that the City of Chatfield supports solar power.

The current regulations are listed below, and the proposed language change is in ***red, BOLD, underlined and Italics***, as follows:

Sec. 113-259. Solar energy systems; solar and earth-sheltered structures.

(a) Solar energy systems: Solar energy systems are permitted in all districts provided the systems are in compliance with minimum lot requirements and setbacks and the system is maintained in good repair.

(1) Solar Collector, ground- or Building Mounted

a. General Standards for All Solar Collectors

1. All exterior lines shall be buried below the surface of the ground when possible.

2. All systems shall comply with all City and State building and electrical codes.

3. The property owner shall notify the electrical utility where the solar system is connected to the electrical utility system.

4. If the solar collector system ceases to perform its originally intended function for more than 12 consecutive months, the property owner shall remove the collector, mount and associated equipment and facilities by no later than 90 days after the end of the 12-month period.

5. In a residential district, no owner, occupier or person in control of property shall allow vegetation or structures to be placed or planted so as to cast a shadow on a solar energy system which is greater than the shadow cast by a hypothetical wall ten feet high located along the boundary line of said property

between the hours of 9:30 a.m. and 2:30 p.m. Central Standard Time on December 21; provided, however, this standard shall not apply to vegetation or structures which cast a shadow upon the solar energy system at the time of the installation of said solar energy system or to vegetation existing at the time of installation of said solar energy system. Any violation of this standard shall constitute a private nuisance, and any owner or occupant whose solar energy system is shaded because of such violation so that performance of the system is impaired may have a claim in tort for the damages sustained thereby and may have such nuisance abated.

6. As a means of evidencing existing conditions, the owner of a solar energy system may file notarized photographs of the affected areas with the city prior to installation of said system.

b. Accessory Ground-Mounted Solar Collectors

Accessory ground-mounted solar collectors shall:

1. Be located in a side or rear yard only;
2. Be set back at least six feet from the side and rear property line;
3. Not be located within an easement;
4. Be located so as to minimize glare visible from abutting properties;
5. Not exceed 15 feet in height with panels oriented in a vertical position; and
6. Be included in determining the maximum coverage of structures on the lot.

c. Accessory Building-Mounted Solar Collectors

Accessory building-mounted solar shall:

1. Not extend more than 18 inches above the maximum height permitted in the zoning district in which it is located;
2. If mounted to a portion of the roof ending at, or extending over, the front façade of the building, shall be mounted so that the edge of the device is set back at least one foot from the edge of the roof closest to the front lot line; and
3. If mounted to the wall of a building, may extend into or over no more than 33 percent of the depth of a minimum yard or setback that is required along a side lot line but shall not extend closer than four feet to a side lot line;

d. Principal Ground-Mounted Solar Collectors

Principal ground-mounted solar collectors shall:

1. Be set back at least 25 feet from any property line abutting a residential zoning district, and at least 15 feet from any property line if adjacent to Mixed Use or a Non-Residential zoning district.
2. Not exceed 25 feet in height when oriented at maximum tilt;
3. Be located so as to minimize glare visible from an abutting property; and
4. Be considered in determining the maximum coverage of structures on the lot.

(b) Earth-sheltered structures

- (1) Earth-sheltered structures shall be permitted uses in all districts provided the system are in compliance with minimum lot requirements and setbacks and the system is maintained in good repair as integral parts of the structure.
- (2) Earth-sheltered structures may be exempted from setback, height, and lot coverage restrictions in all districts by variance.

Staff Recommendation / Action Requested:

Staff is requesting the Planning Commission make a recommendation to the City Council for approval of the Text Amendment as outlined above and follow the procedure as outlined in Section 113-135 as referenced below:

Sec. 113-135. - Procedure for the planning commission or the city council.

- a) Amendments of this chapter not initiated by the planning commission shall be referred to the planning commission for study and review.
- (b) All amendments of this chapter initiated by the planning commission, or the city council shall be the subject of a public hearing pursuant to law. The city clerk shall set the date for a public hearing and shall have the notice of such hearing published in the legal newspaper at least once, not less than ten days, nor more than 30 days prior to said hearing. The city council may waive the mailed notice requirements for a city-wide amendment to this chapter initiated by the planning commission or city council give notice in the manner required by law.
- (c) The planning commission shall hold the public hearing and then shall recommend to the city council within 30 days after the public hearing one of three actions: approval, denial, or approval with special conditions/modifications.
- (d) The city council shall act upon the application within 30 days after receiving the recommendation of the planning commission. Amendments to this chapter shall be by passage upon a simple majority vote of the city council, provided that any action or passage overriding the recommendations of the planning commission shall require a four-fifths majority vote of the entire city council.