

## **EXHIBIT A**

### **12.10 GENERAL PROVISIONS**

Subd. 16. SOLAR REGULATION. Ground mounted and free standing solar collectors are permitted as accessory structures in all residential zoning districts subject to the following requirements.

1. Be located in side or rear yard only and not extend over the required setback with panels in the horizontal position;
  2. Be setback at least 10 feet from the side and rear property line, with panels in the horizontal position, but in no case shall a solar structure be located within an easement;
  3. Be located so as to minimize glare directed toward an adjoining property or any street and all exterior electrical lines must be buried per electrical code;
  4. The total surface area of all ground-mounted and freestanding solar collectors on the lot shall not exceed 15 percent of the lot, the lot coverage ratio, or 500 square feet, whichever is less;
  5. The maximum lot coverage shall take solar installations into account [the square footage shall be taken as the surface area of the solar panels or array and lot coverage determined as if the surface was horizontal] for structures on the lot.
  6. The solar installation shall not count as an additional accessory structure toward the maximum number of accessory structures unless such solar structure is roof mounted on an accessory structure.
  7. Shall comply with all city and state building codes and regulation and the property owner shall notify the electric utility and provide written approval;
  8. If the solar collector ceases to perform its originally intended function for a period of 6 months in a 12 month period, the property owner shall remove the collector, mount and associated equipment and facilities by no later than 90 days after the end of the 12-month period.
  9. The area beneath a solar array may not be enclosed in any fashion, nor may the area below the solar array be used as a storage area.
  10. A zoning permit shall be required for solar panel installation, no building permit is required. Building codes shall be followed.
- A. Solar energy systems shall be allowed as an accessory use in all zoning classifications where structures of any sort are allowed. Solar energy systems

must meet the accessory structure setback for the zoning district and primary land use associated with the lot on which the system is located.

1. Roof-or Building-mounted Solar Systems. In addition to the building setback, the collector surface and mounting devices for roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built, unless the collector and mounting system has been explicitly engineered to safely extend beyond the edge, and setback standards are not violated. Exterior piping for solar hot water systems shall be allowed to extend beyond the perimeter of the building on a side yard exposure. Solar collectors mounted on the sides of buildings and serving as awnings are considered to be a building-integrated systems and are regulated as awnings.
2. Ground-mounted Solar Energy Systems. Ground-mounted solar energy systems may not extend into the side-yard or rear setback when oriented at minimum design tilt, except as otherwise allowed for building mechanical systems.

B. Solar energy systems shall be allowed as an accessory use in all zoning classifications where structures of any sort are allowed, subject to certain requirements as set forth below.

1. HEIGHT. Solar energy systems must meet the following height requirements:
  - i. Building-or roof-mounted solar energy systems shall not exceed the maximum allowed height in any zoning district. For purposes for height measurements, solar energy systems other than building-integrated systems shall be given an equivalent exception to height standards as building mounted mechanical devices or equipment.
  - ii. Ground-or pole-mounted solar energy systems shall not exceed 20 feet in height when oriented at maximum tilt.
2. SETBACK. Solar energy systems must meet the accessory structure setback for the zoning district and primary land use associated with the lot on which the system is located.
  - i. Roof-or Building-mounted Solar Systems. In addition to the building setback, the collector surface and mounting devices for roof-mounted solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built, unless the collector and mounting system has been explicitly engineered to safely extend beyond the edge, and setback standards are not violated. Exterior piping for solar hot water systems shall be allowed to extend beyond the perimeter of the building on a side yard exposure. Solar collectors mounted on the sides of buildings and serving as awnings are considered to be a building-integrated systems and are regulated as awnings.

- ii. Ground-mounted Solar Energy Systems. Ground-mounted solar energy systems may not extend into the side-yard or rear setback when oriented at minimum design tilt, except as otherwise allowed for building mechanical systems.
- C. Solar energy systems using roof mounting devices or ground-mount solar energy systems shall not be restricted for aesthetic reasons.
- D. Ground mounted solar energy systems shall be exempt from screening requirements that would affect the functioning of the system.
- E. No owner, occupier or person in control of property shall allow vegetation or structures to be placed or grow so as to cast a shadow on a solar energy system which is greater than the shadow cast by a hypothetical wall ten (10) feet high located along the boundary line of said property between the hours of 9:30 a.m. and 2:30 p.m. Central Standard Time on December 21 provided, however, this standard shall not apply to vegetation or structures which casts a shadow upon the solar energy system at the time of installation of said solar energy system or to vegetation existing at the time of installation of said solar energy system. Violation of this standard shall constitute a private nuisance, and any owner or occupant whose solar energy system is shaded because of such violation, so that performance of the system is impaired, may have in tort for damages sustained thereby and may have such nuisance abated.

## **12.26 PLANNED UNIT DEVELOPMENTS (PUD)**

Subd. 2. STANDARDS AND REGULATIONS FOR A PLANNED UNIT DEVELOPMENT. A rezoning will be required of all planned unit developments, as they are not considered an overlay on the underlying zoning district and are reflected as a separate district on the official zoning map. The city may approve the planned unit development only if it finds that the development satisfies all of the following standards:

- A. The planned unit development is consistent with the comprehensive plan of the city.
- B. The planned unit development is an effective and unified treatment of the development possibilities on the project site and the development plan provides for the preservation or creation of unique amenities such as natural streams, stream banks, wooded cover, rough terrain, manmade landforms or landscaping and similar areas.
- C. The planned unit development can be planned and developed to harmonize with any existing or proposed development in the areas surrounding the project site. The development plan will not have a detrimental effect upon the neighborhood or an in which it is proposed to be located.
- D. The planned unit development provides transitions in land use in keeping with the character of adjacent land use and provides variety in the organization of site elements and building design.

- E. The tract under consideration is under single ownership or control.
- F. The tract is at least ten acres in size unless the applicant can show that a PUD of less acreage meets the standards and purposes of the comprehensive plan and preserves the health, safety and welfare of the citizens of the city and that all of the following conditions exist:
  - 1. The proposal better adapts itself to the physical and aesthetic setting of the site and with the surrounding land uses than could be developed using strict standards and land uses allowed within the underlying zoning district.
  - 2. The proposal would benefit the area surrounding the project to greater degree than development allowed within the then existing zoning district(s).
  - 3. The proposal would provide mixed land use and/or site design flexibilities while enhancing site or building aesthetics to achieve an overall, workable higher quality of development than would otherwise occur in the then existing zoning district.
  - 4. The proposal would ensure the concentration of open space into more workable or usable areas and would preserve the natural resources of the site than would otherwise occur in the underlying zoning district.
  - 5. Planned Unit Development (PUD) may require on-site renewable energy systems or zero-net-energy (ZNE) or zero-net-carbon (ZNC) building designs as a condition for approval of a PUD permit to mitigate for:
    - a. Risk to the performance of the local electric distribution system;
    - b. Increased emissions of greenhouse gases; and
    - c. Other risks or effects inconsistent with the Comprehensive Plan.
- G. The public benefits, such as but not limited to, improved site or architectural design, open space preservation, improved parks, trails, recreation facilities or other amenities, a mix of compatible land uses which foster Comprehensive Plan goals, of the Planned Unit Development justify rezoning from the primary zoning ordinance provisions and performance standards.
- H. The Planned Unit Development will not create an excessive burden on parks, schools, streets, or other facilities and utilities that serve or are proposed to serve the Planned Unit Development.