

## **October 19, 2011 Amendments**

An ordinance amending Legislative Code Chapters 63 and 65 pertaining to solar energy systems

WHEREAS, on February 24, 2010, the City Council adopted Policy LU-3.19 in the Saint Paul Comprehensive Plan calling 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;” and

WHEREAS, Section 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;” and

WHEREAS, Section 61.801(b) of the Zoning Code authorizes the Saint Paul Planning Commission to initiate amendments to the code; and

WHEREAS, on April 1, 2011, the Planning Commission initiated a study to consider Zoning Code text amendments to facilitate the increased usage and viability of solar energy systems; and

WHEREAS, on July 8, 2011, the Planning Commission held a public hearing on draft solar energy systems text amendments to clarify and add some detail to regulations that apply to solar energy systems; and

WHEREAS, the Planning Commission considered the public testimony and recommendations of the Neighborhood Planning Committee on the proposed amendments to Chapters 63 and 65 of the Zoning Code and made its recommendations to the Mayor and City Council on September 16, 2011; and

WHEREAS, a public hearing before the City Council having been conducted on October 19, 2011 at which all interested parties were given an opportunity to be heard, the Council having considered all the facts and recommendations concerning the amendments; NOW THEREFORE,

THE COUNCIL OF THE CITY OF SAINT PAUL DOES HEREBY ORDAIN

Section 1

That Legislative Code Chapter 63 Zoning Code – Regulations of General Applicability is hereby amended as follows:

### **Sec. 63.110. Building design standards.**

- (e) The ~~visibility~~ visual impact of rooftop ~~mechanical~~ equipment shall be reduced through such means as location, screening, or integration into the roof design. Screening shall

be of durable, permanent materials that are compatible with the primary building materials. Exterior mechanical equipment such as ductwork shall not be located on primary building facades.

## Section 2

That Legislative Code Chapter 65 Zoning Code – Land Use Definitions and Standards is hereby amended as follows:

### **Sec. 65.921. Solar energy system.**

#### Standards and conditions:

(a) Building mounted systems shall be subject to the dimensional standards that apply to the building, provided that the height standards for building mounted systems in residential districts shall be as follows:

(1) The system shall extend no more than three (3) feet above the surface of a roof at its exterior perimeter, and shall be set back at least one (1) foot from the exterior perimeter for every additional foot that the system extends above the height of the roof at its exterior perimeter;

(2) The system ~~shall not may~~ extend ~~up to three (3) feet~~ above the ridge of a gable, gambrel, hip or mansard roof. ~~, except that it may extend up to three (3) feet above the ridge of an accessory building, and may extend up to three (3) feet above the ridge of a principal building when not readily visible from the front property line.~~

For systems mounted on a commercial or industrial building within five (5) feet of a commercial or industrial building on an adjoining lot, a system that does not conform to the height standards that apply to the building may extend up to fifteen (15) feet above the surface of a flat roof along the common property line.

(b) Freestanding systems shall be treated as accessory buildings for the purpose of maximum height, maximum lot area coverage, and location requirements; provided that freestanding systems in residential districts shall not exceed fifteen (15) feet in height within ten (10) feet **of a parkway or** an interior property line, except for a property line along an alley, with additional height equal to additional setback from property lines permitted to a maximum height of twenty-five (25) feet.

### **Sec. 65.922~~1~~. Support services in housing for the elderly.**

## Section 3

This ordinance shall become effective thirty (30) days after its passage, approval, and publication.