

From: Jamie Stolpestad [<mailto:jamie@mn-oza.com>]
Sent: Friday, February 01, 2019 4:55 PM
To: Wade, Michael (CI-StPaul) <Michael.Wade@ci.stpaul.mn.us>
Subject: Solar and Wind Energy Text Amendments comments

Mr. Wade,

I am writing to provide feedback to the proposed amendments. Minnesota Opportunity Zone Advisors is a mission-driven investment firm and sponsor of the MN-OZA DREAM Fund, a Qualified Opportunity Fund that makes equity investments in real estate projects in Qualified Opportunity Zones in Minnesota. There are 128 such zones across the state and more than a dozen in St. Paul alone.

Our mission is to enhance the vitality of Minnesota through such investments, and seek a triple bottom line of positive economic, environmental and social impacts in OZ communities. As such, we have an interest in promoting renewable energy project and sensible regulations related to them.

In general, we find the proposed text amendments to be overly burdensome and beyond what is appropriate for land use regulations through zoning. We are concerned that these burdens might inhibit progressive and aggressive adoption of renewable energy technologies now and in the future, and thwart efforts to achieve St. Paul's ambitious Climate Action Plan.

Some specific feedback:

1. 63.116 regarding hybrid light fixtures seems inappropriate to address for solar wind energy systems. The current building codes related to lighting and electrical systems are sufficient.

2. 65.322

(a) is not an appropriate land use restriction. This need not and should not be embedded in a city's zoning ordinance. It is currently addressed in a Minnesota statute and there is no city public benefit to add this restriction in this part of the city's legislative code. Yes, Xcel energy might like this added, but it seems of no benefit to any other stakeholders. There are various ways that the energy from photovoltaic panels can be used for public benefit without an interconnection agreement.

(b) This is overly burdensome and presents a higher standard and higher costs than exists in our current built environment. Much of the City of St. Paul has above-ground power lines. Placing these additional requirements inappropriately burdens deployment of new renewable energy sources.

(c) The setback requirements in the current zoning code are generally crafted with dimensions to provide reasonable light and air between buildings and to limit building bulk on a lot. Solar panel installations are very different in their size and bulk characteristics. Solar installations have very different impacts on light and air to adjoining structures. And solar installations present very different impacts on impermeable land cover and ground water flows. Therefore, it seems inappropriate to default to the same setback standards for buildings and for solar installations. Moreover, it is in the public interest to increase the amount of renewable energy and thus the size of solar arrays, not unreasonably limit them. This topic seems appropriate for additional study.

(d) Elevations seem an unreasonable submission document. Instead a depiction of unit dimensions would seem sufficient.

(e) No comment.

(f) This is an exceptionally intrusive ordinance and is inconsistent with other land use regulations. Garages, houses, buildings, power plants, power poles and other buildings and infrastructure elements do not require a decommissioning plan. This places a unique and unreasonable burden on those seeking to advance the goals of the City Climate Action plan. It creates no meaningful or reasonable net benefits to the public.

65.925. We are not aware that there is sufficient demand for and economic viability for wind energy systems in the city, so perhaps this section is premature. However, to the extent the city has experienced a need for this section, the same comments as above apply.

Finally, we recommend that a pre-amble be added to this section of the code that says that the city encourages sensible and innovative application of renewable energy systems that help achieve the city's Climate Action Plan and that are consistent with reasonable standards for public safety and that comply with building codes.

Thank you for your consideration. Happy to discuss.

Jamie

Jamie Stolpestad

Managing Partner, [Minnesota Opportunity Zone Advisors](#) - MN-OZA