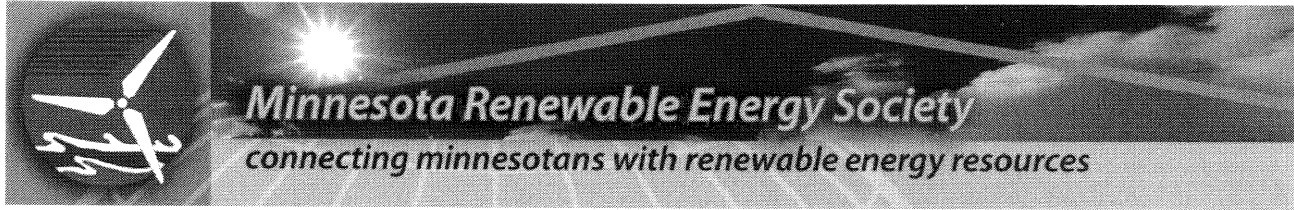


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Saint Paul City Council  
25 West Forth Street, Suite 1400  
Saint Paul, MN 55102

Council President Lantry and Council Members:

I am writing to you on behalf of the Minnesota Renewable Energy Society regarding the proposed amendments to Chapters 63 and 65 of the Saint Paul Zoning Code. Our organization is dedicated to promoting the use of solar and other renewable energy sources in Minnesota. In that role, we ask you to examine the need for these ordinance changes and, if any ordinance is to be adopted, that it clearly state that system function takes precedence over esthetic concerns.

The opening paragraph of the Neighborhood Planning Committee memo to the Planning Commission regarding these changes, dated September 7, 2011, lists some of the objectives that the City of Saint Paul has with regard to renewable energy systems.

"In 2008 the cities of St. Paul and Minneapolis received a U.S. Dept. of Energy Solar America Cities grant to identify strategies that will result in solar-friendly policies, practices and regulations. Policy LU-3.19 in the Saint Paul Comprehensive Plan calls for study of "tools, techniques, and regulations to facilitate increased usage of solar energy systems, either as standalone systems or as supplements to conventional energy sources." § 60.103(k) of the Zoning Code states that a purpose of the Zoning Code is "to promote the conservation of energy and the utilization of renewable energy resources."

Unfortunately, the proposed ordinance changes would tend to restrict, rather than promote or facilitate the use of solar energy systems.

Section 63.110 would to add solar equipment to what is currently "mechanical equipment." This will require that rooftop solar systems be subject to evaluation for "visual impact" when no such evaluation was previously required. This does not promote the use of solar energy in Saint Paul and could lead to denial of permits based upon subjective visual esthetics. We respectfully suggest that this change should not be made.

Section 65.921(a)(1) can be read in a way that would restrict the height of systems to three feet from the lowest edge of a roof. I have been told by City staff that that is not

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the intent of the ordinance and that the intent is only to restrict how far the lowest end of a solar system can be raised off the surface of a roof. We recommend that the language of this section be changed to clarify the intent.

Section 65.921(a)(2) restricts solar energy systems from extending above the ridge of a slanted roof building, but allows going up to three feet above the ridge when it is not "readily visible" from the front property line. This is a restriction based upon esthetics alone and could dramatically reduce the number of solar energy systems that could be installed in Saint Paul. Solar energy systems need to be installed facing south and a roof is often the best choice for their location. This section would not allow solar energy systems to extend above the ridge of the building unless they were in the back yard and somehow screened from the street. This would effect up to three quarters of the homes in the City, would reduce the amount of solar electric production from systems by requiring them to be at a lower angle, and would greatly reduce the number of homeowners who could install solar thermal systems. Because this ordinance is based upon esthetic concerns alone and would be contrary to the policies of the City, we recommend that this section not be adopted.

Again quoting from the Neighborhood Planning Committee memo:

"This current practice in Saint Paul generally appears to be a good balance between providing for solar energy systems and adequately regulating them. It does not seem to be a significant barrier to use of solar energy systems. Neither is there evidence that solar energy systems installed under existing regulations are inconsistent with the intent and purpose of the Zoning Code to promote and protect the public health, safety and general welfare."

In other words, the current ordinances work and no change is required for health, safety and welfare. Any change that is proposed holds the potential to be counter to the stated policy of the City to promote and encourage the use of solar energy systems. We respectfully ask you to reject the ordinance changes as proposed.

Thank you for considering our comments.



David Boyce  
Board Chair