

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION 2022-030

**A RESOLUTION DENYING A CONDITIONAL USE PERMIT FOR THE
CONSTRUCTION AND OPERATION OF A SOLAR FARM ON THE PROPERTY
LOCATED AT 10755 50TH STREET NORTH**

WHEREAS, the City of Lake Elmo (the “City”) is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, CEF Lake Elmo Community Solar, LLC (the “Applicant”) has submitted an application to the City for a conditional use permit for the construction and operation of a solar farm on the property located at 10755 50th Street North (PID# 11.029.21.11.0003) (the “Property”); and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on said matter on November 22, 2021 and considered the application; and

WHEREAS, the City Council considered said matter at its March 15, 2022 meeting and with the Applicant’s consent, tabled the matter to the April 5, 2022 meeting; and

NOW, THEREFORE, based on the testimony elicited and information received, the City Council makes the following:

FINDINGS

- 1) That the procedures for obtaining a conditional use permit are found in the Lake Elmo Zoning Ordinance, Section 105.12.290.
- 2) That the required findings for a conditional use permit are set forth in Section 105.12.290 (a) of the Lake Elmo Zoning Ordinance. That the standards for solar farms are set forth in Section 105.12.560 (a) and Section 15.12.1470 of the Lake Elmo Zoning Ordinance.
- 3) One of the required findings is that the use or development is compatible with the existing neighborhood. The Property is zoned Rural Residential. The surrounding properties are also Rural Residential. The proposed solar farm will use seven acres of the 10.9-acre site and includes the installation of approximately 2,250 PV modules. The PV modules are nine feet in height with the top of the panels standing no higher than 14


feet. The proposed solar farm will also include the installation of inverters and switch gear located on 7 foot by 12 foot concrete pads and the installation of up to three new utility poles. Due to the large size of the solar farm and the amount of equipment that will be installed on the Property, the solar farm will not be compatible with the existing the neighborhood which consists of single-family homes, farms, and a cemetery. The Applicant has proposed screening for the solar farm but due to the topography of the surrounding area and the height of the equipment, despite the screening, the equipment on the Property will still be largely visible from the public right-of-way and the surrounding properties.

- 4) Another required finding is that the use will be designed, constructed, operated, and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of the area. As stated above, the surrounding properties are single family homes, farms, and a cemetery. Given that a large amount of equipment must be installed on the Property (2,250 PV panels, inverters, switch gear, and utility poles) and the large size of the equipment (the PV panels are 9-14 feet in height) the solar farm will not be compatible with the surrounding single family homes, farm land, and the cemetery that do not have large amounts of equipment installed on them and consist generally of open space.
- 5) An additional required finding that is not met by the Application is that the proposed use will not result in the destruction, loss, or damage of a natural or scenic feature of major importance. The Property and the surrounding area consist of scenic farm land which is of a major importance in the City. By installing the solar facilities on the Property, a large portion of this scenic farm land will be lost.

DECISION

NOW, THEREFORE, BE IT FURTHER RESOLVED, and based upon the information received and the above findings, that the City Council of the City of Lake Elmo hereby denies the request by CEF Lake Elmo Community Solar, LLC for a Conditional Use Permit for the construction and operation of a solar farm on the property located at 10755 50th Street North.

Passed and duly adopted this 5th day of April, 2022 by the City Council of the City of Lake Elmo, Minnesota.



Charles Cadenhead, Mayor

ATTEST:



Julie Johnson, City Clerk