

**BIG LAKE PLANNING COMMISSION  
REGULAR MEETING MINUTES**

**MAY 19, 2010**

**1. CALL TO ORDER**

Chair Marotz called the meeting to order at 7:00 p.m.

**2. ROLL CALL**

Commissioners present: Kirby Becker, Ketti Green, Doug Hayes, Duane Langsdorf, Scott Marotz, Patricia May, and David Schreiber. Commissioners absent: none. Also present: Senior City Planner Katie Larsen and Economic Development Assistant Sandy Petrowski.

**3. ADOPT AGENDA**

Commissioner Langsdorf moved to adopt the agenda. Seconded by Commissioner Becker, unanimous ayes, agenda adopted.

**4. OPEN FORUM**

Chair Marotz opened the Open Forum at 7:01 p.m. No one came forward for comment. Chair Marotz closed the Open Forum at 7:02 p.m.

**5. APPROVE PLANNING COMMISSION MEETING MINUTES OF APRIL 7, 2010**

Commissioner May motioned to approve the April 7, 2010 Meeting Minutes. Seconded by Commissioner Hayes, unanimous ayes, Minutes approved.

**6. BUSINESS**

**6A. CONDITIONAL USE PERMITS, PRELIMINARY PLAT AND SITE & BUILDING PLAN REVIEW FOR THE HOLIDAY STATION RECONSTRUCTION PROJECT (TABLED FROM APRIL 7, 2010)**

Senior Planner Katie Larsen briefly reviewed the most recent proposed site plan that was distributed at the meeting. She stated that more information is expected to be received from Holiday Station for the Commission's review in June.

Commissioner Hayes discussed the proposed accesses to the site and the layout of the plans, specifically his concern with the ability for the Police Department to enter/leave their facility when tanker trucks are on the Holiday site. Commissioner Marotz stated that it would be beneficial for Holiday to attempt to coordinate fuel delivery during less busy times of the day.

Planner Larsen noted that the revised plan has a shortage of required parking spaces that will have to be addressed and that a more detailed plan will be brought before the Commission for review at a future meeting. She asked that the Commission table this item to the next meeting.

Commissioner Hayes motioned to table this item to the next scheduled Planning Commission meeting. Seconded by Commissioner May, unanimous ayes, motion carried.

## **6B. ALTERNATIVE ENERGY SOURCE ORDINANCE**

Planner Larsen reported that the City currently has in place ordinances for Wind Energy Conversion Systems (WECS), i.e., wind turbines, and Outdoor Wood Burners (OWB), but the ordinances did not address two other popular alternative energy sources (geothermal and solar). Staff felt the City should consider these other sources in order to be proactive in guiding residents as to what can and cannot be done.

Planner Larsen reviewed proposed ordinance language (drafted from models of other Cities ordinances) for both Geothermal Systems and Solar Systems.

Geothermal Systems: Per the MnDNR, these are electric-powered systems that use the earth's relatively constant temperature to providing heating in winter and cooling in summer.

Some of the points discussed for inclusion in proposed ordinance language would be 1) zoning, 2) setback, 3) easements, 4) noise, 5) screening, 6) safety, 7) abandonment, and 8) permit requirements.

Planner Larsen stated that the DNR does not advocate use of geothermal systems in public waters and that a permit from the DNR would be required for this type of system. Commissioner Becker stated that he was not in favor of this type of system. Commissioner Marotz felt this option could be left open at this time as we should try to be as accommodating as possible and encourage this use but there may be instances where a request for this type of use may need to be brought before the City to show that it is not detrimental to the water area.

Planner Larsen discussed staff's recommendation that this type of use being required to have an Interim Use Permit (IUP) versus a Conditional Use Permit (CUP), noting that an IUP would require property owners to comply with a specific timeframe and the City could review annually versus a CUP, which would allow the use to be indefinite and it would stay with the land.

Solar Energy Systems: Planner Larsen stated that solar energy systems would be allowed in all zoning districts and she reviewed the different types of solar energy systems (solar panels, ground mounts, and roof mounts) and asked for the Commissions comments/clarification on what they would like specified about each type of system.

It was the consensus of the Commission that roof mounted solar panels be allowed in all districts and allowing the panels to be pitched.

Ground Mounts: The Commission discussed what districts these should be allowed. Commissioner Green stated that she doesn't believe this type should be allowed in the Downtown Design District and would not have a problem with roof mounted.

It was asked what effects, if any, ground mounted units would have on the impervious surface on a property. Planner Larsen stated that it would only be an issue if these were mounted with a concrete base vs. bracket-supported.

