

**CITY OF GRANT  
PLANNING COMMISSION MEETING**

Tuesday, September 19, 2017

6:30 p.m.

Town Hall

*Please be courteous and turn off all electronic devices during the meeting.*

**AGENDA**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. OATH OF OFFICE, MATT FRITZE
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES: July 18, 2017
6. NEW BUSINESS
  - A. Comprehensive Plan Update
7. OLD BUSINESS
  - A. Application for Text Amendment to allow Community Solar Gardens in A1 and A2 Zoning Districts
8. ADJOURN

# PLANNING COMMISSION MEETING MINUTES CITY OF GRANT

July 18, 2017

**Present:** John Rog, James Drost, Jerry Helander, Jeff Schafer, Jeff Geifer and Robert Tufty

**Absent:** None

**Staff Present:** City Planner, Jennifer Swanson; City Attorney, Kevin Sandstrom; City Clerk, Kim Points

## 1. CALL TO ORDER

The meeting was called to order at 6:30 p.m.

## 2. PLEDGE OF ALLEGIANCE

## 3. APPROVAL OF AGENDA

MOTION by Commissioner Schafer to approve the agenda as presented. Commissioner Tufty seconded the motion. MOTION carried unanimously.

## 4. APPROVAL OF MINUTES, June 20, 2017

MOTION by Commissioner Helander to approve the June 20, 2017 Minutes, as presented. Commissioner Tufty seconded the motion. MOTION carried unanimously.

## 5. NEW BUSINESS

**PUBLIC HEARING, Application for Text Amendment to allow Community Solar Gardens in A1 and A2 Zoning Districts.** – City Planner Swanson advised a few weeks ago the Applicant, United States Solar (“US Solar”), contacted city staff to inquire about ordinances that may regulate solar development in the city, and they were specifically interested in any regulations that addressed community solar gardens. After reviewing the city’s ordinances, staff informed the Applicant that there are no current ordinances and/or regulations related to solar development or community solar gardens (either residential or commercial) which consequently means that the use is not permitted per the zoning ordinance.

In addition to US Solar, the city has received other similar inquiries from solar providers/developers and staff thought it prudent to inform the City Council of the potential demand for such development projects in the community. After a short

discussion with the City Council it was determined that the City should enact a moratorium on all solar developments, both residential and commercial, so that the City could appropriately study and create the appropriate ordinances and/or regulations to adequately address solar development in the community. The moratorium was adopted at the regular City Council meeting in June. The moratorium is specific to the *development of a solar project*; therefore, the Applicant is able to apply for a text amendment to the zoning ordinance despite the moratorium.

The following staff report considers the Applicant's proposed text amendments and does not consider the moratorium, which will continue to be in effect throughout this review process. Ultimately, the moratorium may or may not be lifted at commencement of this process depending on the findings and results of this process.

**PROJECT SUMMARY**

<b>Applicant:</b> United States Solar (US Solar)	<b>Request:</b> Text amendment to Section 32-1 Definitions, and 32-245 Table of Uses to conditionally permit Community Solar Gardens in A1 and A2
<b>Owner:</b> Joyce Welander	<b>Zoning/Guiding:</b> A1
<b>Owner Address:</b> 10381 83 <sup>rd</sup> Street N (proposed change would apply to all A1 and A2 zoned properties)	<b>Site size:</b> 58 Acres

The Applicant, US Solar, in coordination with the Owner have requested the subject text amendment to permit Community Solar Gardens in the City's A1 and A2 zoning districts with a Conditional Use Permit (CUP). The Zoning Ordinance does not address or define solar development of any kind, whether for residential or commercial purposes, and there are no similar uses on the City's Table of Uses found in Section 32-245; therefore, the use would not be permitted under the currently adopted ordinances.

Given that the current zoning ordinance does not permit the development of Community Solar Gardens, the Applicant has proposed a change to the City's ordinances that would allow for such development. The Applicant is proposing the following text amendments:

The Applicant proposes to add the following definition to the Zoning Ordinance **Section 32-1 Definitions:**

Community solar garden means a solar energy production facility that generates between 200 kWac and 1 MWac of electricity and that supplies multiple off-site community members or businesses under the provisions of Minnesota Statutes 216B.1641 or successor statute.

The Applicant further proposes to amend Section 32-245 Table of Uses of the Zoning Ordinance to add the following:

USE	ZONING DISTRICT
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N = Not Permitted C = Conditional Use Permit	Conservancy	Agricultural A1	Agricultural A2	Residential R1	General Business GB
<u>Community Solar Garden</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>

The purpose of this application is to consider a Text Amendment to the Zoning Ordinance and would apply to ALL land guided and zoned as A1 or A2. While this application is initiated because the Applicant would like to develop a community solar garden on the Owner's property, this Application does NOT evaluate nor consider that specific project. If the text amendment, as proposed, is adopted then the Applicant and Owner would be required to make a separate application for the specific project and go through the necessary project review process.

City Planner Swanson advised the Applicant's proposed text amendment is a good baseline to begin the discussion about Community Solar Gardens, and the narrative provides some clarity on what an end user expects from both the land owner and the City to move a project forward. However, while the narrative is fairly descriptive about the benefits of a Community Solar Garden, the text amendment is too general and does not provide enough detail to determine whether such uses are consistent with the city's Comprehensive Plan or Zoning district regulations. If the Applicant is willing to provide some additional information for consideration it may assist in the discussion if they would like to pursue this text amendment further. Staff would request the following:

Clarification/Questions for the Applicant:

- What is the typical/average land area developed with a Community Solar Garden? What is the minimum size? What is the maximum size?
- How are the solar panels constructed? What does a "garden" look like? How tall are the support structures? What is the maximum height of a structure and panel at any time?
- Do the panels move? How are they affixed? What about glare?
- What types of screening do you find acceptable? What is unacceptable? Are there setbacks?

Once the Applicant provides some additional information and clarification regarding the physical development of Community Solar Gardens, staff would suggest that the Planning Commission consider and discuss some of the following topics:

- Does a Community Solar Garden seem consistent with the goals and vision of the community?

- Should Community Solar Gardens be permitted in the A-1 district? The A-2 district? Both? None?
- If yes, should the City develop performance standards to regulate the use beyond just the proposed definition? Or, do you believe the definition is adequate?
- Should there be a land area limitation? Based on what? Size of parcel? Impervious surface coverage? Other?
- If acceptable should it be screened? Screened from what? Adjacent homes/properties, public right-of-way, other?
- Should there be a minimum parcel size on which a Community Solar Garden can be located?
- Any other comments?

City Planner Swanson advised a duly noticed public hearing has been schedule for July 18, 2017 at 6:30 PM to consider the proposed text amendment to the zoning ordinance.

Staff is not seeking formal action from the Planning Commission, and instead is requesting discussion and feedback regarding the proposed text amendment. Staff suggests obtaining additional information and clarification from the Applicant in order to adequately consider the proposed amendments.

However, if no additional information is provided by the Applicant or if the Applicant is unwilling, Staff would recommend denial of the requested text amendment. If the Planning Commission recommends denial, the Planning Commission should provide findings and direct staff to prepare a resolution for consideration by the City Council.

Mr. David Watts, US Solar, came forward and provided the background of the company as well as summarized the text amendment request. He noted the proposed amendment would make CSGs a conditional use in Ag district, which would require a public hearing. He proposed the following definition:

- “A community solar garden is solar energy production facility that generates between 200 kWac and 1 MWac of electricity and that supplies multiple off-site community members or businesses under the provisions of Minnesota statutes 216B.1641 or successor statute.”

Mr. Watts explained the justification for the text amendment in terms of maintaining the rural character of the City, minimal impact, size and visibility and less inclination to subdivide for participating residents.

Mr. Watts concluding stating that CSGs are not permanent, they benefit the environment and community and the proposed amendments allow City to maintain rural character while benefitting taxpayers.

MOTION by Commissioner Schafer to open the public hearing at 7:23 p.m. Commissioner Drost seconded the motion. MOTION carried unanimously.

Ms. Joyce Welander came forward and stated there is a whole tree line near the proposed site location so there is built in screening. She requested the Planning Commission consider the application.

MOTION by Commissioner Tufty to close the public hearing at 7:25 p.m. Commissioner Schafer seconded the motion. MOTION carried unanimously.

Commissioner Schafer stated he is in favor of community solar gardens but believes more discussion should be held and a review of performance standards would be beneficial.

City Attorney Sandstrom stated the application requests certain language be added to the City Code. The Planning Commission should make a recommendation on that language or advise the applicant to work with the City to amend the application and bring forward comprehensive language. The City can also work on its own towards a draft ordinance.

Mr. Watts stated he is more than willing to work with the City and bring back a draft ordinance with more specific language.

MOTION by Commissioner Geifer to table Application to Allow Community Solar Gardens in A1 and A2 Zoning Districts. Commissioner Tufty seconded the motion. MOTION carried unanimously.

**PUBLIC HEARING, Application for Conditional Use Permit for Horse Boarding Facility, 9711 Keswick Avenue North** – City Planner Swanson advised the Applicants Lawrence and Maureen Lanoux, along with their daughters Julie Brady and Jamie Moeller are requesting a Conditional Use Permit (CUP) for a horse boarding and training facility on their property located at 9711 Keswick Avenue North. The Applicants are proposing to continue use of the existing accessory buildings including a large main barn, smaller accessory building and outdoor riding arena for operations that would allow up to 65 equines on the property. The Applicants submitted their application in July of 2016, at which time staff determined the application was Incomplete for review and staff identified the information that was needed to process the application. Since the initial application, the Applicants have been working to submit the additional and incomplete

information as requested by staff so that the application could be presented to the Planning Commission for review and consideration. In June of 2017 staff finally received a scalable site plan, prepared by a licensed surveyor which subsequently allows for processing the requested application as complete per Minnesota Statute 15.99.

City Planner Swanson noted a duly noticed public hearing was published for July 18, 2017, and letters were mailed to individual property owners within ¼-mile of the subject project informing them of the application request and public hearing.

**Project Summary**

Applicants & Owners: Lawrence and Maureen Lanoux, Julie Brady, Jamie Moeller	Site Size: 29.64 Acres (Total)
Zoning & Land Use: A-2	Request: Conditional Use Permit (CUP)
Address: 9711 Keswick Avenue N.	PIDs: 1403021240001 (9.88 Ac. – Parcel 3) 1403021210003 (9.88 Ac. – Parcel 2) 1403021210004 (9.88 Ac. – Parcel 1)

The Property Owners and Applicants (hereafter referred to as “Applicants”) are proposing to operate a horse boarding, training and breeding facility from the subject property. The properties associated with the subject CUP include three separate PIDs and comprise approximately 29.64 acres as denoted on the submitted site plan (see Attachment B). The following summary of the existing site improvements as well as business operations as described within the Applicant’s narrative (Attachment A) are provided:

*Existing Homestead:* There is an existing homestead located on the property which is the residence of Mr. Lawrence and Maureen Lanoux. The existing home is located in front of what appears to be an outdoor riding arena (area shown aerial), Main Barn, and Small AG Building as described by the Applicants.

*Main Barn:* There is an existing large barn approximately 84’ x 161.9’ for a total of 13,593 Square Feet located to the northeast of the principal structure. The Main Barn includes storage areas, grooming areas, an arena, and shop area as shown on the submitted floor plan. There are also 10 small individual areas that are assumed to be horse stalls, but are not identified/labeled on the floor plan. Additionally, the narrative describes that there is a lounge, gathering area and groomsmen’s quarters/live-in efficiency apartment in the Main Barn; however, these areas are not identified on the

submitted floor plan so it is unclear where and how large these uses are within the structure.

*Small AG Building:* There is a small agricultural building located directly east of the principal structure and behind the outdoor riding arena. As identified on the floor plan, there are two loafing areas, a tack/storage area and what appears to be three (3) addition horse stalls (not labeled, only numbered, see Attachment C).

*Outdoor Riding Arena/Areas:* There appear to be two (2) outdoor riding areas that are fenced in per the submitted site plan, though these areas are not labeled. The larger riding arena area is approximately 17,000 square feet, and is located to the east of the principal structure and in front of (west) of the Small AG Building. There also appears to be a small riding area located just north east of the Main Barn and is approximately 2,000 square feet.

*Main Access and Parking:* There is one gravel driveway which provides access to the principal structure, and the accessory uses from Keswick Avenue North. The gravel driveway splits approximately 230-feet from the right-of-way to provide separate accesses to the homestead and the Horse Boarding and Training operations. There is an expanded gravel area to the west of the Main Barn and then a large gravel area between the Main Barn and the Small AG Building. This area, as stated within the Applicant's narrative, provides parking for the Horse Boarding and Training operations, and can accommodate up to 15 customer vehicles.

*Utilities:* The existing homestead is currently served by a private well and individual septic system. It is unclear if the existing well is used for the current Horse Boarding and Training operations.

*Operations:* The Applicants' narrative with an updated date of June 9, 2017 describes the operations of the Horse Boarding and Training facility. The following summary of the materials is provided:

- Business Operation: The Applicants describe the operations as a "family horse farm, operating a horse boarding, training and breeding business." They currently have 60 equines on the property, and would like to allow for keeping up to 65 equines. According to the Applicants the number of equines can fluctuate depending on boarders' showing and competition activities, breeding and sales. Approximately 26 acres of the subject property is fenced and used as seasonal pasture for grazing or containing horses. There are two accessory buildings that are used to support the horse boarding and training business activities including a Main Barn and a Small AG Buildings (as identified on the submitted floor plans found in Attachment C).

- Number of Employees: As stated within the narrative there are no current employees of the operation, and the business is currently run by the Applicants. However, the Applicants would like the CUP to reflect the potential for employees/barn staff in the future. The number of employees could include up to five (5) barn staff, and they would also like the potential for the groomsmen quarters to be occupied; however, it is unclear if an occupant would be included/reflected within the 5 employees.
- Hours of Operations (Horse Boarding/Training/Breeding): The Applicants propose the barn to be open generally from 6:00 a.m. to 10:00 p.m. However, depending on equine needs, there are times when the operations are 24-hours.
- Events: No events onsite are proposed as part of the operations.
- Traffic/Parking: It is unclear from the materials submitted the frequency of visitors or customers to the site, and the number of visitors that may be present at any time. The narrative states that up to 15 customer vehicles can be accommodated onsite, and it is not clear as to whether this number reflects anticipated traffic flows. Also, it is assumed that there would be large trailers and other large vehicles accessing the site to move the equines for competitions, etc. These activities were not described in the narrative.

The Applicants have registered the feedlot for the Horse Boarding and Training operations from the MPCA which attached to this staff report. The feedlot registration also provided a copy to the Washington County Soil and Water Conservation District, which in some cases also have review authority. The property is located within the Brown's Creek Watershed District (BCWD), and the Applicants have stated that they have contacted the BCWD and no permits are required to continue operations at the facility. ***Staff would recommend including a condition that all permits from other agencies having regulatory authority over the operations are the responsibility of the Applicant to obtain and maintain, as applicable.***

City Planner Swanson stated in previous sections of the staff report there are some areas of clarification sought to understand the operations. The additional information is as stated below:

- Location of 'groomsmen' quarters, size and anticipated duration. Clarification regarding whether the Applicants intend to 'rent' this space out or how it would be managed should be addressed.
- Clarification regarding boarding logistics should be provided, particularly as it relates to boarding during months with inclement weather.

- The Manure Management Plan should be clarified and locations of the activity confirmed to ensure the composting activity is conducted to reduce the potential for odor, flies, etc.

City Planner Swanson advised the following draft recommendations and findings are provided for your consideration and discussion. The following can be modified, deleted, added to, etc., depending on the public testimony and discretion of the planning commission.

1. The conditional use permit shall be recorded against all three PIDs identified on the Application, and no PID may not be sold separately without an amendment to this permit.
2. The Horse Boarding and Training Facility may be allowed to keep a maximum of 65 horses on the property.
3. The public/customer hours of operation shall be limited to 6:00 AM to 10:00 PM daily. The Applicants/Owners may access the operations after business hours to tend to the equine needs.
4. The groomsmen quarters may only be used for support of the horse boarding and training operations, and shall not be permitted as a separate 'rental' unit on the property.
5. The site plan shall be updated to identify the location of the exterior light fixtures, and specifications of the lights provided to verify compliance with the City's ordinance.
6. The Applicants shall be required to maintain the feedlot registration with the MPCA, and shall provide a copy of the registration at any required renewal periods.
7. If a Manure Management Plan is submitted to the MPCA, a copy of such plan shall also be provided to the City.
8. All operations on site shall meet the MPCA's noise standards and regulations.
9. It shall be the responsibility of the Applicants to obtain all necessary permits from Washington County, MPCA, Browns Creek Watershed District, Washington County Soil and Water Conservation District, or any other agency having jurisdiction over the subject use.
10. Any future expansion or intensification of the Horse Boarding and Training Facility shall require an amendment to the Permit.

11. No signage is approved as part of this permit. Any future signage shall be subject to the sign ordinance in place at time of application and may require an amendment to the CUP.
12. No public events or shows are approved as part of this permit; if any public events or shows are desired an amendment to this permit may be required.

Staff is requesting a recommendation from the Planning Commission reflecting one of the following options:

- Recommendation to the City Council of Approval with Draft Conditions and Findings
- Recommendation to the City Council of Denial with Findings

If the Planning Commission recommends Approval, the following draft Findings are provided for your consideration:

- The Horse Boarding and Training use conforms to the City's Comprehensive Plan for rural residential and agricultural uses.
- Horse boarding and training of equines at a density that exceed 1 animal unit per 2 grazeable acres is conditionally permitted per the City's zoning code.
- The Horse boarding and training operations will not be detrimental to or endanger the public health, safety or general welfare of the city, its residents, or the existing neighborhood.
- The Horse Boarding and Training operations is compatible with the existing neighborhood.
- The Horse Boarding and Training operations meets the conditions or standards adopted by the city through resolutions or other ordinances.
- The Horse Boarding and Training operations will not create additional requirements for facilities and services at public cost beyond the city's normal low-density residential and agricultural uses.

Ms. Jamie Moeller, Applicant, came forward and stated there are thirteen stalls but they also utilize shelters and do blanket the horses. When there is very bad weather, the horses are brought into the indoor arena. There are groomsmen quarters not being used at this time on the second level. That area is currently being utilized by family members.

