

19.10 Solar Power Development

A. Purpose

The purpose of this section is to set forth a process for permitting solar energy collection systems within Wilkin County that are not otherwise subject to the siting and oversight by the State of Minnesota pursuant to Minnesota Statutes.

B. Permit Application

All proposed solar energy collection systems must fill out a building permit application provided by the Wilkin County Environmental Services Office and pay the applicable fee.

A conditional use permit shall be required for solar energy collection systems with a nameplate capacity of forty (40) kilowatts-AC or more. All proposed solar energy collection systems that exceed this capacity must fill out a conditional use permit application provided by the Wilkin County Environmental Services Office, as regulated in Section 14 of this ordinance.

If a conditional use permit is applicable the following information must be provided:

- A description of the project, including the number, capacity, and type of solar collectors to be installed.
- A site plan detailing the location of the project area boundaries, solar collectors, roads, transformers, power lines, communications, lines, interconnection point with transmission lines, and other ancillary facilities or structures.
- Topographic map of the project site and surrounding area.
- Distance to adjacent impacted properties
- Decommissioning plan.
- Engineering certification of the planned foundation and design of the solar energy system.
- Evidence of power purchase contracts and power transmission contracts, or documentation that the power will be utilized on-site.

C. Setbacks

- a. Setbacks for non-wall mounted energy systems shall be consistent with permanent structure setbacks of 175 feet from the center of the road.

D. Standards

- a. Ground-Mounted and Pole Mounted Solar Energy Systems
 - i. Ground and pole-mounted systems shall not exceed twenty (20) feet in height when oriented at maximum design tilt.
 - ii. Ground and pole-mounted systems shall not extend into the side-yard, rear, or road right-of-way.

- iii. Ground and pole-mounted systems shall have natural ground cover under and between the collectors and surrounding the system's foundation or mounting device(s).
- b. Wall-Mounted Solar Energy Systems
 - i. Wall-mounted solar energy systems shall cover no more than twenty-five percent (25%) of any exterior wall facing a front yard.
- c. Accessory Solar Energy Systems
 - i. Accessory solar energy systems must meet all setback requirements pertinent to accessory structures for the zoning district.
- d. Large Solar Energy Systems (Systems of 40 Kilowatt-AC or more)
 - i. All elements of the system shall meet or exceed all district regulations based on the applicable zoning district.
 - ii. Systems shall meet the requirements of the MPCA construction Stormwater Permit requirements.
 - iii. The manufacturer's engineer or another qualified engineer shall certify that the foundation and design of the solar energy system is within accepted professional standards, given local soil and climate conditions.
 - iv. Power and communication lines running between banks of solar collectors and to electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted in instances where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines.
 - v. Vegetative screening of the system may be required as a part of the conditions of approval. It shall be based on the proximity of the system to residential buildings and to abutting public rights-of-way. The vegetation shall consist of canopy and conifer trees.
- e. Photovoltaic Solar Energy Systems
 - i. For photovoltaic solar energy systems, the electrical disconnect switch shall be clearly identified and unobstructed.
 - ii. No grid-intertie photovoltaic solar energy system shall be installed until documentation has been given to the Wilkin County Environmental Services Office that the owner has notified the utility company of the customer's intent to install an interconnected customer-owned generator. Documentation may consist of an interconnection agreement or a written explanation from the utility provider or contractor outlining why an interconnection agreement is not necessary. Off-grid systems are exempt from this requirement.
 - iii. Photovoltaic solar energy system components must have an underwriters Laboratory listing and solar hot water systems must have a Solar Rating and Certification Corporation rating.
- f. Reflecting Solar Energy Systems

- i. Systems shall be designed and operated to prevent the misdirection of reflected solar radiation onto adjacent or nearby property, public roads, or other areas open to the public.
- ii. Systems shall not be located so as to create an obstruction to navigable airspace.

E. Decommissioning

A decommissioning plan shall be submitted with all applications for solar energy systems.

1. Decommissioning plans shall outline the anticipated means and cost of removing the system at the end of its serviceable life or upon its becoming a discontinued use. The cost estimates shall be made by a competent party, such as a professional engineer, a contractor capable of decommissioning or a person with suitable expertise or experience with decommissioning. The plan shall also identify the financial resources that will be available to pay for the decommissioning and removal of the system.
2. Decommissioning of the system must occur within sixty (60) days from either of the following:
 - The end of the system's serviceable life; or
 - The system becomes a discontinued use.
3. A system shall be considered a discontinued use after one (1) year without energy production, unless a plan is developed and submitted to the Wilkin County Environmental Services Office outlining the steps and schedule for returning the system to service.
4. Decommissioning shall consist of the following:
 - The removal of the system's foundation.
 - Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
5. The board may require the posting of a bond, letter of credit, or the establishment of an escrow account to ensure proper decommissioning.

F. Property Transfer Where A Solar Energy System is Present

If a property transfer is to occur where a solar energy system is present, the buyer must acknowledge the presence of the system and agree to the decommissioning plan that was set forth.