In the TOD District, Commissioner Marotz stated that these should not be allowed in the 1<sup>st</sup> zone. Planner Larsen agreed, stating there would be more opportunity for use in the 2<sup>nd</sup> and 3<sup>rd</sup> zone of the TOD District.

It was the consensus of the Commission that ground mounted should be allowed as stated but not in the Downtown Design District, not in the 1<sup>st</sup> zone of the TOD District, only minimally allowed in the 2<sup>nd</sup> zone of the TOD District, and allowed/encouraged in the 3<sup>rd</sup> zone.

Wind Energy Conversion Systems (WECS): Planner Larsen stated that the City's current ordinance allows for ground/pole mounted systems-wind turbines by Interim Use Permit (IUP) on a minimum of 2.5 acres with a maximum of 175 feet; but that it does not address roof mounted systems or blade size.

The Commission discussed where roof-mounted WECS units should be allowed. Commissioner Becker stated that he believed that residential areas and the Downtown Design District should only allow roof-mounted units (no pole-mounted, i.e. as Great River Energy), with only pole-mounted units be allowed in industrial areas. Planner Larsen noted that the height of any pole-mounted unit would be limited to the setback of the subject site.

Commissioners Green and Becker both stated that they believe solar, geothermal and WECS should be considered as an "accessory". Proposed monopole height requirements were discussed. Planner Larsen stated that consideration for these requests would be on a site-by-site situation, with each homeowner needing to research the issue and work with a professional. A CUP for anything over 35 feet in height would be required.

Commissioner Marotz suggested that there should also be ordinance language requiring CUP language for solar panels in order to have the same requirement for height.

Planner Larsen reviewed the proposed ordinance language, noting that solar and geothermal are referred to in the ordinance as being treated as an “accessory structure” (not requiring a CUP or IUP) but it is being proposed that a CUP be required for WECS and solar over thirty-five (35) feet.

It was the consensus of the Commission that no monopoles be allowed in the Downtown Design District and that roof-mounted units would be allowed in all districts as long as required criteria is met. Planner Larsen stated that the discussed changes will be made to the ordinance and a revised ordinance will be provided at a future meeting for the Commission’s review/discussion.

Commissioner Hayes stated that Greensburg, Kansas has rebuilt everything green and has encouraged all of the energy sources discussed tonight; he suggested that staff look at their website for reference. Planner Larsen stated that staff will review their ordinance for reference.

#### **6C. REGULATION OF TEMPORARY STORAGE STRUCTURES**

Planner Larsen reviewed the May 11<sup>th</sup> Memorandum regarding regulation of temporary storage structures. She stated that staff had been asked to discuss with the Commission the regulation of temporary storage structures (i.e., PODS, etc.), noting that the City does not currently regulate the use of these types of structure. Staff asked for the Commission’s input on clarifying what they feel would be appropriate in regulating these structures.

After a lengthy discussion on allowable timeframe, type of structure, allowing for an extension of time, it was the consensus of the Commission to: not require a permit for a temporary storage structure (such as a POD, etc.) and to allow a timeframe of up to 90 days per calendar year for such a structure on a property, with a maximum extension of six (6) months.

#### **6D. MISCELLANEOUS ORDINANCE TEXT AMENDMENTS**

Planner Larsen reviewed the May 11<sup>th</sup> Memorandum pertaining to miscellaneous ordinance text amendments to clarify: minimum floor area per dwelling unit; allowable buildings in the Station Zone of the TOD District; and alternative energy sources allowed in the TOD area.

Section 1040.03 Subd 2. Minimum Floor Area For Dwelling Units: Planner Larsen asked for clarification of the ordinance definition of “minimum foundation area” versus “minimum floor area”.

After discussion, it was the consensus of the Board that staff revise Section 1040.33 Subd 2 to read “minimum foundation area” instead of “minimum floor area”.

Section 1058 TOD District: It was discussed that the alternative energy sources in the TOD area be addressed as follows – 1) roof mounted solar in Station Zone only; 2) roof and ground mounted solar in Midway and Transition Zone; and 3) pole mounted WECS (wind turbine) in Midway and Transition Zone.

**7. PLANNER'S REPORT**

**7A. PROJECT UPDATE REPORT**

Planner Larsen reviewed the ten (10) items listed in the May 11<sup>th</sup> Project Update Report and answered questions of the Commission. No action required or taken by the Commission.

**8. COMMISSIONERS' REPORTS** – None.

**9. OTHER** – None.

**10. ADJOURN**

Commissioner Green motioned to adjourn at 8:50 p.m. Seconded by Commissioner May, unanimous ayes, motion carried.