Mr. Larry Lanoux, Applicant, came forward and stated he utilizes the existing well and septic tank that was put in years ago by a license contractor. There are no employees for

his electrical business. He has a legacy farm and did establish his grandfather's rights. He added that without those rights the City will be another Woodbury.

City Planner Swanson noted the CUP runs with the land and will be recorded with all three PID's.

MOTION by Commissioner Geifer to open the public hearing at 8:26 p.m.  
Commissioner Schafer seconded the motion. MOTION carried unanimously.

Mr. John Smith, 10242 67<sup>th</sup> Lane, came forward and provided the background on why the applicant is here tonight. The property, buildings and grounds are in public view and the access is open to the public and is well maintained.

Mr. John Engstrom, New Richmond, came forward and stated he has worked with the applicants for 21 years as a local veterinarian. It is well maintained and has a rural flair. The trees do provide shelter and there is approximately twenty pounds of hay utilized in the winter.

Mr. Loren Sederstrom, 9330 107<sup>th</sup> Street, came forward and said he has a CUP as well with two PID's. The applicant takes excellent care of the horses and this type of use is what keeps Grant what it is.

Ms. Morgan Sexl (no address provided) came forward and stated she is a client of Lanoux stables. The picture on the wall is Ms. Moeller's clients. The Equestrian Team from the University of Minnesota was not doing well and when working with Lanoux Stables went to the regionals and became a willing team.

Ms. Madeline Albright (no address provided) came forward and stated she is the captain of the Equestrian Team and part of the stable family. The team excels as individuals and a team. Lanoux Stables has been a second home to her and she is proud to be a part of that.

Ms. Peggy Vanderiet, 9293 Keswick Avenue, came forward and stated she has been a neighbor to them for ten years and have never experienced any problems with the property. They are good neighbors, she supports them and they run a first class operation.

Ms. Lisa Paddock, 10025 Keswick Avenue, came forward and stated they have a well-established thirty year business that is successful. She has lived there thirteen years and they are great neighbors and friends. It is a beautiful ranch and it gives young people opportunities that they wouldn't necessarily have. They are very helpful neighbors and she enthusiastically supports the CUP.

Mr. Jim Frick, 11610 Grenelefe, came forward and stated he is not a horse lover but his concern is that the rules seem to apply differently to people. Why does he even need a CUP and the City should issue the CUP.

Ms. Josie Holker, 9899 Keswick Avenue, came forward and stated she has lived adjacent to Mr. Lanoux for twenty two years. They are good friends. She is concerned over doubling the number of horses that are on the property. The manure is put on the back property and there is concern regarding ground water contamination and run-off. The fencing is also a concern as the horses get out on occasion. She stated a feedlot next door could affect her property values and she would like these issues addressed.

Ms. Sara Kilgriff, 22545 Olinda Trail North, came forward and stated feedlot rules do not apply to pasture operations. The operation is not a feedlot and that agency has no authority to regulate this. The applicants do manage the manure well.

Mr. John Pagoreck (no address provided) came forward and stated he does support the use and doesn't even call it a business. If it not broken why do we have to do to fix it? They should give them a CUP.

Ms. Peggy Ridrick, 9900 Keswick, came forward and stated it is a lovely facility but she is also concerned about doubling the number of horses due to the manure and flies. She definitely is supportive of the permit but is also concerned about additional traffic as there is a lot of traffic there now. She requested they ask their clients to slow down relating to safety issues and hope there is not a lit up sign or neon.

Mr. Dick Donohoo, 10401 Kelvin Court, came forward and stated he has known the applicant for many years. The operation is neat, clean and well maintained and he has never heard of any complaints. A CUP makes sense and it should be approved.

Mr. Chris Zwattler, 9844 Keswick Avenue, came forward and stated he lives across the street and does support the permit.

Mr. Rich Lohman, 1010 McKusick, came forward and stated he has been shoeing horses for twenty years. The applicants are loyal people and the kids go to the farm and become productive young adults. The amount of horses is not being doubled as that number is already there. They care of the kids and have a class act operation.

Mr. Gary Throne (no address provided) came forward and stated his daughters have horses out there and they are at the farm all the time. It is a good operation.

Mr. Bob Zick (no address provided) came forward and stated cars can't go fast on that road because of the conditions. The manure is manageable and a manure management plan has been provided.

Ms. Kim Erichson, 9600 Keswick, provided a written statement relating to concern over flies and also stated they are a very good neighbor.

MOTION by Commissioner Geifer to close the public hearing at 9:17 p.m.  
Commissioner Tufty seconded the motion. MOTION carried unanimously.

City Planner Swanson advised a feedlot registration is different from a feedlot permit. The applicant did the registration but is not required to have a permit.

Mr. Larry Lanoux, Applicant, came forward and stated he does appreciate the concerns of his neighbors. He advised he typically does have 50-60 horses at all times and he is not looking for an increase. He is asking to keep his current operation. The manure pile is composted behind the barn. There are wind breaks that are used in the winter. He stated he has great neighbors and occasionally a horse will get out. He stated he is asking to be allowed to do what he has been doing all along.

City Planner Swanson advised there is currently no CUP on the property so the City is not aware of how many horses there currently are. This is a review for a new permit and any property with ten or more horses requires a CUP. There is nothing that notes a maximum of animal units per acre and there are no steadfast rules.

City Attorney Sandstrom stated no one is disputing the fact that the applicant runs a good operation. The CUP runs with the land and the purpose of the CUP is to have conditions that are appropriate to protect them as well as the neighbors. The draft conditions are to be considered to ensure it stays a good operation.

Ms. Allison Ecklund, Attorney for Applicant, came forward and stated there are no hard and set standards for horse businesses or owners. Best practices relating to manure management can change.

MOTION by Commissioner Helander to recommend approve of the CUP application with draft conditions as presented and additional conditions relating to fencing, manure management plan and windbreaks.. Commissioner Tufty seconded the motion.

Commissioner Drost added a friendly amendment to include a condition that no manure may run onto the neighbor's property. There was no second to the friendly amendment.

MOTION carried unanimously.

This item will appear on the August 1, 2017 City Council meeting agenda.

**6. OLD BUSINESS**

There was no old business.

**7. ADJOURNMENT**

MOTION by Commissioner Tufty to adjourn the meeting at 10:10 p.m. Commissioner Geifer seconded the motion. Motion carried unanimously.

Respectfully submitted,

Kim Points  
City Clerk

PLANNING COMMISSION  
MEETING

Sign-in Sheet - Public Hearing, July 18, 2017

NAME (Please Print)

ADDRESS (Please Print)

John D. Smith

10244 67th Ln N

Jean Sot

9711 97th Ave N  
54017

Megan Sell

Madelin Arbut

Jerry Van Driel

9293 Keswick Ave N

L. L. L.

10025 Keswick Ave

Jin Fink

11610 Grand Ave N

Josie Walker

9899 Keswick Ave N

Sarah Kilgiff

22515 Olinda Tr N

John Poje

Peggy Loyte

9900 Keswick Ave N

Prit Donator

10401 Kellen Ct

Chris Zwitter

9844 Keswick Ave

Rich Lomen

1010 McKensich

Cory Tilly

Bob Zick

Inside Insightful News Hour



## STAFF MEMO

**TO:** Planning Commission Members  
Kim Points, City Administrator/Clerk

**Date:** September 12, 2017

**RE:** 2040 Comprehensive Plan Update

**From:** Jennifer Haskamp, Consulting City  
Planner

At the Planning Commission meeting in July staff provided a brief introduction of the 2040 Comprehensive Plan Update (2040 Plan) process that we will be working on over the next year. As presented in July, the City is required to update its Comprehensive Plan every 10 years per state statute for consistency with regional plans and systems as provided by the Metropolitan Council. To comply with this requirement, the Metropolitan Council prepared a 2015 System Statement that identifies which regional systems impact the City, and how the City must plan for and address these systems with the 2040 Plan. For reference and information, the 2015 System Statement is attached to this memo.

The first step in the process is to understand what, if anything, has changed in the community since the last plan was adopted in 2008. To assist with that analysis, staff is preparing a Background Report that will provide updated demographics, housing, economic and land use trends since 2008. Preliminary and draft information will be presented to the Planning Commission for discussion at the September 19<sup>th</sup> meeting, which will include:

- Current and projected population trends
- Current and projected household trends
  - Existing household types
  - Affordability trends
  - Permits
  - Ownership rates
- Current and projected employment trends
- Regional trends for land uses, population and households
- Adopted 2030 Land Use Plan and current Acreages
- Natural Resources, including wetlands, lakes and streams

In addition to the background information, we will kick-off goal setting with discussion of a SWOT exercise (Strengths, Weaknesses, Opportunities and Threats) at the meeting. Attached to this staff memo is a worksheet. Please brainstorm some preliminary thoughts and **BRING THEM TO THE MEETING** so we can have a discussion after the background presentation.



*Attachments*

Attachment A: 2015 City of Grant System Statement, Metropolitan Council

Attachment B: SWOT worksheet

**Strengths**  
(something positive about the community today)

**Weaknesses**  
(something negative about the community today)

**Opportunities**  
(an opportunity is not a strength today,  
but could become one tomorrow)

**Threats**  
(a threat is not a weakness today,  
but could become one tomorrow)

# 2015 SYSTEM STATEMENT

**City of Grant**

System Statement Issue Date: September 17, 2015



**METROPOLITAN  
COUNCIL**

# 2015 SYSTEM STATEMENT FOR CITY OF GRANT

September 17, 2015

## Regional Development Plan Adoption

In May 2014, the Metropolitan Council adopted *Thrive MSP 2040*. Following adoption of *Thrive*, the Council adopted the *2040 Transportation Policy Plan*, the *2040 Regional Parks Policy Plan*, the *2040 Water Resources Policy Plan*, and the *2040 Housing Policy Plan*. The Metropolitan Council is now issuing system statements pursuant to State statute.

Receipt of this system statement and the metropolitan system plans triggers a community's obligation to review and, as necessary, amend its comprehensive plan within the next three years, by the end of 2018. The complete text of *Thrive MSP 2040* as well as complete copies of the recently adopted metropolitan system and policy plans are available for viewing and downloading at <http://www.metrocouncil.org/Communities/Planning.aspx>. Paper copies are available by calling the Council's Data Center at 651-602-1140.

## System Statement Definition

Metropolitan system plans are long-range comprehensive plans for the regional systems – transit, highways, and airports; wastewater services; and parks and open space – along with the capital budgets for metropolitan wastewater services, transportation, and regional recreation open space. System statements explain the implications of metropolitan system plans for each individual community in the metropolitan area. They are intended to help communities prepare or update their comprehensive plan, as required by the Metropolitan Land Planning Act:

*Within nine months after receiving a system statement for an amendment to a metropolitan system plan, and within three years after receiving a system statement issued in conjunction with the decennial review required under section 473.864, subdivision 2, each affected local governmental unit shall review its comprehensive plan to determine if an amendment is necessary to ensure continued conformity with metropolitan system plans. If an amendment is necessary, the governmental unit shall prepare the amendment and submit it to the council for review.*

Local comprehensive plans, and amendments thereto, will be reviewed by the Council for conformance to metropolitan system plans, consistency with Council policies, and compatibility with adjacent and affected governmental units. Updated local comprehensive plans are due to the Council for review by December 31, 2018.

## What is in this System Statement

The system statement includes information specific to your community, including:

- your community designation or designation(s);
- forecasted population, households, and employment through the year 2040;
- guidance on appropriate densities to ensure that regional services and costly regional infrastructure can be provided as efficiently as possible.
- affordable housing need allocation;

In the following sections, this system statement contains an overview of each of the system plan updates and specific system changes that affect your community. The sections are:

- Transportation, including metropolitan highways, aviation, and transit
- Water Resources, including wastewater, surface water, and water supply planning
- Regional parks and trails

## **Dispute Process**

If your community disagrees with elements of this system statement, or has any questions about this system statement, please contact your Sector Representative, Ryan Garcia, at 651-602-1832, to review and discuss potential issues or concerns.

The Council and local government units and districts have usually resolved issues relating to the system statement through discussion.

## ***Request for Hearing***

If a local governmental unit and the Council are unable to resolve disagreements over the content of a system statement, the unit or district may, by resolution, request that a hearing be conducted by the Council's Land Use Advisory Committee or by the State Office of Administrative Hearings for the purpose of considering amendments to the system statement. According to Minnesota Statutes section 473.857, the request shall be made by the local governmental unit or school district within 60 days after receipt of the system statement. If no request for a hearing is received by the Council within 60 days, the statement becomes final.

## Regional Development Guide

The Council adopted *Thrive MSP 2040* as the new regional development guide on May 28, 2014. *Thrive* identifies five outcomes that set the policy direction for the region's system and policy plans. Building on our region's history of effective **stewardship** of our resources, *Thrive* envisions a **prosperous, equitable, and livable** region that is **sustainable** for today and generations to come. The Council is directing its operations, plans, policies, programs, and resources toward achieving this shared long-term vision.



Three principles define the Council's approach to implementing regional policy: **integration, collaboration, and accountability**. These principles reflect the Council's roles in integrating policy areas, supporting local governments and regional partners, and promoting and implementing the regional vision. The principles define the Council's approach to policy implementation and set expectations for how the Council interacts with local governments.

*Thrive* also outlines seven land use policies and community designations important for local comprehensive planning updates. The land use policies establish a series of commitments from the Council for local governments and uses community designations to shape development policies for communities. Community designations group jurisdictions with similar characteristics based on Urban or Rural character for the application of regional policies. Together, the land use policies and community designations help to implement the region's vision by setting expectations for development density and the character of development throughout the region.

### *Community Designation*

Community designations group jurisdictions with similar characteristics for the application of regional policies. The Council uses community designations to guide regional growth and development; establish land use expectations including overall development densities and patterns; and outline the respective roles of the Council and individual communities, along with strategies for planning for forecasted growth. If there are discrepancies between the *Thrive MSP 2040* Community Designations Map and the Community Designation map contained herein because of adjustments and refinements that occurred subsequent to the adoption of *Thrive*, communities should follow the specific guidance contained in this System Statement.

*Thrive* identifies Grant with the community designation of Diversified Rural (Figure 1). Diversified Rural communities are home to a variety of farm and nonfarm land uses including very large-lot residential, clustered housing, hobby farms and agricultural uses. Diversified Rural communities are expected to plan for growth not to exceed forecasts and in patterns that do not exceed 4 units per 40 acres. In addition, Diversified Rural communities are expected to manage land uses to prevent the premature demand for extension of urban services, and so that existing service levels will meet service needs.

Specific strategies for Diversified Rural communities can be found on Grant's [\*Community Page\*](#) in the [\*Local Planning Handbook\*](#).

## Forecasts

The Council uses the forecasts developed as part of *Thrive* to plan for regional systems. Communities should base their planning work on these forecasts. Given the nature of long-range forecasts and the planning timeline undertaken by most communities, the Council will maintain on-going dialogue with communities to consider any changes in growth trends or community expectations about growth that may have an impact on regional systems.

The *Thrive* forecasts for population, households, and employment for your community are:

	2010 (actual)	2014 (est.)	2020	2030	2040
Population	4,094	4,185	4,080	4,160	4,260
Households	1,463	1,466	1,510	1,610	1,700
Employment	449	542	580	700	840

## Housing Policy

The Council adopted the *Housing Policy Plan* on December 10, 2014, and amended the plan on July 8, 2015. The purpose of the plan is to provide leadership and guidance on regional housing needs and challenges and to support *Thrive MSP 2040*. The *Housing Policy Plan* provides an integrated policy framework to address housing challenges greater than any one city or county can tackle alone.

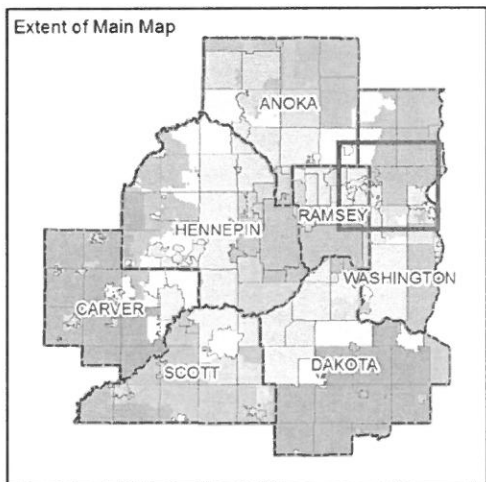
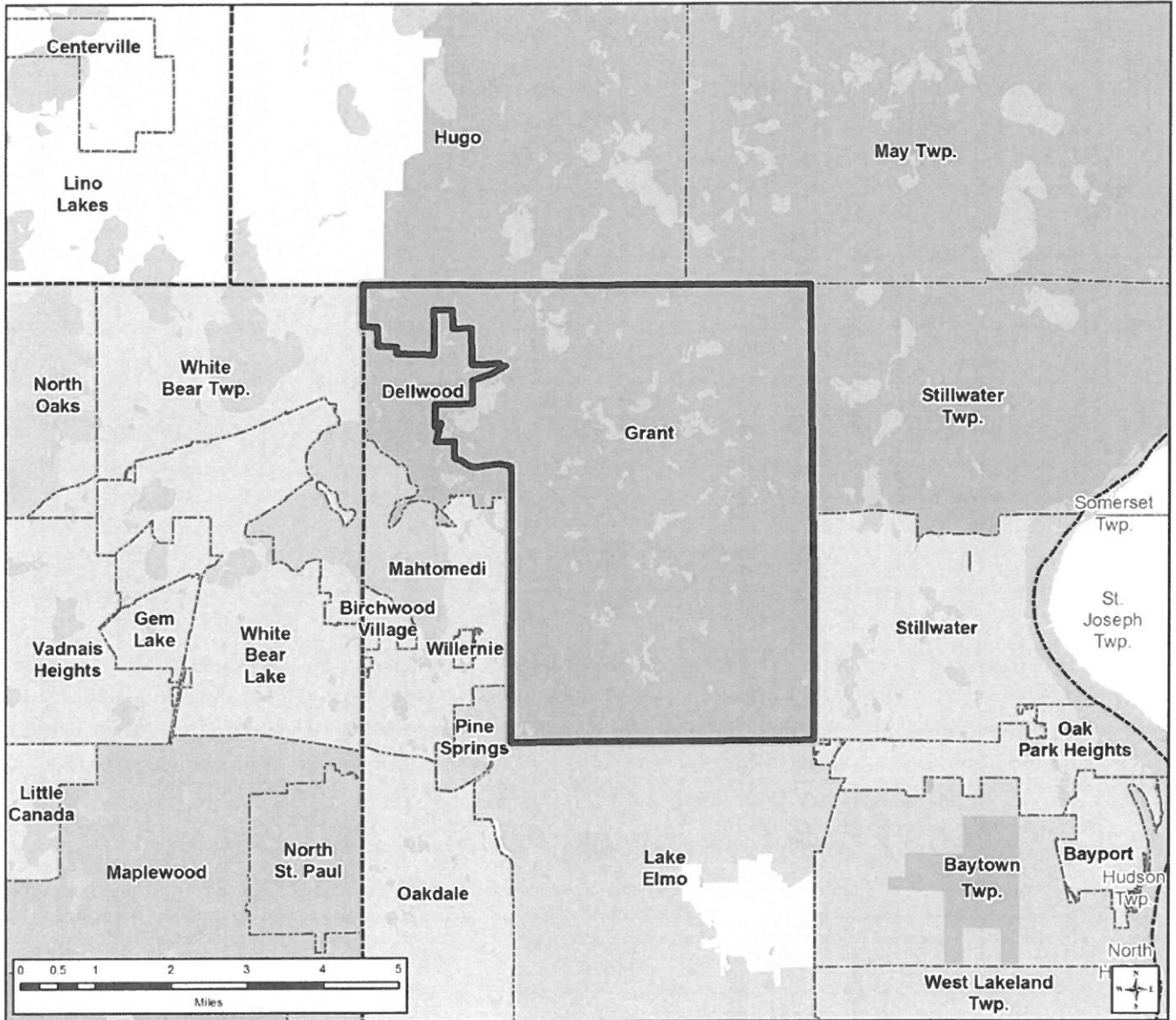
Consistent with state statute (Minn. Stat. 473.859, subd. 2(c) and subd. 4), communities must include a housing element and implementation program in their local comprehensive plans that address existing and projected housing needs.

