

**City of Falcon Heights
Planning Commission Minutes
October 22, 2013**

PRESENT: Commissioners Black, Brown, Fite, Gustafson, Minns, Wartick, Council Member Harris, Staff Liaison Jones

ABSENT: None

The meeting was called to order at 7:00 p.m. by the Chair, Commissioner Black, who noted that all Commissioners were present. The minutes of the July 23 meeting of the Planning Commission were approved as submitted.

PRESENTATION: University of Minnesota students Jeremy Edwards and Mary Kennedy gave a brief presentation on the upcoming Sustainability Festival at St. Anthony's Silverwood Park on November 14, from 5:30 to 8:00 p.m. The event is designed to show members of the community ways to put sustainability principles into practice and will exhibit student projects. Family activities, entertainment and refreshments will be offered. The public is welcome and encouraged to come.

Public Hearing on an amendment to Chapter 113 of the City Code concerning solar energy installations.

Zoning and Planning Director Deb Jones introduced the proposed ordinance, which is based on a model provided by the Minnesota Solar Challenge, adapted to fit Falcon Heights. The ordinance (1) makes solar energy installations a permitted accessory use in all zones instead of a conditional use, and (2) provides zoning parameters, such as location, setback, height, etc. to guide property owners in planning and staff in issuing permits. With the cost of solar energy dropping precipitously in the last few years and citizen interest in more sustainable technologies, staff expects a rise in the number of Falcon Heights property owners seeking permits to add solar energy installations to their property. This ordinance is needed to address that.

In response to a question from Commissioner Minns, Jones assured the Commission that nothing in the ordinance requires a property owner to cut down trees because they shade adjacent properties. Minns also asked about the requirement that solar energy systems should "blend in" with the architecture. Jones said that it was not expected that these systems would be made invisible, but that they would not make a jarring change to the nature of the neighborhood and that the other requirements should suffice to keep installations within reasonable bounds. It would be something of a judgment call – similar to the front porch issue the Commission worked on last year.

Commissioner Black returned to the concern about trees growing up to shade a neighbor's solar installation. Jones said that all investments in improvement of a property carry some risk – for instance putting in a picture window to have the view later blocked by a neighbor's garage. Careful planning for future tree growth might minimize the risk here. It would be a private matter between neighbors.

The Chair opened the public hearing. No one came forward to speak. The hearing was closed.

Planning Commission Discussion and Action

Commissioner Black opened the discussion, saying he was favorably impressed with the ordinance as presented, fairly conservative in impact and a positive change for the city. Jones offered one additional comment: this is an example of one of the "reserved" (empty) sections in the numbering of

our code serving its purpose of providing a place to add a new ordinance in this case, Section 254 of Chapter 113.

Commissioner Minns said the existing height restriction on houses in R-1 has had the consequence of second floor expansions having to be built with shed roofs instead of higher peaks, and this can create a bad angle for adding solar. Jones said that if this situation is causing an impediment that either stops people from adding solar or seeking variances, then provisions of the code should be revisited, as they have been in the past.

One of the height provisions was left undetermined, for the Commission to determine. This is the height at maximum tilt for a ground or pole mounted solar installation. Commissioners discussed this with respect to both residential and commercial properties, going also into the provisions for lot coverage and setback. One thing that would not be allowed by this section would be free-standing (ground or pole-mounted) front yard installations.

Commissioner Fite asked if the Hermes redevelopment would include a solar energy installation. Jones said she did not know of any firm plans to include solar on the project. Council Member Harris said the Council has had a few discussions about the idea of setting up a ground-mounted "solar garden" people could buy into, but no specific site was favored.

Returning to the height question from 113-254(b)1.b., the Commission discussed whether to make a distinction between the height allowed for residential and the height allowed for commercial properties. Twenty (20) feet in all zones was the consensus.

Minns moved that the Commission recommend adoption of the ordinance with the height limit of 20 feet. Fite and Brown seconded. Approval was unanimous. The matter will go to the City Council.

Information and Announcements:

Gustafson: The first Tuesday in November is Election Day. Get out and vote! Candidate profiles are on CTV 15.

Since it is unlikely the Commission will meet in November or December, Jones extended thanks from the city staff to the Commissioners for their hard work during the year. Commissioner Black thanked her and Council Member Harris for their support. Ms. Harris reported that the Council has followed Commission recommendations on items they sent to the Council this year and commended the Commission for the work they do. It was pointed out that there is a vacancy on the Commission, and interested residents are encouraged to apply.

ADJOURNMENT: The meeting was adjourned at approximately 8:05 p.m.

Respectfully submitted,



Deborah Jones, Staff Liaison