

ORDINANCE NO. 544

AN ORDINANCE AMENDING TITLE XV (LAND USAGE) CHAPTER 156 (ZONING) OF THE CITY OF MILACA CODE OF ORDINANCES AND ADDING SECTION 156.064 SOLAR ENERGY SYSTEMS

THE CITY COUNCIL OF THE CITY OF MILACA, MINNESOTA ORDAINS AS
FOLLOWS:

Section

____.01 Intent

____.02 Amendment

____.03 Penalty

Section 1: Intent.

A City initiated zoning ordinance text amendment to amend sections 156.006 Definitions; 156.035 R-1, Single Family Residential Low Density District; 156.036 R-2, One and two family residential medium density district; 156.037 R-3, Multiple family residential high density district; 156.038 B-1, Central business district; 156.039 B-2, General business district; 156.040 B-4, Business district; 156.041 HG-1, Health care and government building district; 156.042 I-1, Light industrial district and creating section 156.064 Solar energy systems of the City of Milaca Code of Ordinances relating to solar energy systems including associated definitions, zoning district allowed uses, and use requirements.

Section 2: Amendment.

Sections 156.006 Definitions; 156.035 R-1, Single Family Residential Low Density District; 156.036 R-2, One and two family residential medium density district; 156.037 R-3, Multiple family residential high density district; 156.038 B-1, Central business district; 156.039 B-2, General business district; 156.040 B-4, Business district; 156.041 HG-1, Health care and government building district; 156.042 I-1, Light industrial district and creating Section 156.064 Solar energy system of the City of Milaca Code of Ordinance is hereby amended to read as follows:

CHAPTER 156: ZONING

§ 156.006 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

SOLAR ACCESS. Unobstructed access to direct sunlight on a lot or building through the entire year, including access across adjacent parcel air rights, for the purpose of capturing direct sunlight to operate a solar energy system.

SOLAR CARPORT – A solar energy system of any size that is installed on a carport structure that is accessory to a parking area, and which may include electric vehicle supply equipment or energy storage facilities.

SOLAR COLLECTOR – The panel or device in a solar energy system that collects solar radiant energy and transforms it into thermal, mechanical, chemical, or electrical energy. The collector does not include frames, supports, or mounting hardware.

SOLAR ENERGY SYSTEM. A device, array of devices, or structural design feature, the purpose of which is to provide for generation or storage of electricity from sunlight, or the collection, storage and distribution of solar energy for space heating or cooling, daylight for interior lighting, or water heating.

SOLAR ENERGY SYSTEM, BUILDING-INTEGRATED. A solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of the building. Building integrated systems include, but are not limited to, photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, and awnings.

SOLAR ENERGY SYSTEM, GROUND-MOUNTED. A solar energy system mounted on a rack or pole that rests or is attached to the ground excluding community-scale solar energy systems. Ground-mounted systems are accessory to the principal use.

SOLAR ENERGY SYSTEM, ROOF-MOUNTED. A solar energy system mounted on a rack that is fastened to or ballasted on a structure roof. Roof-mounted systems are accessory to the principal use.

SOLAR ENERGY SYSTEM, COMMUNITY-SCALE. A commercial solar energy system that converts sunlight into electricity for the primary purpose of serving electric demands off-site from the facility, either retail or wholesale. Community-scale systems are principal uses and projects typically cover less than 20 acres.

(Ord. 134/94, passed 3-24-94; Am. Ord. 483, passed 6-16-21; Am. Ord. 544, passed 07-17-25)

DISTRICT REGULATIONS; USE REQUIREMENTS AND RESTRICTIONS

§ 156.035 R-1, SINGLE FAMILY RESIDENTIAL LOW DENSITY DISTRICT.

(D) Permitted accessory uses.

(5) Solar energy systems which are building-integrated, ground-mounted, or roof-mounted.

(Ord. 134/94, passed 3-24-94; Am. Ord. 332, passed 1-16-03; Am. Ord. 483, passed 6-16-21; Am. Ord. 544, passed 07-17-25)

§ 156.036 R-2, ONE AND TWO FAMILY RESIDENTIAL MEDIUM DENSITY DISTRICT.