The Council has also determined the regional need for low and moderate income housing for the decade of 2021-2030 (see Part III and Appendix B in the *Housing Policy Plan*).

The Council has determined that Grant does not have a share of the region's need for low and moderate income housing.

Specific requirements for the housing element and housing implementation programs of local comprehensive plans can be found in the *Local Planning Handbook*.

Figure 1. Grant Community Designation



**Community Designations**

- Outside Council planning authority
- Agricultural
- Rural Residential
- Diversified Rural
- Rural Center
- Emerging Suburban Edge
- Suburban Edge
- Suburban
- Urban
- Urban Center
- County Boundaries
- City and Township Boundaries
- Lakes and Major Rivers

# TRANSPORTATION SYSTEM STATEMENT

*City of Grant*

The *2040 Transportation Policy Plan (TPP)* is the metropolitan system plan for highways, transit, and aviation to which local comprehensive plans must conform. This system statement summarizes significant changes to these three systems, as well as other changes made to the *Transportation Policy Plan* since the last *2030 TPP* was adopted in 2010, and highlights those elements of the system plan that apply specifically to your community. The *TPP* incorporates the policy direction and the new 2040 socio economic forecasts adopted by the Metropolitan Council in the *Thrive MSP 2040*, and extends the planning horizon from 2030 to 2040.

## Federal Requirements

The *TPP* must respond to requirements outlined in state statute, as well as federal law, such as some new requirements included in the federal law known as the Moving Ahead for Progress in the 21<sup>st</sup> Century Act (MAP-21). For instance, metropolitan transportation plans must now be performance based, so the *TPP* now includes goals, objectives, and strategies outlined in chapter 2. In previous versions of the *TPP* the strategies were known as policies; while some are new, the wording of many strategies are similar to the wording of policies in previous plans. Performance measurements for this plan are also discussed in Chapter 12, Federal Requirements.

Federal law requires the long range plan to identify regionally significant transportation investments expected to be made over the next two decades, and to demonstrate that these planned investments can be afforded under the plan's financial assumptions. Both costs and available revenues have changed since the last plan was adopted in 2010, resulting in many changes in the plan. Federal law does allow the plan to provide a vision for how an increased level of transportation revenue might be spent if more resources become available, but the programs or projects identified in this scenario are not considered part of the approved plan.

The *TPP* includes two funding scenarios for the metropolitan highway and transit systems: the "Current Revenue Scenario" and the "Increased Revenue Scenario."

- The **Current Revenue Scenario** represents the fiscally constrained regional transportation plan, which assumes revenues that the region can reasonably expect to be available based on past experience and current laws and allocation formulas.
- The **Increased Revenue Scenario** represents an illustration of what be achieved with a reasonable increase in revenues for transportation.

Under the Metropolitan Land Planning Act, local comprehensive plans are expected to conform to the Current Revenue Scenario, which is the official metropolitan system plan. Potential improvements in the Increased Revenue Scenario can be identified separately in local plans as unfunded proposals. A more detailed description of how to handle the various improvements in this category is included under Other Plan Considerations.

In addition to reviewing this system statement, your community should consult the entire *2040 Transportation Policy Plan* to ensure that your community's local comprehensive plan and plan amendments conform to the metropolitan transportation system plan. Chapter 3, Land Use and Local Planning, has been expanded and all communities should carefully review this chapter. A PDF file of

the entire *2040 Transportation Policy Plan* can be found at the Metropolitan Council's website: [http://www.metrocouncil.org/Transportation/Planning-2/Key-Transportation-Planning-Documents/Transportation-Policy-Plan-\(1\)/The-Adopted-2040-TPP-\(1\).aspx](http://www.metrocouncil.org/Transportation/Planning-2/Key-Transportation-Planning-Documents/Transportation-Policy-Plan-(1)/The-Adopted-2040-TPP-(1).aspx). The format of the plan is slightly different than past *Transportation Policy Plans*. An introductory Overview, Chapter 1: Existing System and Chapter 10: Equity and Environmental Justice have been added to this version of the *TPP*, in addition to the changes noted in the first paragraph. Please note some modifications have been made to the appendices as well.

## **Key Changes in the 2040 Transportation Policy Plan**

Adopted by the Metropolitan Council in January 2015, the revised *2040 Transportation Policy Plan* incorporates the following changes:

### ***Metropolitan Highway System - Chapter 5***

The Metropolitan Highway System is made up of principal arterials, shown in Fig 1-1 of the *TPP* and also attached to this system statement. Although no new highways have been added to this system in the *2040 TPP*, the last incomplete segment of this system, TH 610, is now under construction in Maple Grove.

- The *TPP* acknowledges that congestion cannot be eliminated or greatly reduced. The region's mobility efforts will need to focus on managing congestion and working to provide alternatives. The majority of resources available between now and 2040 will be needed for preservation, management and operation of the existing highway system.
- Due to increased costs and decreased revenue expectations, many long-planned major projects to add general purpose highway lanes are not in this fiscally constrained plan. While the preservation, safety, and mobility needs of these corridors are recognized, investments in these corridors will be focused on implementing traffic management strategies, lower cost-high benefit spot mobility improvements, and implementing MnPASS lanes. Some specific projects have been identified in this plan, but funding has primarily been allocated into various investment categories rather than specific projects. The highway projects specifically identified in the Current Revenue Scenario are shown in Figure 5-8 of the *TPP* which is also attached to this system statement.
- Modifications were made to *Appendix D - Functional Classification Criteria*, and *Appendix F - Highway Interchange Requests*. *Appendix C - Project List* is new and contains all of the transit and highway projects that have been identified between 2014 and 2023.

### ***Transit System - Chapter 6***

The transit system plan provides an overview of the basic components of transit planning, including demographic factors, transit route and network design factors and urban design factors that support transit usage. Local governments have the primary responsibility for planning transit-supportive land use, through their comprehensive planning, and subdivision and zoning ordinances.

- The *TPP* includes updated Transit Market Areas (shown in *TPP* Figure 6-3, also attached) which reflect 2010 Census information and an updated methodology that better aligns types and levels of transit service to expected demand. These market areas identify the types of transit services that are provided within each area.
- The *TPP* includes limited capital funding for transit expansion and modernization. Opportunities primarily exist through competitive grant programs such as the regional solicitation for US DOT

funding. These opportunities are guided by the strategies in the *TPP* and the various elements of the Transit Investment Plan.

- The *TPP* includes an updated transitway system plan that more clearly articulates which projects can be funded within reasonable revenue expectations through year 2040 (Current Revenue Scenario as shown in *TPP* Figure 6-8, which is also attached). The plan includes five new or expanded METRO lines, three new arterial bus rapid transit lines, and three corridors under study for mode and alignment but identified in the Counties Transit Improvement Board's (CTIB) Phase I Program of Projects. This system was developed in collaboration with CTIB, a major partner in regional transitway expansion.
- The *TPP* does not include operating funding for transit service expansion beyond the existing network of regular route bus, general public dial-a-ride, and Metro Vanpool.
- The Increased Revenue Scenario (shown *TPP* Figure 6-9, which is also attached) illustrates the level of expansion for the bus and support system and transitway system that might be reasonable if additional revenues were made available to accelerate construction of the transitway vision for the region.
- The plan includes updated requirements and considerations for land use planning around the region's transit system. This includes new residential density standards for areas near major regional transit investments and an increased emphasis on proactive land use planning in coordination with the planning of the transit system.

### ***Aviation System - Chapter 9***

The Metropolitan Aviation System is comprised of nine airports (shown in Figure 1-9 of the *TPP* and also attached to this system statement) and off-airport navigational aids. There are no new airports or navigational aids that have been added to the system in the *2040 TPP*.

- The *TPP* discusses the regional airport classification system as well as providing an overview of roles and responsibilities in aviation for our regional and national partners. The investment plan includes an overview of funding sources for projects, and an overview of projects proposed for the local airports that will maintain and enhance the regional airport system.
- Modifications were made to *Appendix I – Regional Airspace*, *Appendix J – Metropolitan Airports Commission Capital Investment Review Process*, *Appendix K – Airport Long Term Comprehensive Plans* and *Appendix L – Aviation Land Use Compatibility*.

### ***Other Plan Changes***

#### **Regional Bicycle Transportation Network - Chapter 7**

The *2040 TPP* encourages the use of bicycles as a mode of transportation. To that end, the *TPP* establishes for the first time a Regional Bicycle Transportation Network (RBTN). The goal of the RBTN is to establish an integrated seamless network of on-street bikeways and off-road trails that complement each other to most effectively improve conditions for bicycle transportation at the regional level. Cities, counties, and parks agencies are encouraged to plan for and implement future bikeways within and along these designated corridors and alignments to support the RBTN vision.

## Freight - Chapter 8

Most aspects of freight movement are controlled by the private sector, so unlike other sections of the *TPP*, there is not a specific plan adopted for future public sector investment in freight facilities. However, the discussion of the need for a safe and efficient multimodal freight system has been updated and expanded in the *TPP* to recognize challenges and opportunities for freight movement as well as the future direction of freight by mode. It acknowledges the closure of the Minneapolis Upper Harbor in 2015, leaving St Paul and Shakopee as the region's major barge terminal areas in the future. The plan also acknowledges the increase of trains since 2010 carrying oil from North Dakota on BNSF and CP rail tracks, which is expected to continue into the future. Although railroad trackage in the region was significantly decreased over the last 20 years to "right size" the system after federal deregulation, communities should not expect much additional rail abandonment. Many tracks that appear to be seldom used are owned by the smaller Class III railroads that serve local businesses by providing direct rail connections from manufacturing and warehousing/distribution facilities to the major national railroads. The major Class I railroads are approaching capacity and actually adding tracks in some locations.

## System Plan Considerations Affecting Your Community

Grant should consult the complete *2040 Transportation Policy Plan* in preparing its local comprehensive plan. In addition, Grant should consult *Thrive MSP 2040* and the current version of the Metropolitan Council's *Local Planning Handbook* for specific information needed in its comprehensive plan. Specific system plan considerations affecting Grant are detailed below.

### *Metropolitan Highways*

There is a principal arterial located within Grant: TH 36. The *TPP* does not identify any specific regional mobility improvements on these highways, although maintenance and preservation investments will be made on all highways.

### *Transit System*

Grant includes the following Transit Market Areas:

Transit Market Area	Market Area Description and Typical Transit Services
<b>Market Area V</b>	Transit Market Area V has very low population and employment densities and tends to be primarily Rural communities and Agricultural uses. General public dial-a-ride service may be appropriate here, but due to the very low-intensity land uses these areas are not well-suited for fixed-route transit service.

### **Transitways**

#### *Current Revenue Scenario Transitways*

The *TPP*'s Transit Investment Plan does not show any transitway investments planned for Grant in the Current Revenue Scenario (*TPP* Figure 6-8).

#### *Increased Revenue Scenario Transitways*

The *TPP* Increased Revenue Scenario shows additional transitway corridors beyond the scope of the plan's adopted and fiscally constrained Transit Investment Plan (the Current Revenue Scenario). These corridors are listed on page 6.63 of the *TPP*, and *TPP* Figure 6-9, which is attached, shows the complete transitway vision for the region.

If Grant believes it might be directly impacted by transitways in the Increased Revenue Scenario (for example, because they are participating in transitway corridor studies or feasibility analyses), the transitways may be acknowledged in the Comprehensive Plan. These additional corridors are or will be under study for mode and alignment recommendations, but they are not included in fiscally constrained plan. However, they should be clearly identified as not funded within the currently expected resources for transitways. The Council recognizes the important planning work that goes into a corridor prior to it becoming part of the region's Transit Investment Plan, especially if increased revenues were to become available.

Similar to Current Revenue Scenario Transitways, communities should identify known potential stations along planned transitways and consider guiding land use policies, station area plans, and associated zoning, infrastructure, and implementation tools that support future growth around transit stations. These policies can also influence station siting in initial planning phases of transitway corridors and influence the competitiveness of a transitway for funding. Communities can find further guidance for station area planning in the Transportation section of the *Local Planning Handbook* and the *Transit Oriented Development Guide*.

### **Communities not in the Transit Capital Levy District**

Grant is not within the Transit Capital Levy District as shown in Fig 1-3 of the *TPP* (Existing Transit System with Transit Capital Levy District). Regardless of the Transit Market Area or transitway corridor planning, the only transit services provided in this type of community are Transit Link dial-a-ride service and various ridesharing services. A list of Transit Link service areas and communities can be found on the Council's website: <http://www.metrocouncil.org/Transportation/Services/Transit-Link/Transit-Link-Service-Areas.aspx?source=child>

If Grant is interested in additional transit services and a need for transit services can be identified, Grant would first have to agree to pay the regional transit capital levy, as defined in MN Stat. 473.446 and 473.4461.

### ***Aviation***

All communities must include an aviation element in the transportation sections of their comprehensive plans. The degree of aviation planning and development considerations that need to be included in the comprehensive plan varies by community. Even those communities not impacted directly by an airport have a responsibility to include airspace protection in their comprehensive plan. The protection element should include potential hazards to air navigation including electronic interference.

Grant is not in an influence area of a regional airport. Airspace protection should be included in local codes/ordinances to control height of structures.

### **Other Plan Considerations**

#### ***Regional Bicycle Transportation Network***

*TPP* Figure 7-1 shows the RBTN as established for the first time in the *2040 TPP*. The network consists of a series of prioritized Tier 1 and Tier 2 corridors and dedicated alignments (routes). The process used to develop the RBTN, as well as the general principles and analysis factors used in its development, can be found in the Bicycle and Pedestrian Chapter of the *TPP*.

The RBTN corridors and alignments make up the "trunk arterials" of the overall system of bikeways that connect to regional employment and activity centers. These are not intended to be the only bicycle facilities in the region, and local units should also consider planning for any additional bike facilities desired by their communities. RBTN corridors are shown where more specific alignments within those

corridors have not yet been designated, so local governments are encouraged to use their comprehensive planning process to identify suitable alignments within the RBTN corridors for future incorporation into the *TPP*.

In addition, agencies should plan their local on and off-road bikeway networks to connect to the designated Tier 1 and Tier 2 alignments, as well as any new network alignments within RBTN corridors to be proposed in local comprehensive plans. Bikeway projects that complete segments of, or connect to, the RBTN are given priority for federal transportation funds through the Transportation Advisory Board's biannual regional solicitation.

Figure 7-1 shows that your community currently has one or more RBTN corridors and alignments within its jurisdiction. The Council encourages local governments to incorporate the RBTN map within their local bicycle plan maps to show how the local and regional systems are planned to work together. An on-line interactive RBTN map, which allows communities to view the RBTN links in their community at a much more detailed scale than Figure 7-1, can be found in the Transportation section of the *Local Planning Handbook*. The handbook also includes best practices, references, and guidance for all local bicycle planning.

### ***A Minor System / Functional Classification***

The *TPP* has always recognized the A minor arterial system as an important supplement to the regional highway system, and the Transportation Advisory Board (TAB) continues to maintain the official regional map of these roads. The *2040 TPP* does include an updated functional classification map (Fig. 1-2 in Chapter 1) and a modified *Appendix D - Functional Classification Criteria*. Communities should consult the Local Plan Handbook for more information on functional classification, how to reflect the A minor arterial system in their plan, and how to request functional classification changes if necessary.



### ***Freight***

The Council encourages all local governments to plan for freight movement in their communities. Trucks are the major mode of freight movement in the region and across the nation to distribute consumer goods as well as move manufactured goods and commodities, and they operate in every community.





Communities with special freight facilities shown on *TPP* Figure 8-1, Metropolitan Freight System, (attached) should also include those additional modes and facilities in their local plan, and plan for compatible adjacent land uses.

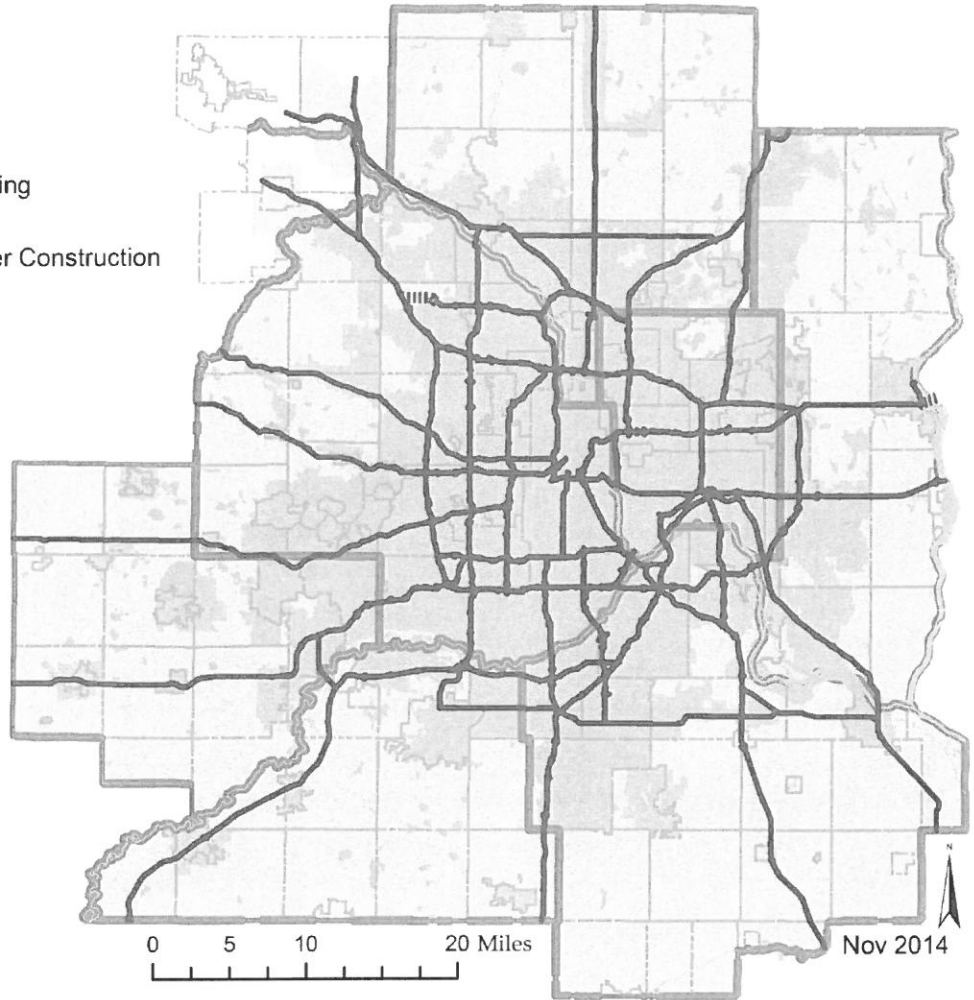
Figure 1-1 of the TPP

### Principal Arterials

-  Principal Arterial - Existing
-  Principal Arterial - Under Construction

### Reference Items

-  Lakes and Rivers
-  City Boundary
-  County Boundary
-  MUSA 2040 MPO Area



2040 TRANSPORTATION POLICY PLAN | METROPOLITAN COUNCIL

Figure 1-1



Figure 1-2 of the TPP

## Functional Class Roads



### Existing

- Principal Arterial
- A-Minor Augmentor
- A-Minor Reliever
- A-Minor Expander
- A-Minor Connector
- Other Minor Arterial

### Planned

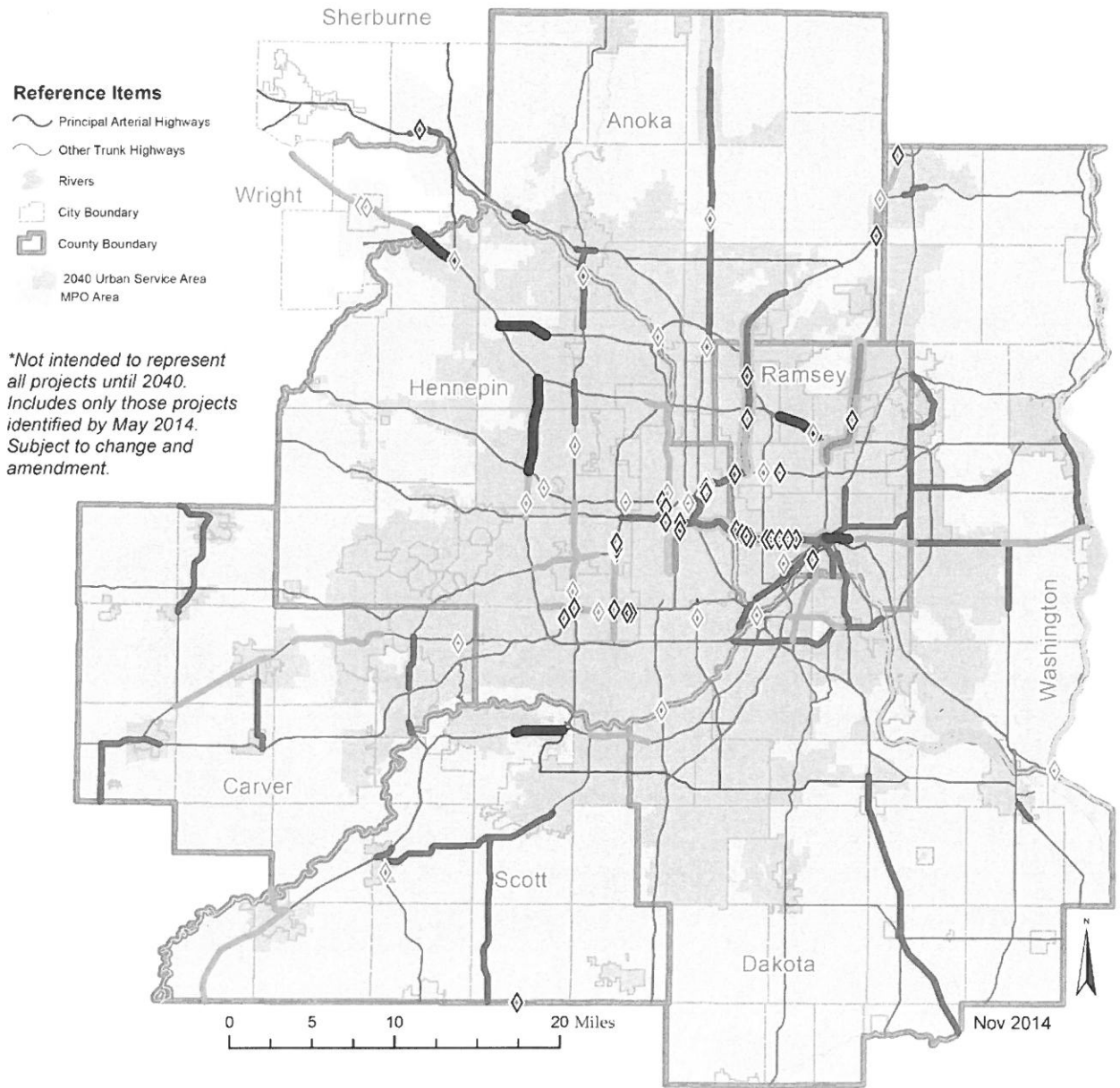
- Principal Arterial
- A-Minor Augmentor
- A-Minor Reliever
- A-Minor Expander
- A-Minor Connector
- Other Minor Arterial

### Thrive Planning Areas

- Urban Core & Urban & Suburban
- Suburban Edge & Emerging Suburban Edge
- Rural Service Areas
- MPO Area outside the Seven County Area

Figure 5-8 of the TPP

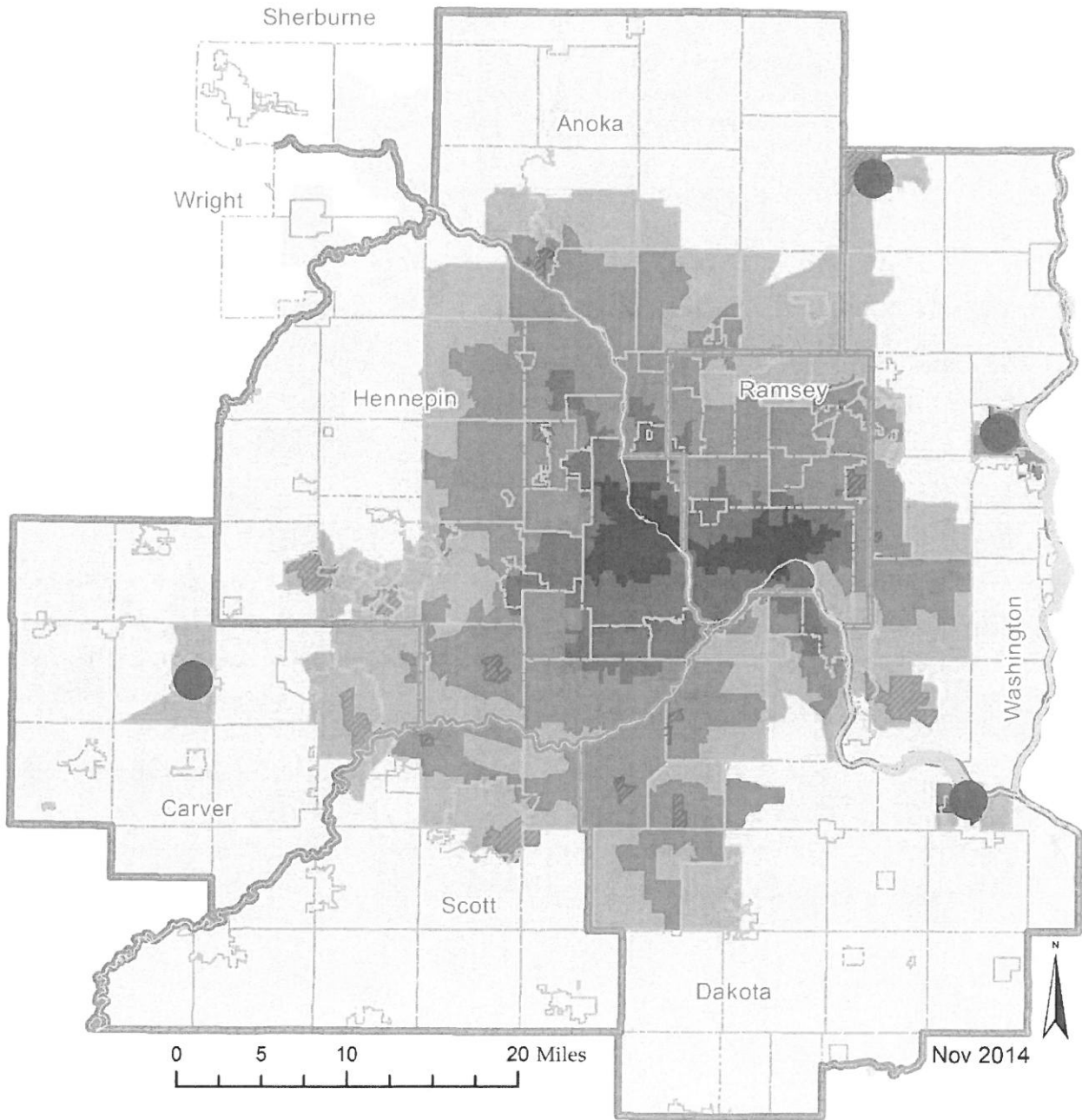
### Identified Projects\* in Highway Current Revenue Scenario



- |   |                       |  |                                  |  |                               |
|---|-----------------------|--|----------------------------------|--|-------------------------------|
| ◇ | 2015-2018 TIP Bridges |  | Strategic Capacity               |  | 2019 - 2024 Pavement Projects |
| ◇ | 2019 - 2024 Bridges   |  | Roadside Infrastructure          |  | 2015 - 2018 Pavement / MnPass |
|   |                       |  | Roadside Infrastructure / Safety |  | 2015 - 2018 Pavement / Safety |
|   |                       |  | 2015-2018 TIP Pavement           |  | Tier 1 MnPASS Expansion       |

Figure 6-3 of the TPP

### Transit Market Areas











- |   |  |
|---|--|
|  Market Area I           |  Emerging Market Area III |
|  Market Area II          |  Market Area IV           |
|  Emerging Market Area II |  Market Area V            |
|  Market Area III         |  Freestanding Town Center |