(D) Permitted accessory uses.

(5) Solar energy systems which are building-integrated, ground-mounted, or roof-mounted.

(Ord. 134/94, passed 3-24-94; Am. Ord. 99-2, passed 7-15-99; Am. Ord. 332, passed 1-16-03; Am. Ord. 453, passed 7-18-19; Am. Ord. 483, passed 6-16-21; Am. Ord. 519, passed 12-21-23; Am. Ord. 544, passed 07-17-25)

§ 156.037 R-3, MULTIPLE FAMILY RESIDENTIAL HIGH DENSITY DISTRICT.

(D) Permitted accessory uses.

(5) Solar energy systems which are building-integrated, ground-mounted, or roof-mounted.

(Ord. 134/94, passed 3-24-94; Am. Ord. 332, passed 1-16-03; Am. Ord. 453, passed 7-18-19; Am. Ord. 516, passed 9-21-23; Am. Ord. 544, passed 07-17-25)

§ 156.038 B-1, CENTRAL BUSINESS DISTRICT.

(E) Permitted accessory uses.

(5) Solar energy systems which are building-integrated, ground-mounted, or roof-mounted.

(Ord. 134/94, passed 3-24-94; Am. Ord. passed 9-15-94; Am. Ord. 375, passed 6-12-08; Am. Ord. 390, passed 6-10-10; Am. Ord. 402, passed 6-13-13; Am. Ord. 453, passed 7-18-19; Am. Ord. 511, passed 6-20-23; Am. Ord. 544, passed 07-17-25)

§ 156.039 B-2, GENERAL BUSINESS DISTRICT.

(E) Permitted accessory uses.

(5) Solar energy systems which are building-integrated, ground-mounted, or roof-mounted.

(F) Uses requiring a conditional use permit.

(13) Community-scale solar energy systems

(Ord. 134/94, passed 3-24-94; Am. Ord. 453, passed 7-18-19; Am. Ord. 544, passed 07-17-25)

§ 156.040 B-4, BUSINESS DISTRICT.

(E) Permitted accessory uses.

(6) Solar energy systems which are building-integrated, ground-mounted, or roof - mount.

(Ord. 134/94, passed 3-24-94; Am. Ord. 453, passed 7-18-19; Am. Ord. 544, passed 07-17-25)

§ 156.041 HG-1, HEALTH CARE AND GOVERNMENT BUILDING DISTRICT.

(D) Permitted accessory uses.

(6) Community-scale solar energy systems

(Ord. 134/94, passed 3-24-94; Am. Ord. 453, passed 7-18-19; Am. Ord. 544, passed 07-17-25)

§ 156.042 I-1, LIGHT INDUSTRIAL DISTRICT.

(E) Permitted accessory uses.

(5) Solar energy systems which are building-integrated, ground-mounted, or roof -mounted.

(F) Uses requiring a conditional use permit.

(6) Community-scale solar energy systems

(Ord. 134/94, passed 3-24-94; Am. Ord. 453, passed 7-18-19; Am. Ord. 492, passed 4-21-22; Am. Ord. 544, passed 07-17-25)

GENERAL REQUIREMENTS

§ 156.064 SOLAR ENERGY SYSTEMS

(A) Purpose and Applicability. It is the purpose of this section to provide standards and requirements for the operation, siting, design, appearance, construction and use of solar energy systems in order to encourage solar energy systems in the city while protecting the general welfare of the public. Standards for the regulation of solar energy systems are based on the following two types:

(1) Accessory solar energy systems refer to solar collection systems that capture energy from the sun and convert it into electrical or thermal power primarily for on-site use. These systems can serve as a primary or additional power source for residential, commercial, or industrial structures, and any excess energy can be fed back into the electric grid. Accessory solar energy systems include building-integrated, ground-mounted, and roof-mounted solar energy systems as defined in Section 156.006.