Figure 6-8 of the TPP

## Current Revenue Scenario Transitways and CTIB Phase I Program of Projects

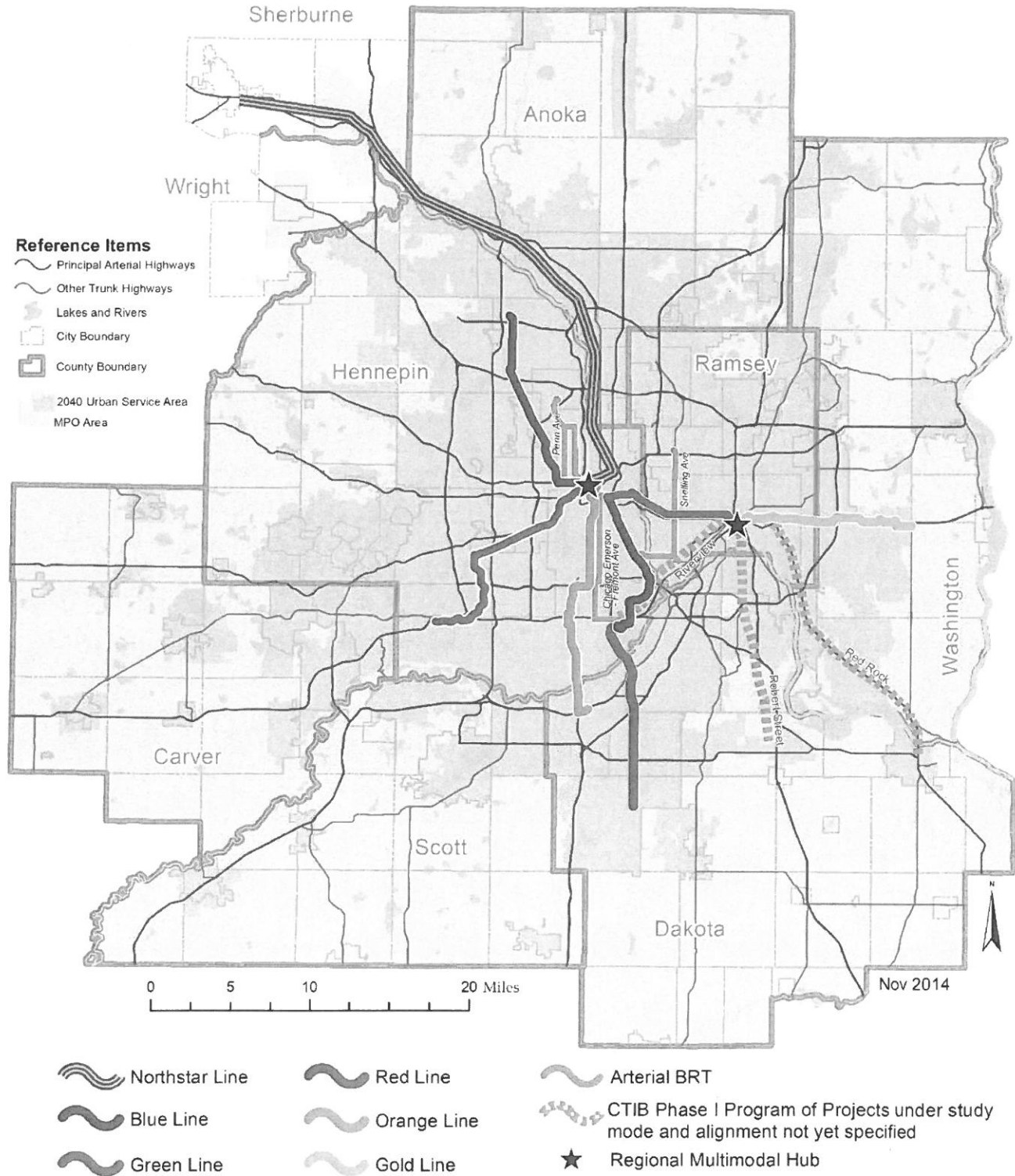


Figure 6-9 of the TPP

## Increased Revenue Scenario Transitways Building an Accelerated Transitway Vision

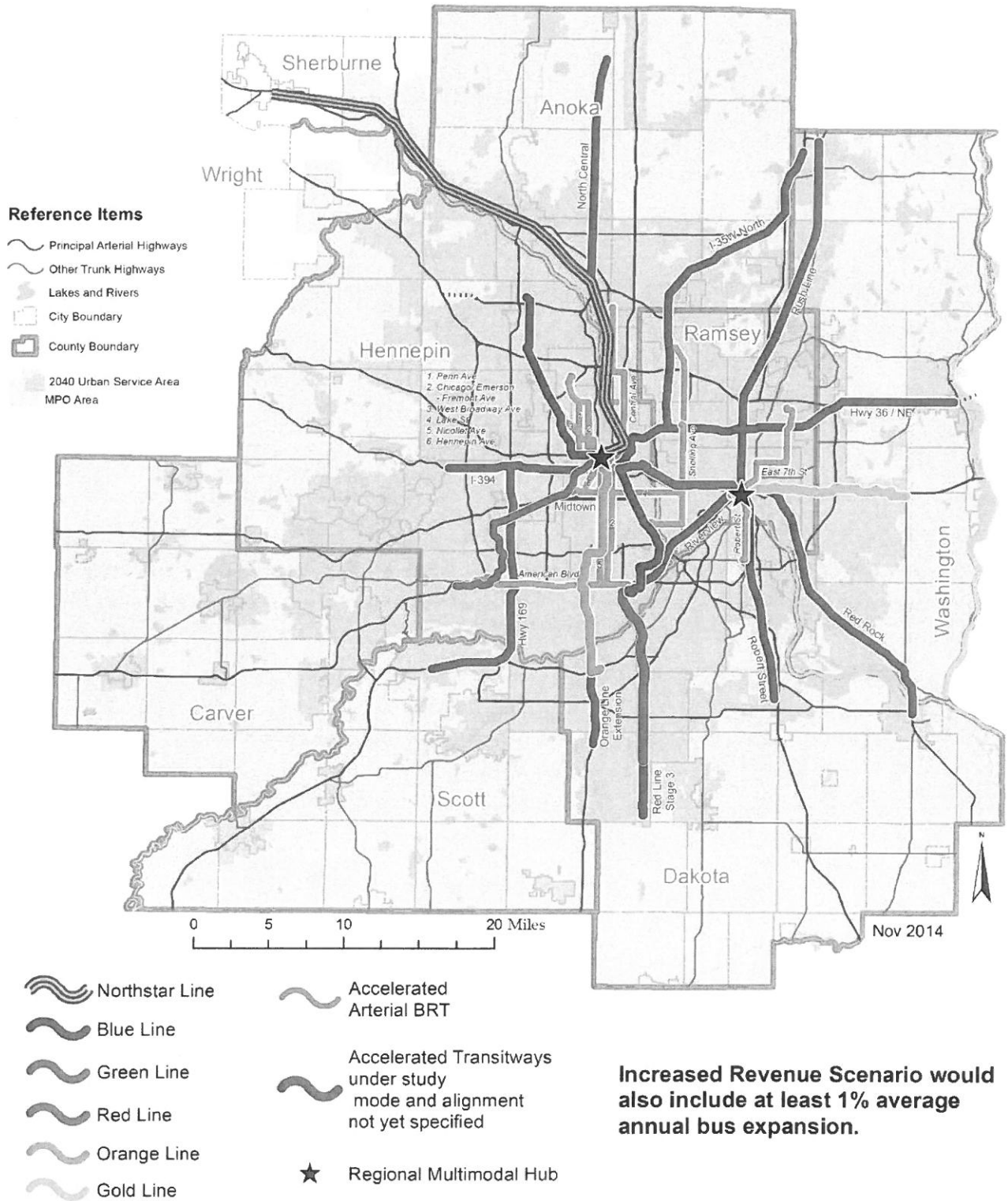
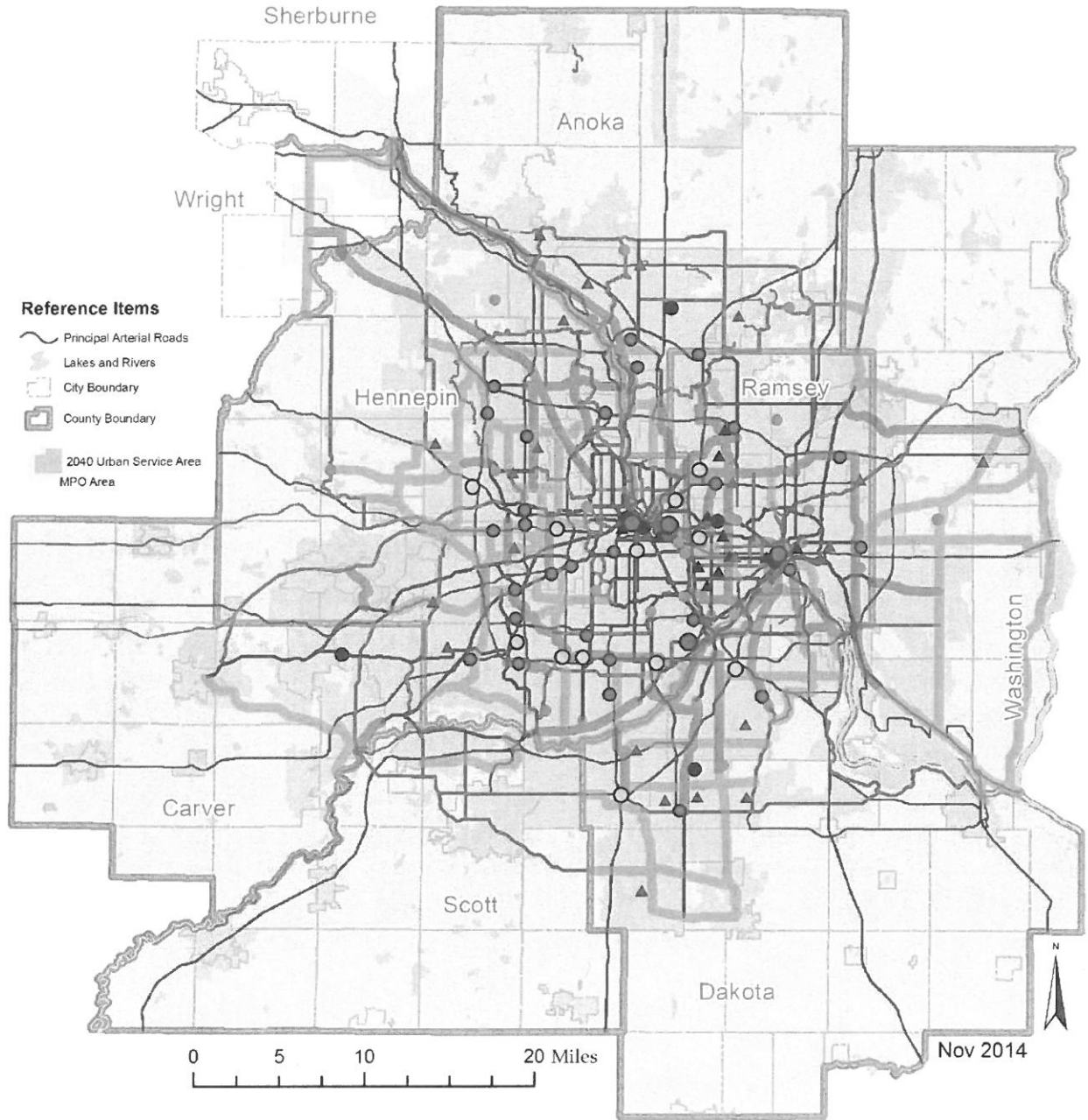


Figure 7-1 of the TPP

## Regional Bicycle Transportation Network Vision



### RBTN Alignments

- Tier 1 Alignments
- Tier 2 Alignments

### RBTN Corridors (Alignments Undefined)

- Tier 1 Priority Regional Bicycle Transportation Corridor
- Tier 2 Regional Bicycle Transportation Corridors

### Regional Destinations

- Metropolitan Job Centers
- Regional Job Centers
- Subregional Job Centers
- Large High Schools
- Colleges & Universities
- Highly Visited Regional Parks
- Major Sport & Entertainment Centers

### Other Trail Systems

- Regional Trails (Regional Parks Policy Plan)
- Mississippi River Trail (US Route 45)
- State Trails (DNR)

Figure 8-1 of the TPP

### Metropolitan Freight System

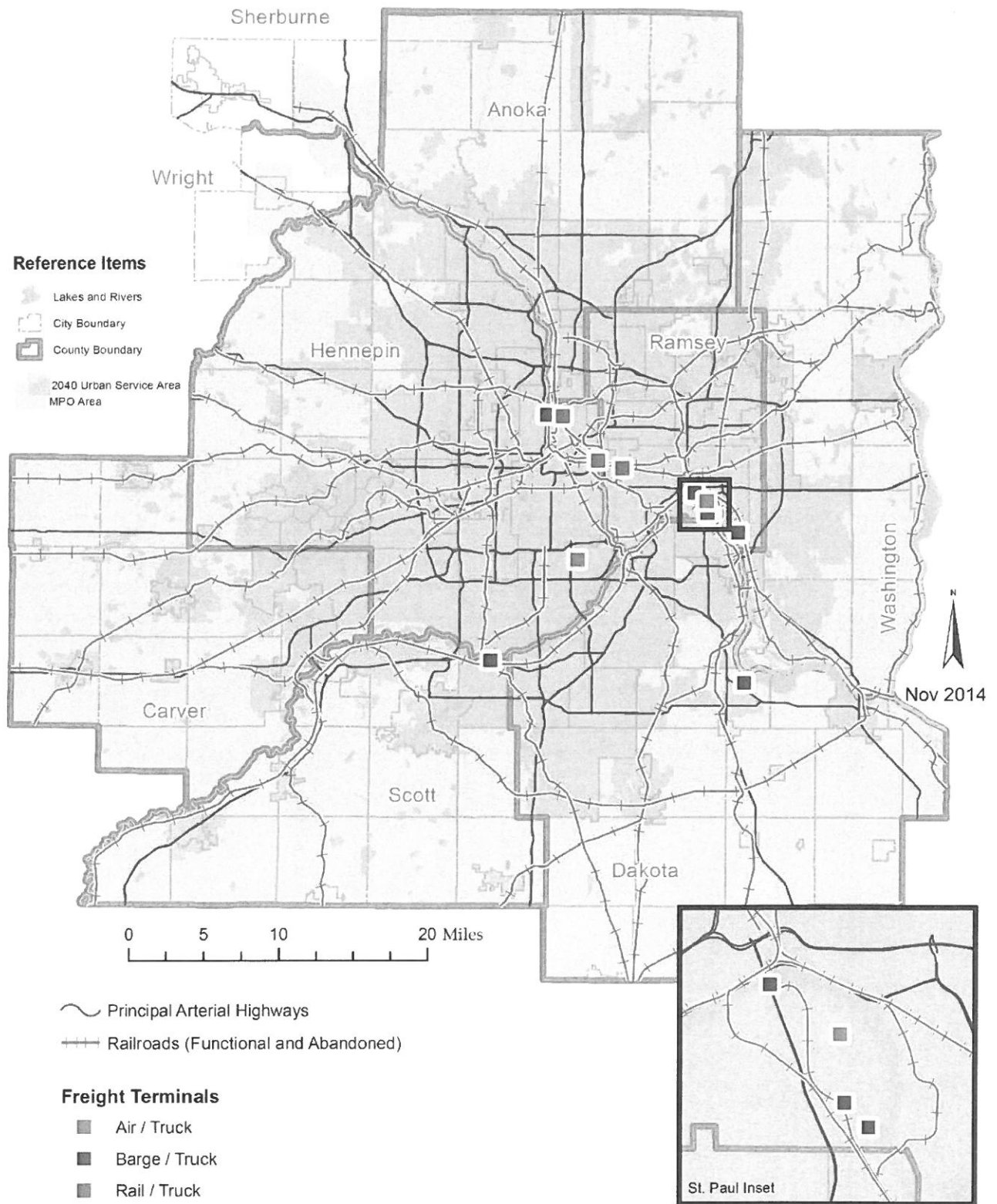
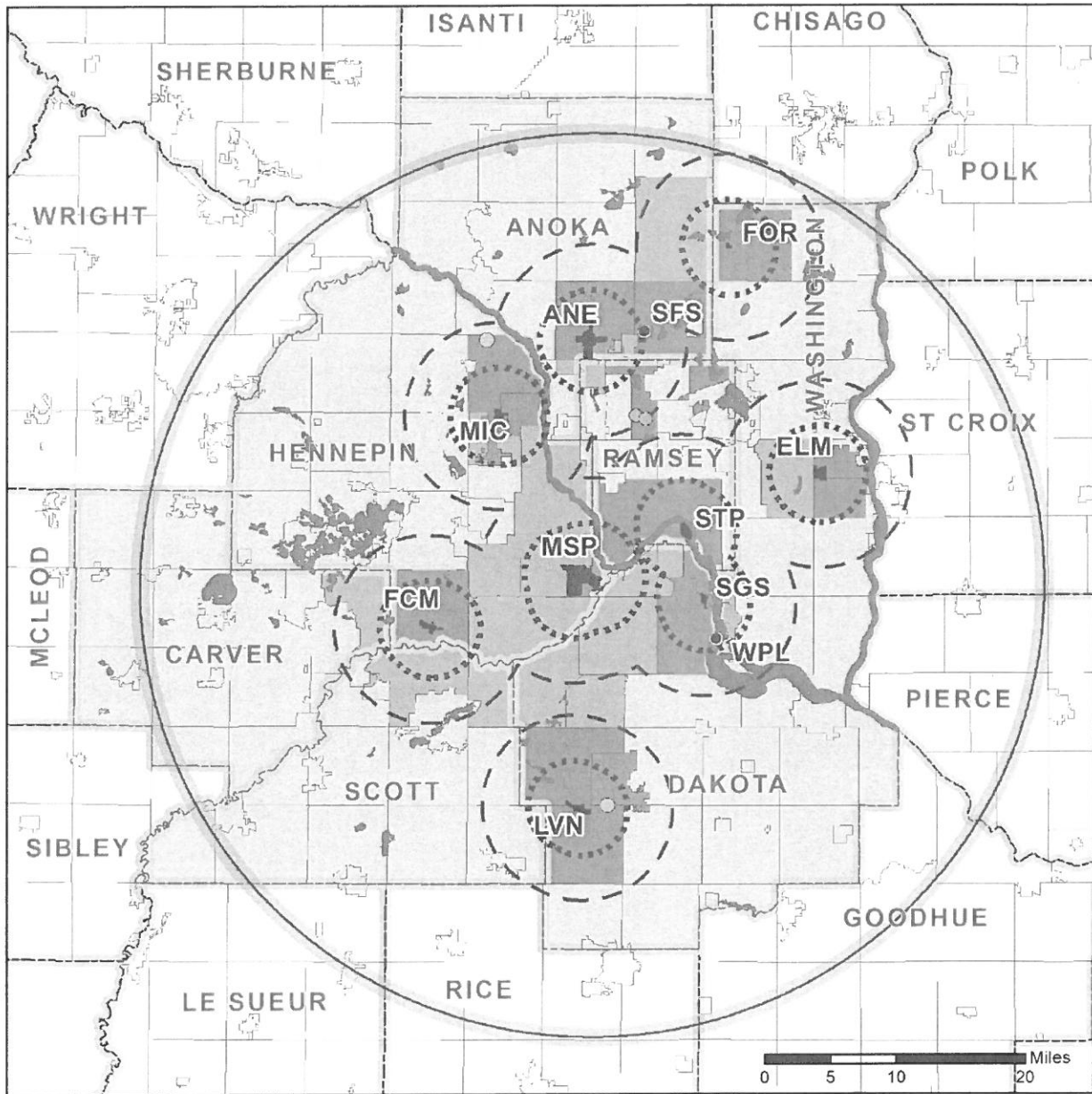


Figure 9-1 of the TPP

### Airport Service Areas



**Public Owned Public Use Airport**

**Airport Compatibility Area**  
 (3 NM's - Noise, Zoning, Infrastructure)  
 (6 NM's - Landfills, Wind Towers)

**MSP** Minneapolis - St. Paul International Airport  
*(Wold-Chamberlain Field)*

**STP** St. Paul Downtown Airport  
*(Holman Field)*

**ANE** Anoka County - Blaine Airport  
*(Janes Field)*

**FCM** Flying Cloud Airport

**MIC** Crystal Airport

**SGS** South St. Paul Airport  
*(Fleming Field)*

**ELM** Lake Elmo Airport

**LVN** Airlake Airport

**FOR** Forest Lake Airport

**Privately Owned Public Use Airport**

**SFS** Surf-Side Seaplane Base  
*(Rice Lake)*

**WPL** Wipline Seaplane Base  
*(Miss. River)*

○ Minneapolis Class-B  
 Airspace Boundary

▬ Permitted Seaplane  
 Surface Waters  
*(within 7 County Area only)*

○ VOR Protection Zone

● Tall Tower Areas

■ Aviation Facility  
 Located in Community

■ Community Directly  
 Affected by Facility(s)

■ General Airspace  
 Notification/Protection

# WATER RESOURCE REQUIREMENTS/ WASTEWATER SYSTEM STATEMENT

*City of Grant*

The *2040 Water Resources Policy Plan* includes policies and strategies to achieve the following goal:

*To protect, conserve, and utilize the region's groundwater and surface water in ways that protect public health, support economical growth and development, maintain habitat and ecosystem health, and provide for recreational opportunities, which are essential to our region's quality of life.*

The Policy Plan takes an integrated approach to water supply, water quality, and wastewater issues. This approach moves beyond managing wastewater and stormwater only to meet regulatory requirements by viewing wastewater and stormwater as resources, with the goal of protecting the quantity and quality of water our region needs now and for future generations.

The Policy Plan includes policies and strategies to:

- Maximize regional benefits from regional investments in the areas of wastewater, water supply and surface water.
- Pursue reuse of wastewater and stormwater to offset demands on groundwater supplies.
- Promote greater collaboration, financial support, and technical support in working with partners to address wastewater, water quality, water quantity and water supply issues.
- Implement environmental stewardship in operating the regional wastewater system by reusing wastewater, reducing energy use and air pollutant emissions, and reducing, reusing, and recycling solid waste.

## **Key Concepts in the *2040 Water Resources Policy Plan***

Adopted by the Metropolitan Council in May 2015, the *2040 Water Resources Policy Plan* is the metropolitan system plan for metropolitan wastewater services with which local comprehensive plans must conform. The Policy Plan incorporates the following changes:

- Centers on and around an integrated approach to water supply, wastewater, and surface water planning.
- Promotes the investigation of the issues and challenges in furthering our work in water conservation, wastewater and stormwater reuse, and low impact development practices in order to promote a more sustainable region.
- Promotes the concept of sustainable water resources where, through collaboration and cooperation, the region will take steps to manage its water resources in a sustainable way aimed at:
  - Providing an adequate water supply for the region
  - Promoting and implementing best management practices that protect the quality and quantity of our resources
  - Providing efficient and cost effective wastewater services to the region
  - Efficiently addressing nonpoint and point sources pollution issues and solutions, and,
  - Assessing and monitoring lakes, rivers, and streams so that we can adequately manage, protect, and restore our valued resources.
- Continues the Council's position that communities that permit the construction and operation of subsurface sewage treatment systems and other private wastewater treatment systems are

responsible for ensuring that these systems are installed, maintained, managed and regulated consistent with Minnesota Rules Chapter 7080-7083.

- Includes requirements in Appendix C for comprehensive sewer plans, local water plans, and local water supply plans.
- Establishes inflow and infiltration goals for all communities served by the regional wastewater system and requires all communities to include their inflow and infiltration mitigation programs in their comprehensive sewer plan.
- Works with the State to attempt to (1) make funds available for inflow and infiltration mitigation, and (2) promote statutes, rules, and regulations to encourage I/I mitigation.

Grant should consult the complete Policy Plan in preparing its local comprehensive plan. In addition, Grant should consult *Thrive MSP 2040* and the *Local Planning Handbook* for specific information needed in its comprehensive plan.

## **System Plan Considerations Affecting Your Community**

### ***Metropolitan Sewer Service***

Under state law (Minn. Stat. 473.513) local governments are required to submit both a wastewater plan element to their comprehensive plan as well as a comprehensive sewer plan describing service needs from the Council. Specific requirements for the sewer element of your comprehensive plan can be found in the Water Resources section of the *Local Planning Handbook*.

### **Forecasts**

The forecasts of population, households, and employment, for Grant can be found on your Community Page in the *Local Planning Handbook*.

### **Wastewater System Serving Your Community**

Figure 1 is a map of Grant. Your community is not provided centralized wastewater services through either a regional or centralized local wastewater system. Residential and commercial properties provide their own wastewater services through subsurface sewage treatment systems, with the exception of the school district properties which are served through Mahtomedi via an intercommunity agreement. The Metropolitan Council has no plans to provide regional wastewater services to Grant.

### ***Management of Subsurface Sewage Treatment Systems (SSTS) and Private Systems***

The Metropolitan Land Planning Act requires the sewer element of the local comprehensive plan to describe the standards and conditions under which the installation of subsurface sewage treatment systems and other private wastewater treatment systems will be permitted and to the extent practicable, the areas not suitable for public or private systems.

The appropriate density for development with subsurface sewage treatment systems depends on the suitability of the soils to treat wastewater and whether space is available for a primary and back up drainfield. It is the Council's position that all municipalities and counties allowing subsurface sewage treatment systems should incorporate current MPCA regulations (Minn. Rules Chapter 7080-7083) as part of a program for managing subsurface sewage treatment systems in the sewer element of their local comprehensive plan and implement the standards in issuing permits.

Grant should adopt a management program consistent with state rules. An overview of Grant's management program must be included in the community's local comprehensive plan update. If adequate information on the management program is not included; the comprehensive plan will be

found incomplete for review until the required information is provided to the Council. Specific requirements for the local comprehensive plan can be found in the *Local Planning Handbook*.

Small private treatment plants are located throughout the Metropolitan Area serving such developments as individual industries, mobile home parks, and other urban type uses. The Council's position is that such private wastewater treatment plants should be permitted only if they are in areas not programmed for metropolitan sewer service in the future and they are provided for in a community's comprehensive plan that the Council has approved. Furthermore, the community is responsible for permitting all community or cluster wastewater treatment systems consistent with Minnesota Rules Chapter 7080-7083 and MPCA standards. The Council will not provide financial support to assist communities if these systems fail.

Grant should include in the sewer element of its local comprehensive plan the conditions under which private treatment plants or municipal treatments would be allowed, and include appropriate management techniques sufficiently detailed to ensure that the facilities conform to permit conditions. Grant is responsible for ensuring that permit conditions for private treatment plants are met and financial resources to manage these facilities are available.

### ***Surface Water Management***

In 1995, Minnesota Statutes Section 473.859, subd. 2 was amended to make the local water plan (often referred to as local surface water management plans) required by section 103B.235 a part of the land use plan of the local comprehensive plan. Minnesota Rules Chapter 8410, updated in July of 2015, includes the requirements for local water management plans. The main change that you need to be aware of is that all communities in the metropolitan area must update their local water plan between January 1, 2017 and December 31, 2018. This means that Grant must update its local water plan as part of the comprehensive plan update. The community's updated local water plan should be submitted to the Council for its review concurrent with the review by the Watershed Management Organization(s) within whose watershed(s) the community is located. **Failure to have an updated local water plan will result in the comprehensive plan being found incomplete for review until the required plan is provided to the Council.**

Local water plans must meet the requirements for local water plans in Minnesota Statutes, section 103B.235 and Minnesota Rules Chapter 8410. In general, local surface water plans need to include a summary of the priorities and problems in the community; structural, nonstructural and programmatic actions to take to address the priorities and problems; and clearly identified funding mechanisms to fix the problems.

More detailed guidance for the local water plans can be found in Appendix C of the Council's *2040 Water Resources Policy Plan* and in the Council's current *Local Planning Handbook*.

In addition, the Council has also updated its priority lake list that was first developed in the 1980s as part of the *Water Resources Policy Plan* update. Figure 2 shows the priority lakes for Grant. The Council uses the priority lake list to focus its limited resources. The list is also used in the environmental review process. Where a proposed development may impact a priority lake, the project proposer must complete a nutrient budget analysis for the lake as part of the environmental review process.

Also included on Figure 2 is the watershed organization(s) that Grant is part of and a list of impaired waters in the community for use in development of your local water plans.

## Other Plan Considerations

### *Water Supply*

Local comprehensive plans also address water supply (Minn. Stat., Sec. 473.859). For communities in the metropolitan area with municipal water supply systems, this local comprehensive plan requirement is met by completing the local water supply plan template, which was jointly developed by the Metropolitan Council and the Minnesota Department of Natural Resource (DNR).

#### **FOR COMMUNITIES WITHOUT PUBLIC WATER SUPPLIES:**

Because your community relies primarily on private wells and does not own/operate a municipal community public water supply system (PWS), you do not need to prepare a local water supply plan. However, your updated local comprehensive plan should include information about water sources, including plans to protect private water supplies, in appropriate sections of the local comprehensive plan.

Guidance and information for water supply planning can be found in the Appendix C of the *2040 Water Resources Policy Plan*, the *Local Planning Handbook*, and the Council's *Master Water Supply Plan*.

The Council's *Master Water Supply Plan* provides communities in the region with planning assistance for water supply in a way that:

- Recognizes local control and responsibility for owning, maintaining and operating water systems
- Is developed in cooperation and consultation with municipal water suppliers, regional stakeholders and state agencies
- Protects critical habitat and water resources over the long term
- Meets regional needs for a reliable, secure water supply
- Highlights the benefits of integrated planning for stormwater, wastewater and water supply
- Emphasizes and supports conservation and inter-jurisdictional cooperation
- Provides clear guidance by identifying key challenges/issues/considerations in the region and available approaches without dictating solutions

Figures 3-5 illustrate some water supply considerations that the community may consider as they develop their local water supply plans, such as: aquifer water levels, groundwater and surface water interactions, areas where aquifer tests or monitoring may be needed to reduce uncertainty, regulatory and management areas, and emergency interconnections.

Figure 1. MCES Sanitary Sewer Meter Service Areas

### City of Grant, Washington County

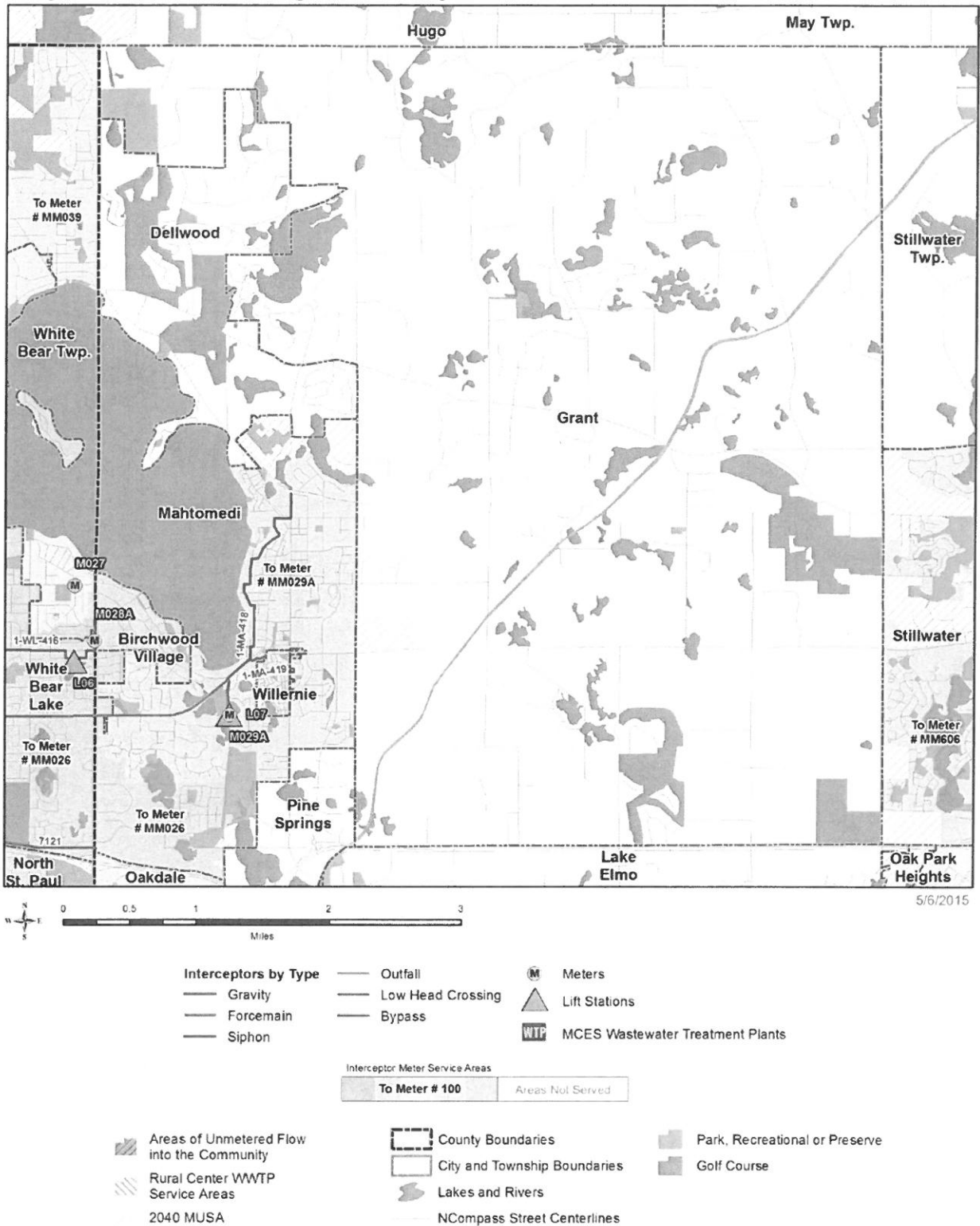
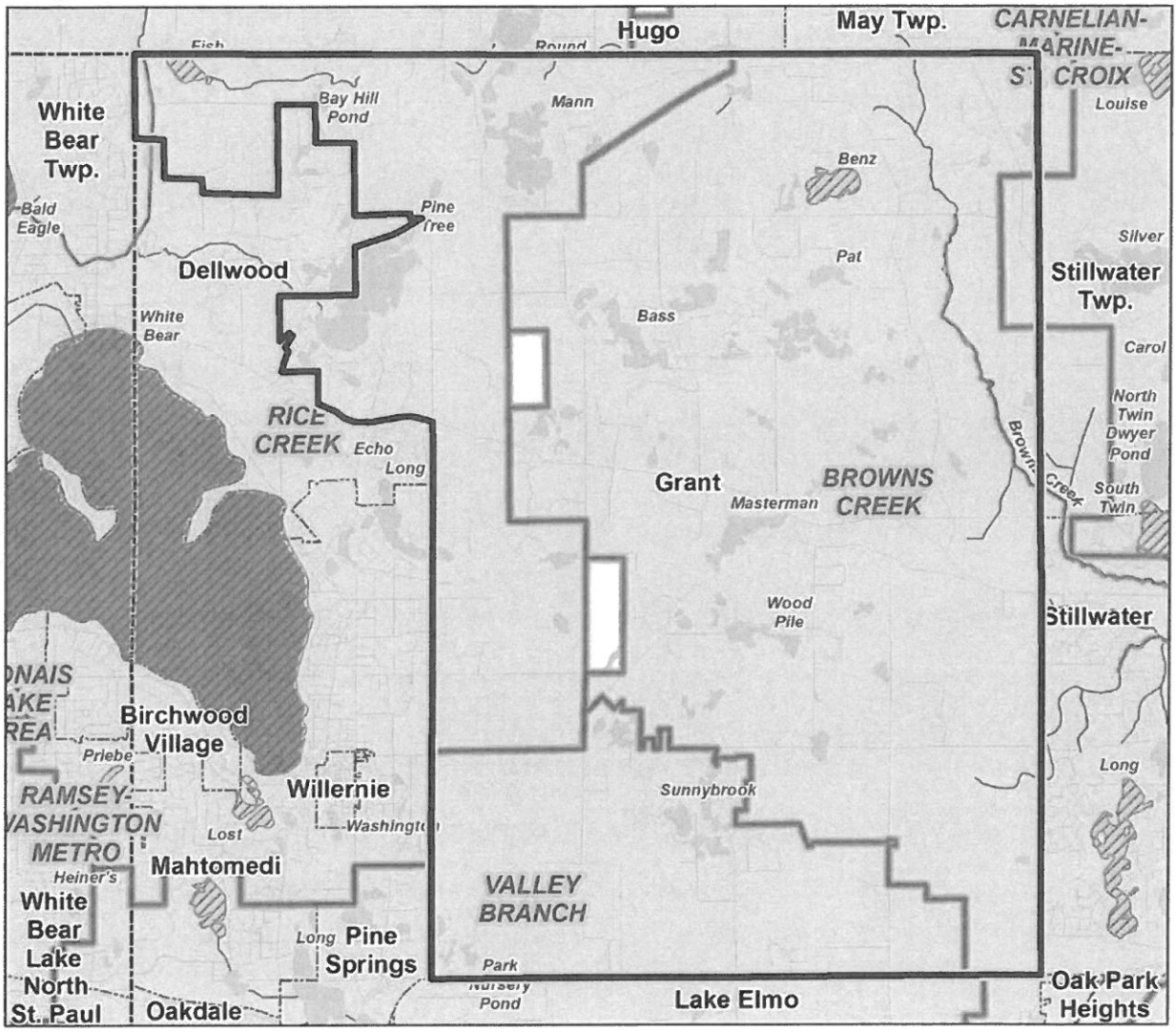


Figure 2. Surface Water Resources

### City of Grant, Washington County



- Watershed Management Organization Boundaries
- Watershed Management Organization Type**
- County
- Watershed District
- Watershed Management Organization
- Impaired Lakes (2014 Draft MPCA 303(d) List)
- Impaired Rivers & Streams (2014 Draft MPCA 303(d) List)
- 2014 Priority Lakes
- County Boundaries
- City and Township Boundaries
- NCompass Street Centerlines
- Other Lakes and Major Rivers
- Other Streams

Figure 3. Surface water features and interaction with the regional groundwater system, and state-protected surface water features

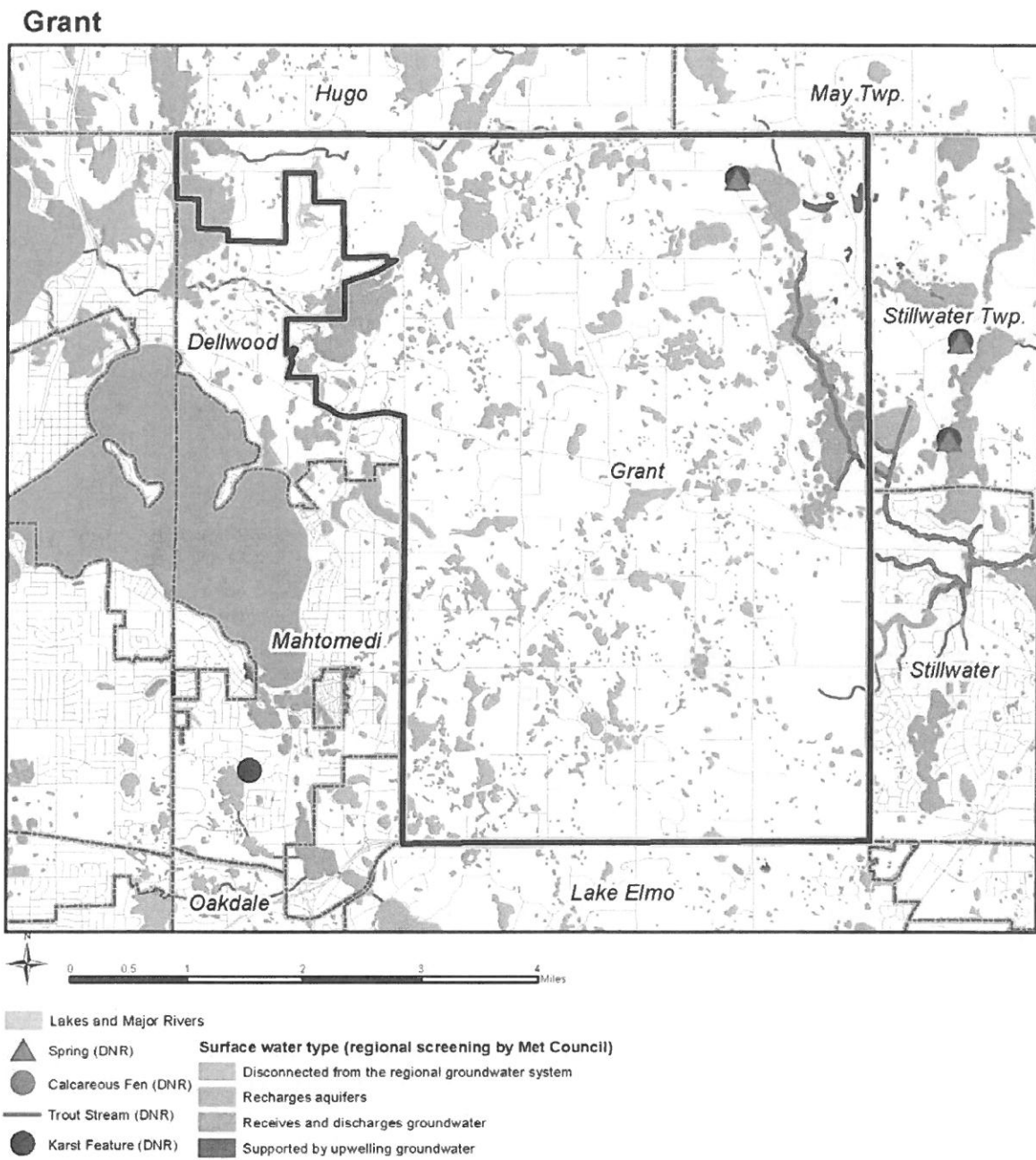


Figure 4. Availability of MN Department of Natural Resources groundwater level and MN Department of Health aquifer test data