(2) Community-scale solar energy systems are designed to generate electricity on a larger scale, often for commercial or community-wide purposes as defined in Section 156.006.

(B) General standards for all solar energy systems.

(1) Exterior electrical and communication 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 and permitting requirements.

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

(4) Lot Coverage – Ground-mounted and community-scale solar energy systems are exempt from lot coverage requirements if the soil under the system is maintained in vegetation and not compacted.

(5) 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.

(6) Solar access easements may be filed consistent with Minnesota State Code 500.30. Any property owner may purchase an easement across nearby properties to protect access to sunlight. The easement is purchased or granted by owners of nearby properties and can apply to buildings, trees, or other structures that would diminish solar access.

(C) Accessory solar energy systems.

(1) Permitted accessory use – Building-integrated, ground-mounted and roof-mount solar energy systems are a permitted accessory use in all zoning districts where structures of any sort are allowed, subject to certain requirements as set forth below.

(2) Height – Accessory Solar energy systems must meet the following height requirements:

(a) Building- or roof- mounted solar energy systems shall not exceed the maximum allowed height in any zoning district. For purposes for height measurement, solar energy systems other than building-integrated systems shall be given an equivalent exception to the zoning district's height standards in the district in which the system is located as building-mounted mechanical devices or equipment. In the district in which the system is located.

(b) Ground- or pole-mounted solar energy systems shall not exceed 15 feet in height when oriented at maximum tilt.

(3) Property line setback – Solar energy systems must meet the principle structure setback for the zoning district with the lot on which the system is located, except as allowed below.

(a) Roof- or building-mounted solar energy systems – The collector surface and mounting devices for roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built, unless the collector and mounting system has been explicitly engineered to safely extend beyond the edge, and setback standards are not violated. Exterior piping for solar hot water systems shall be allowed to extend beyond the perimeter of the building on a side-yard exposure. Solar collectors mounted on the sides of buildings and serving as awnings are considered to be building-integrated systems and are regulated as awnings. Under no circumstance may the solar energy system or any appurtenances extend past the property line or into public right of way.

(b) Ground-mounted Solar Energy Systems – Ground-mounted solar energy systems may not extend into the side-yard or rear setback when oriented at minimum design tilt, except as otherwise allowed for building mechanical systems. Under no circumstance may the solar energy system or any appurtenances extend past the property line or into public right of way.

(D) Community scale solar energy systems.

(1) Conditional Use Permit Requirement. A community-scale solar energy system may be a permitted use in the B-2 General Business District and I-1 Light Industrial zoning districts upon approval and issuance of a conditional use permit subject to certain requirements as set forth here within.

(2) Height – Community scale solar energy systems shall not exceed 15 feet in height.

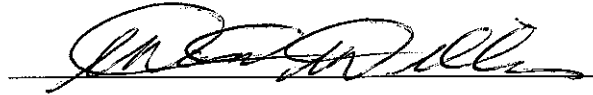
(3) Setbacks – Community-scale solar arrays must meet the property line setback for the principle buildings or structures in the district in which the system is located.

(4) Off-site Glare Impact Reduction – Measures to minimize nuisance glare include selective placement of the system, screening on the north side of the solar array, modifying the orientation of the system, reducing use of the reflector system, or other remedies that limit glare.

(5) Site plan required. A site plan of existing and proposed site conditions and other information necessary demonstrate compliance with the applicable provisions of this section is a required submittal for the application of a conditional use permit.

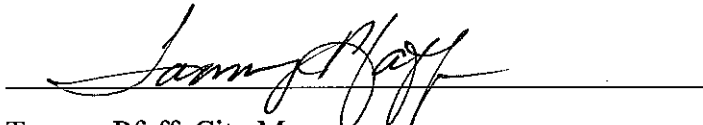
(E) Only 50% of lot/land may be occupied with solar panels, where permitted.

Adopted by the City Council of the City of Milaca this 17th day of July, 2025.



Mayor Dave Dillan

ATTEST:



Tammy Pfaff, City Manager

First Reading 06-18-2025

Second Reading 07-17-2025

Published _____