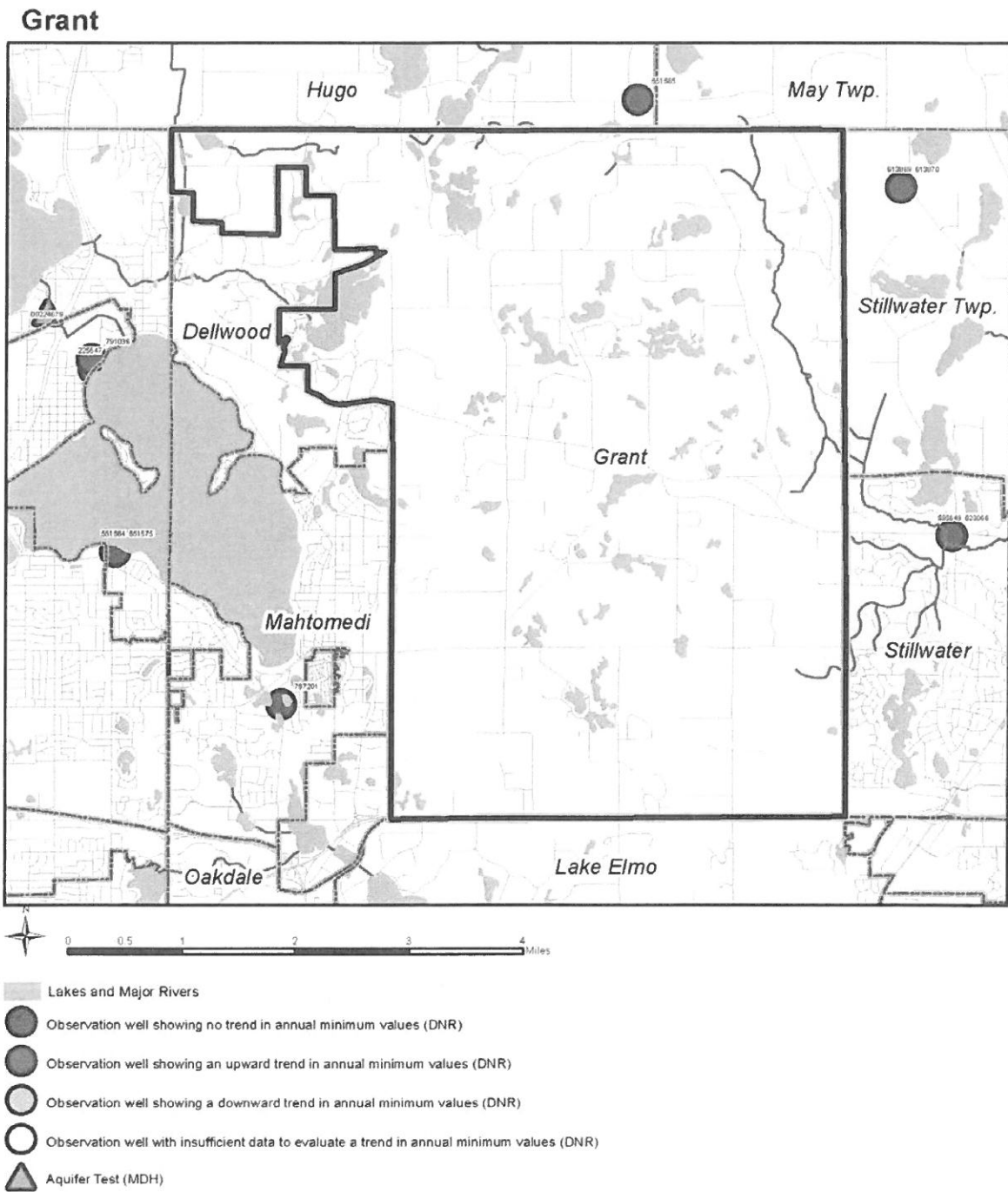
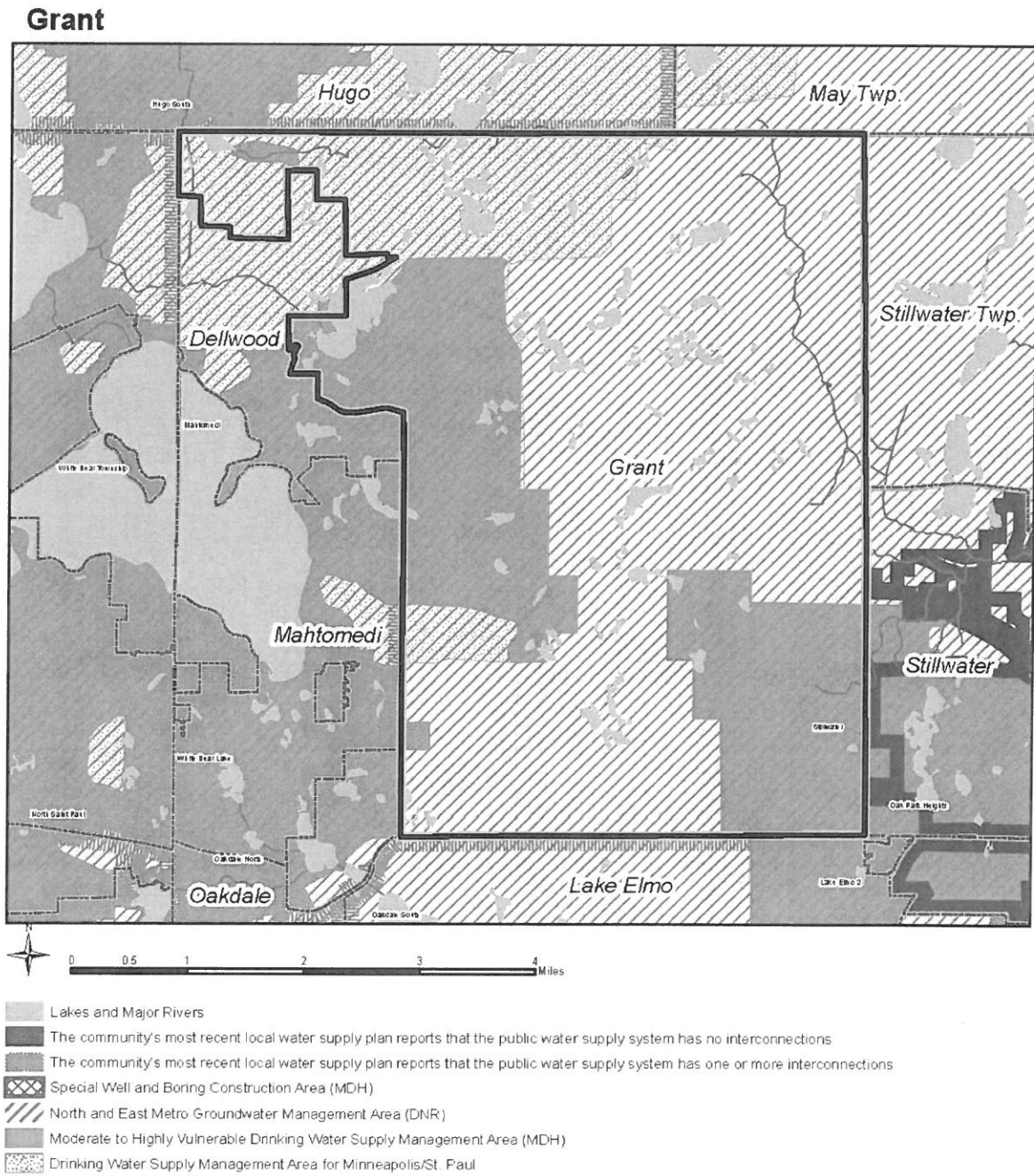


Figure 5. Municipal public water supply system interconnections and regulatory management areas



# REGIONAL PARKS SYSTEM STATEMENT

*City of Grant*

The Regional Parks System includes 62 regional parks, park reserves, and special recreation features, plus more than 340 miles of regional trails that showcase the unique landscapes of the region and provide year-round recreation. The Regional Parks System is well-loved by our region's residents and attracted over 48 million annual visits in 2014.

The organizational structure of the Regional Parks System is unique, built upon a strong partnership between the Council and the ten regional park implementing agencies that own and operate Regional Parks System units. The regional park implementing agencies are:

Anoka County	Ramsey County
City of Bloomington	City of Saint Paul
Carver County	Scott County
Dakota County	Three Rivers Park District
Minneapolis Park and Recreation Board	Washington County

The *2040 Regional Parks Policy Plan* was developed based on furthering the *Thrive MSP 2040* outcomes of Stewardship, Prosperity, Equity, Livability, and Sustainability. *Thrive MSP 2040* states that the Council will collaborate with the Metropolitan Parks and Open Space Commission, the regional park agencies, and state partners to:

- Expand the Regional Parks System to conserve, maintain, and connect natural resources identified as being of high quality or having regional importance, as identified in the *2040 Regional Parks Policy Plan*.
- Provide a comprehensive regional park and trail system that preserves high-quality natural resources, increases climate resiliency, fosters healthy outcomes, connects communities, and enhances quality of life in the region.
- Promote expanded multimodal access to regional parks, regional trails, and the transit network, where appropriate.
- Strengthen equitable usage of regional parks and trails by all our region's residents, such as across age, race, ethnicity, income, national origin, and ability.

## **Key Concepts in the 2040 Regional Parks Policy Plan**

The *2040 Regional Parks Policy Plan* includes the following policies, each with specific associated strategies:

- **Recreation Activities and Facilities Policy:** Provide a regional system of recreation opportunities for all residents, while maintaining the integrity of the natural resource base within the Regional Parks System.

- **Siting and Acquisition Policy:** Identify lands with high-quality natural resources that are desirable for Regional Parks System activities and put these lands in a protected status so they will be available for recreational uses and conservation purposes in perpetuity.
- **Planning Policy:** Promote master planning and help provide integrated resource planning across jurisdictions.
- **Finance Policy:** Provide adequate and equitable funding for the Regional Parks System units and facilities in a manner that provides the greatest possible benefits to the people of the region.
- **System Protection Policy:** Protect public investment in acquisition and development by assuring that every component in the system is able to fully carry out its designated role as long as a need for it can be demonstrated.

The *2040 Regional Parks Policy Plan* is the metropolitan system plan for regional recreation open space with which local comprehensive plans must conform. This system statement highlights the elements of the system plan which apply specifically to your community. Find the complete text of the *2040 Regional Parks Policy Plan* on [the Council's website](#).

## *2040 Regional Parks System Facilities*

The Regional Parks System is comprised of four main types of facilities: regional parks, park reserves, special recreation features and regional trails.

### **Regional Parks**

Regional parks most notably contain a diversity of nature-based resources, either naturally occurring or human-built, and are typically 200-500 acres in size. Regional parks accommodate a variety of passive recreation activities.

### **Park Reserves**

Park reserves, like regional parks, provide for a diversity of outdoor recreation activities. One major feature that distinguishes a park reserve from a regional park is its size. The minimum size for a park reserve is 1,000 acres. An additional characteristic of park reserves is that up to 20 percent of the park reserve can be developed for recreational use, with at least 80 percent of the park reserve to be managed as natural lands that protect the ecological functions of the native landscape.

### **Special Recreation Features**

Special recreation features are defined as Regional Parks System opportunities not generally found in the regional parks, park reserves or trail corridors. Special recreation features often require a unique managing or programming effort.

### **Regional Trails**

Regional trails are classified as 1) destination or greenway trails and 2) linking trails. Destination or greenway trails typically follow along routes with high-quality natural resources that make the trail itself a destination. Linking trails are predominately intended to provide connections between various Regional Parks System facilities, most notably regional parks or park reserves.

## *2040 Regional Parks System Components*

The *2040 Regional Parks Policy Plan* identifies six components which together comprise the vision for the Regional Parks System in 2040, as described below.

**Existing Regional Parks System Facilities:** include Regional Parks System Facilities that are open for public use. These facilities include land that is owned by regional park implementing agencies, and may include inholding parcels within the boundaries of these parks and trail corridors that have not yet been acquired. Existing regional trails may include planned segments that will be developed in the future.

**Planned Regional Parks System Facilities (not yet open to the public):** include Regional Parks System Facilities that have a Council-approved master plan and may be in stages of acquisition and development, but are not yet open for public use.

**Regional Parks System Boundary Adjustments:** include general areas identified as potential additions to existing Regional Parks System Facilities to add recreational opportunities or protect natural resources. Specific adjustments to park or trail corridor boundaries have not yet been planned.

**Regional Park Search Areas:** include general areas for future regional parks to meet the recreational needs of the region by 2040 where the regional park boundary has not yet been planned.

**Regional Trail Search Corridors:** include proposed regional trails to provide connections between Regional Parks System facilities where the trail alignment has not yet been planned.

**2040 Regional Trail Search Corridor System Additions:** include regional trail search corridors that were added to the Regional Parks System as part of the *2040 Regional Parks Policy Plan*.

## *Key Changes in the 2040 Regional Parks Policy Plan*

Adopted by the Metropolitan Council in February 2015, the *2040 Regional Parks Policy Plan* incorporates the following changes:

### **Identify all proposed regional trails as regional trail search corridors**

All proposed regional trails that are not yet open to the public and do not have a Metropolitan Council approved master plan are represented as a general regional trail search corridor. The *2030 Regional Parks Policy Plan* depicted these trails with a proposed alignment. The alignment of these regional trails will be determined in the future through a planning process led by the regional park implementing agency. The alignment of these trails is subject to Metropolitan Council approval of a regional trail master plan.

**Acquire and develop ten new regional trails or trail extensions to meet the needs of the region in 2040. The 2040 Regional Trail Search Corridor Additions include:**

#### Carver County:

- County Road 61
- Highway 41

### Three Rivers Park District:

- CP Rail Extension
- Dakota Rail Extension
- Lake Independence Extension
- Lake Sarah Extension
- Minnetrista Extension
- North-South 1
- North-South 2
- West Mississippi River

The *2040 Regional Parks System Plan Map* is depicted in Figure 1. Grant should consult the complete *2040 Regional Parks Policy Plan* in preparing its local comprehensive plan. In addition, Grant should consult *Thrive MSP 2040* and the current version of the Metropolitan Council's *Local Planning Handbook* for specific information needed in its comprehensive plan.

## **System Plan Considerations Affecting Your Community**

### *Regional Parks System Components in your community*

The following Regional Parks System Components within Grant as identified in the *2040 Regional Parks Policy Plan* are listed below.

#### *Regional Trails*

**Lake Links Regional Trail:** This is a planned regional trail that is not yet open to the public. The planned regional trail travels through White Bear Lake, White Bear Township, Dellwood and Grant as it connects Bruce Vento Regional Trail, Gateway State Trail and Brown's Creek State Trail. The regional trail alignment as shown in Figure 2 should be acknowledged in the comprehensive plan.

**Central Greenway Regional Trail Search Corridor:** The regional trail search corridor travels through May Township, Grant, Stillwater Township, Stillwater, Lake Elmo, Woodbury, and Cottage Grove. Connects Big Marine Park Reserve, Browns Creek State Trail, Lake Elmo Park Reserve, Afton Bluffs Regional Trail Search Corridor, Prairie View Regional Trail Search Corridor, and Mississippi River Regional Trail Search Corridor. Washington County will lead a planning process in the future to determine the alignment of the regional trail. When preparing its comprehensive plan, Grant should verify whether a master plan has been approved by the Metropolitan Council. If a master plan has been approved, the planned regional trail alignment should be acknowledged in the comprehensive plan. Otherwise, the general search corridor as shown in Figure 2 should be acknowledged in the comprehensive plan.

Please contact Washington County for more information regarding Regional Parks System Components in Grant.

### *State lands in your community*

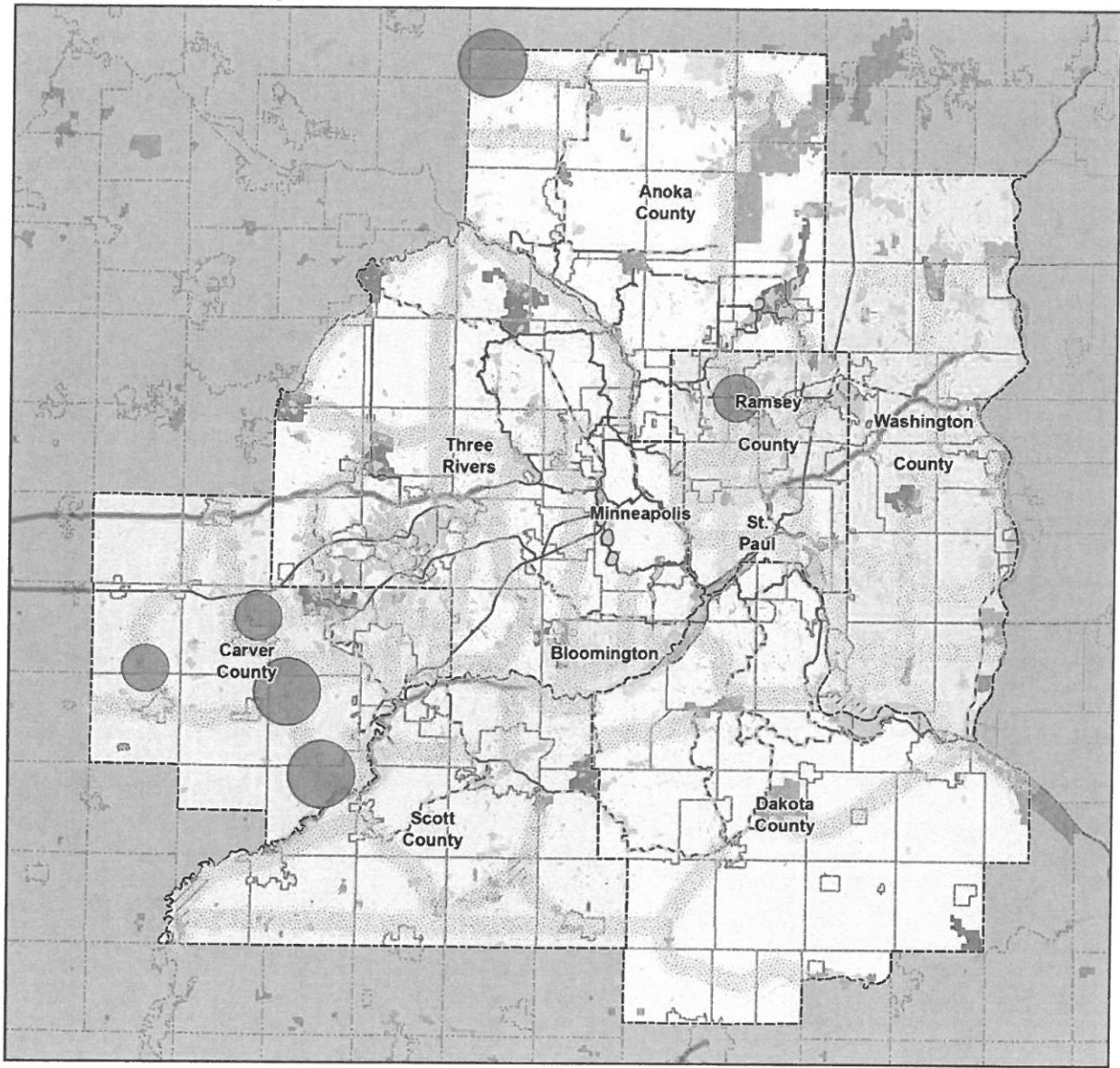
State park and open space units that provide outdoor recreation opportunities and natural resource conservation for the public complement the Regional Parks System and are recognized in the *2040 Regional Parks Policy Plan*. The following State lands as shown in Figure 2 are within Grant and should be acknowledged in its comprehensive plan.

- Gateway State Trail — Minnesota Department of Natural Resources
- Browns Creek State Trail — Minnesota Department of Natural Resources

Please contact the Minnesota Department of Natural Resources for more information about State lands.

Figure 1. 2040 Regional Parks System Plan Map

## Regional Parks System Twin Cities Metropolitan Area



### Regional Parks

- Regional Parks
- Park Reserves
- Special Recreation Features
- Planned Units
- Regional Trail Corridor Land

### Regional Trails

- Existing
- Planned

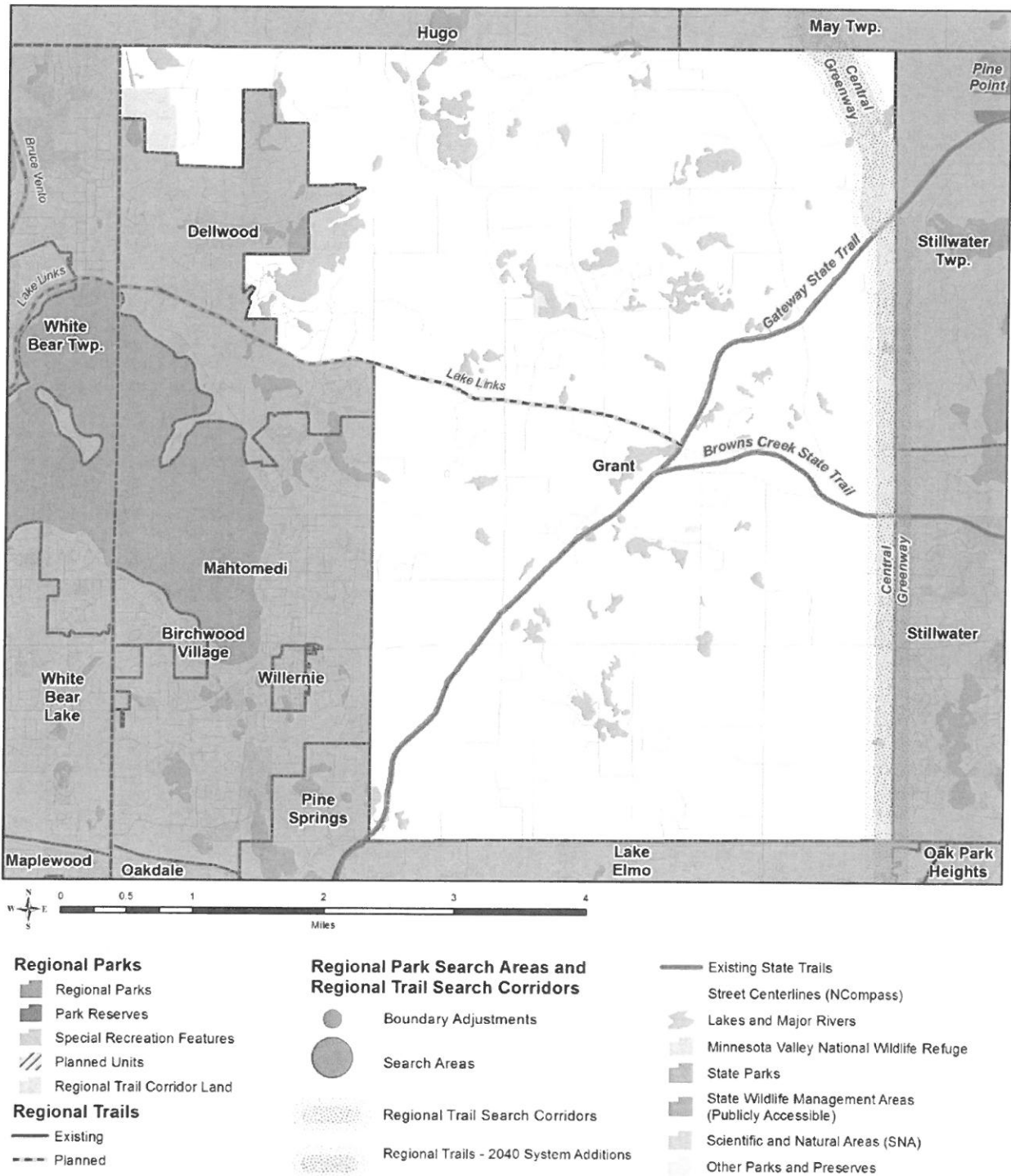
### Regional Park Search Areas and Regional Trail Search Corridors

- Boundary Adjustments
- Search Areas
- Regional Trail Search Corridors
- Regional Trails - 2040 System Additions

- Existing State Trails
- Lakes and Major Rivers
- Minnesota Valley National Wildlife Refuge
- State Parks
- State Wildlife Management Areas (Publicly Accessible)
- Scientific and Natural Areas (SNA)
- Other Parks and Preserves

Figure 2. Regional Parks System Facilities in and adjacent to Grant

## Regional Parks System City of Grant, Washington County





## STAFF REPORT

**TO:** Planning Commission Members      **Date:** September 12, 2017

**CC:** Kim Points, Administrator/Clerk  
Kevin Sandstrom, City Attorney      **RE:** Proposed text amendment to Chapter 32 of the City of Grant Zoning Ordinance Section 32-1 Definitions and 32-245 Table of Uses to permit Community Solar Gardens with a CUP in the A1 and A2 zoning districts

**From:** Jennifer Haskamp

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### BACKGROUND

At the meeting in July the Planning Commission considered the request of US Solar to amend the City's Zoning Ordinance to add Community Solar Gardens to the list of conditionally permitted uses in the A-1 and A-2 zoning districts. A duly noticed public hearing was held and closed, and the Planning Commission discussed the request. Generally, the Planning Commission was open to considering an amendment to the Zoning Ordinance but wanted more details spelled out in the proposed ordinance change to ensure that the proposed use could be compatible with existing neighborhoods and the city's adopted Comprehensive Plan. Generally, the Planning Commission requested that the Applicant and staff work together to refine the draft ordinance to address/include the following:

- Include performance standards for Community Solar Gardens that would include limitations for:
  - Lot Size/Area
  - Access requirements
  - Size of installations
- Include residential solar energy systems concurrently with the consideration of the request for community solar gardens.
- Include screening requirements
- Address removal/abandonment

### SUMMARY OF DRAFT ORDINANCE

After the July Planning Commission, Staff worked with the Applicant to develop a draft ordinance that would address the issues as identified during the meeting. The draft ordinance is attached to this staff report for your review and consideration. Staff would note that the Applicant has not provided any comment on the latest draft of the ordinance prepared and included within this packet.

### RECOMMENDATIONS/REQUESTED ACTION

Staff is requesting the Planning Commission provide a recommendation to the City Council for consideration at their regular October meeting.

#### Attachments:

Draft Ordinance

**CITY OF GRANT**  
**WASHINGTON COUNTY, MINNESOTA**  
**ORDINANCE 2017-\_\_**

**An Ordinance Amending the Grant Code of Ordinances  
Amending Section 32-245 Table of Uses of Chapter 32 Zoning and  
Adding Division 4 Solar Energy Systems**

The City Council of the City of Grant, Washington County, Minnesota, does hereby ordain as follows:

**SECTION 1. AMENDMENT OF CHAPTER 32, ZONING, OF THE CITY’S CODE OF ORDINANCES.**

That City Code Chapter 32, Article I, Section 32-245, “Table of uses”, Item (c) is hereby AMENDED to ADD the following identified as underlined, and AMENDED to DELETE as ~~striketrough~~ :

Use	Conservancy	Agricultural A1	Agricultural A2	Residential R1	General Business (GB)
(KEY) <i>P = Permitted</i> <i>C = Conditional Use Permit and public hearing</i> <i>CC=Certificate of Compliance</i> <i>A = Permitted accessory use</i> <i>N = Not Permitted</i>					
<u>Community Solar Energy System</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>N</u>	<u>N</u>
<u>Residential Solar Energy Systems – Building Mounted</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Residential Solar Energy Systems – Ground Mounted</u>	<u>N</u>	<u>CC</u>	<u>CC</u>	<u>CC</u>	<u>CC</u>

**SECTION 2. AMENDMENT OF CHAPTER 32, ZONING, OR THE CITY’S CODE OF ORDINANCES.**

That City Code Chapter 32, Article IV Supplemental Regulations, is hereby AMENDED to ADD the following:

## Division 5. Solar Energy Systems

### Sec. 32-455. Definitions.

*Community Solar Energy System* means a ground-mounted solar energy production facility that generates up to 1 MWac of electricity and that supplies multiple off-site community members or businesses under the provisions of Minnesota statutes 216B.1641 or successor statute.

*Residential Solar Energy Systems – Building Mounted* means a solar energy system that is affixed to a principal or accessory structure.

*Residential Solar Energy Systems – Ground-mounted* means a freestanding solar system mounted directly to the ground using a rack or pole rather than being mounted on a building.

*Solar Energy* means radiant energy received from the sun that can be collected in the form of heat or light by a solar collector.

*Solar Energy System* means a device or a structural design feature, a substantial purpose of which is to provide daylight for interior lighting or provide for the collection, storage and distribution of solar energy for heating or cooling, electricity generation, or water heating.

*Solar Equipment* means a device, structure or a part of a device or structure for which the primary purpose is to capture sunlight and transform it into thermal, mechanical, chemical or electrical energy.

### Sec. 32-456. Purpose.

The purpose of this Division is to establish standards and procedures to allow property owners the reasonable capture and use of sunlight, while ensuring protection of adjacent properties and rural residential neighborhoods from potential adverse impacts of such installations.

### Sec. 32-457. Residential Solar Energy Systems.

- (a) *Permitted Use.* Residential Solar Energy Systems, building mounted or ground mounted, are a permitted use or permitted use upon issuance of a Certificate of Compliance as shown on the Table of Uses contained in this ordinance.
- (b) *Building Mounted – Solar equipment* if affixed to a structure shall be permitted provided the following standards are met:
  - (1) The equipment or device must be affixed to a structure, principal or accessory, and must meet all setback requirements for principal or accessory structures in the zoning district where the device is to be located.
  - (2) The equipment or device may not exceed the height of the building by more than five (5) feet, and shall cover no more than 70 percent of the roof to which it is affixed.
  - (3) The equipment or device must be designed and constructed in compliance with all applicable building and electrical codes.

- (4) The equipment or device must comply with all state and federal regulations regarding co-generation of energy.
  - (5) All solar arrays or panels shall be installed or positioned so as not to cause any glare or reflective sunlight onto neighboring properties or structures, or obstruct views of adjacent property owners.
  - (6) Solar equipment which is mounted to a roof that is not flat, and which is visible from the nearest right-of-way, shall not have a finished pitch more than five (5) percent steeper than the roof on which it is affixed.
  - (7) The zoning administrator may require compliance with any other conditions, restrictions or limitations deemed reasonably necessary to protect the residential character of the neighborhood, if applicable.
- (c) *Ground Mounted – solar equipment* not affixed to a structure shall be permitted after issuance of a certificate of compliance provided the following standards are met:
- (1) Solar energy systems shall only be allowed on a parcel that is five acres or greater in area.
  - (2) Solar energy systems shall only be allowed as an accessory use on a parcel with an existing principal structure.
  - (3) Solar energy systems shall be set back a minimum of 100 feet from all property lines.
  - (4) The footprint occupied by a solar energy system shall not exceed 1,000 square feet.
  - (5) The equipment or device may not exceed a height of 15 feet.
  - (6) The zoning administrator may require landscaping or other means of screening to limit visual impacts of the Solar Energy System.
  - (7) The equipment or device must be designed and constructed in compliance with all applicable building and electrical codes.
  - (8) The equipment or device must comply with all state and federal regulations regarding co-generation of energy.
  - (9) All solar arrays or panels shall be installed or positioned to not cause any glare or reflective sunlight onto neighboring properties, structures, or obstruct adjacent views.
  - (10) The city may require compliance with any other conditions, restrictions or limitations deemed reasonably necessary to protect the public health, safety, and welfare and to promote harmony with neighboring uses.

**Sec. 32-458. Community Solar Energy Systems.**

- (a) *Permitted use.* A Community Solar Energy System (CSES) as previously defined, and as shown in the Table of Uses, is a permitted use within the A-1 and A-2 zoning districts with the issuance of a Conditional Use Permit.
- (b) *Performance Standards.* Community Solar Energy Systems must comply with all rules and regulations of Federal, State, County and local agencies and must comply with the following performance standards:
  - (1) A CSES site shall be 20-acres or greater, where lot size is defined consistently with Section 32-246 (c) 4 of this zoning ordinance.

- (2) The CSES site shall have its primary frontage on a County or State road, and such road shall be used for the exclusive and only access to the facility.
- (3) The CSES shall be located at least 100 feet from any side or rear lot line, and shall not be visible from adjacent residential structures, or public rights-of-way.
- (4) No portion of the structure, or equipment shall exceed twenty (20) feet in height.

(c) *Submissions at time of initial application.* In addition to the information required elsewhere in this ordinance, applications for conditional use permits or administrative permits shall include the following information:

- (1) *Site Plan.* A detailed site plan prepared by a licensed surveyor that shows both existing and proposed conditions of the CSES site. The plans shall show the location of all solar arrays, existing and proposed structures, parcel boundaries, setbacks, access points, fencing, landscaping, surface water drainage patterns, floodplains, wetlands, the ordinary high water mark for all water bodies, any other protected resources, topography, electric equipment, and any other characteristics requested by the City.
- (2) *Screening.* A detailed landscape plan and cross section plan shall be submitted to demonstrate proposed CSES screening. The landscape plan and cross section plan shall depict proposed vegetation types, berming, fencing or any other method of screening proposed and corresponding opacity of such screening from both public rights-of-way and any adjacent residential structure.
- (3) *Foundations.* A qualified engineer shall certify that the foundation and design of the solar panels meets the accepted professional standards, given local soil and climate conditions.
- (4) *Interconnection Status.* The interconnection process with Xcel Energy or any other applicable utility shall be submitted and a copy of any formal agreements provided.
- (5) *Power and communication lines.* Power and communication lines between banks of solar panels and to electric substation or interconnections with buildings shall be buried underground on premise. Exceptions to this requirement may be permitted where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines.
- (6) *Meeting standards.* All CSES shall meet the standards of the Minnesota Building Code and all applicable local, state and federal regulatory standards.
- (7) *Building permit.* A building permit shall be obtained for any CSES prior to installation.
- (8) *Signage.* A signage plan shall be submitted which demonstrates size and location of proposed signage. At a minimum, signage shall be posted at all entrance points to the property the CSES is located and shall include the owner and operator's name, contact information, and emergency phone numbers.
- (9) *Decommissioning.* A Decommissioning Plan shall be submitted that includes, at a minimum, the following:
  - a. A cost estimate for decommissioning prepared by a professional engineer, a contractor capable of decommissioning or a person with suitable expertise or experience.
  - b. A proposed schedule for removal of the specific facility, and that such removals be completed within one year from termination of the CUP or abandonment of the CSES.

- c. Commitment of a financial security in the form of a cash escrow, bond, or irrevocable letter of credit, if requested, and as determined by the City Council, in an amount not to exceed \$15,000 per MW.
  - d. Ensure the disposal of structures and/or foundations shall meet all applicable federal, state, and local requirements.
- (d) *Change in equipment.* A change in solar-related equipment which does not alter the footprint of the CSES, so long as it continues to conform to this ordinance and all conditions of the applicable CUP, does not require an amended CUP.
- (1) Any minor changes to the footprint of a CSES may be processed through a Certificate of Compliance process, which is subject to the discretion of the zoning administrator.
  - (2) Any significant changes to the CSES, including proposed expansion of MW, alterations to the footprint, or changes to the screening plan may require an amendment to the CUP.

**SECTION 3. SEVERABILITY.**

In the event that court of competent jurisdiction adjudges any part of this ordinance to be invalid, such judgment shall not affect any other provisions of this ordinance not specifically included within that judgment.

**SECTION 4. EFFECTIVE DATE.**

This ordinance takes effect upon its adoption and publication according to law.

WHEREUPON, a vote, being taken upon a motion by Council member \_\_\_\_\_ and seconded by Council member \_\_\_\_\_, the following upon roll call:

Voting AYE:

Voting NAY:

Whereupon said Ordinance was declared passed adopted this \_\_\_ day of \_\_\_\_\_, 2017.

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Jeff Huber, Mayor

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Attest: Kim Points, City Clerk