

APPROVED MINUTES

EDEN PRAIRIE PLANNING COMMISSION

MONDAY, MAY 28, 2019

**7:00 PM—CITY CENTER
Council Chambers
8080 Mitchell Road**

COMMISSION MEMBERS:

John Kirk, Charles Weber, Ann Higgins, Andrew Pieper, Ed Farr, Michael DeSanctis, Christopher Villarreal, Carole Mette, Balu Iyer

CITY STAFF:

Julie Klima, City Planner; Rod Rue, City Engineer; Matt Bourne, Manager of Parks and Natural Resources; Kristin Harley, Recording Secretary

I. CALL THE MEETING TO ORDER

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

II. PLEDGE OF ALLEGIANCE – ROLL CALL

Commission members Pieper and Farr were absent.

III. APPROVAL OF AGENDA

MOTION: DeSanctis moved, seconded by Weber to approve the agenda. **MOTION CARRIED 7-0.**

IV. MINUTES

MOTION: Iyer moved, seconded by Mette to approve the minutes of May 13, 2019. **MOTION CARRIED 7-0.**

V. PUBLIC HEARINGS

A. CODE AMENDMENT FOR SOLAR ENERGY SYSTEMS

Request to: Amend City Code Chapter 11 relating to Solar Systems as permitted accessory uses.

Klima presented the staff report. The City of Eden Prairie was pursuing a gold star designation through the Sol Smart program in partnership with the Metropolitan Council as part of the Sustainable Eden Prairie Initiative, and this was not a change in practice. This was an amendment to the City code to provide a definition for solar energy systems and adding language to the zoning ordinance

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to allow solar energy systems as a permitted accessory use in all zoning districts. Staff recommended approval.

Iyer asked for the difference between the gold, silver, and bronze designations. Klima replied the Sustainability Coordinator would be better able to speak to this, but it was an indication of local effort to encourage solar. A solar energy audit was completed in collaboration with the Metropolitan Council and Sol Smart and the recommendation from that was a gold star designation application. Mette asked for an explanation of the list of four definitions for energy systems, specifically if each type (ground-mounted, roof-mounted, and wall-mounted) listed was indeed a separate type. Klima replied the three different mounts were all part of the energy solar systems, so one was a broader definition and these three types were subsets. These related to setback requirements.

DeSanctis asked if the adjective “accessory use” indicated only a secondary, not a primary use of solar energy. Klima replied there would need to be a primary use on the site. Villarreal noted the three types previously referenced each defined solar energy system differently and each was an active solar energy system. Klima replied it would provide more clarity to refer to each as being part of a larger active solar energy system. The definitions came from a combination of research conducted by City staff of ten cities that have gone through a similar process and the feedback resulting from the zoning ordinance audit. Villarreal stated the language made their practical application unclear; “energy” might be misused and perhaps “electricity” could be substituted. He asked if “conversion of energy” meant storing it in a battery and if that language should be clarified. Klima asked for a further clarification of the question. Villarreal noted rooftop solar energy was paired with a battery and asked if additional language mentioning battery systems was reasonable. Klima replied she did not believe the language would prohibit mention of a battery, as the language was intended to be broad so as not to restrict future application and residents’ compliance. Villarreal stated he agreed; he wished only for the language to be accurate. He also asked if this would allow for community solar energy systems, i.e., large solar arrays in open development spots. Klima replied the language was not intended to prohibit, discourage or restrict this type of use; the City had created a new land use category called “eco-innovation” toward the end of allowing flexibility.

Weber noted the amendment was not truly concerned with solar energy so much as where the device sat on a property in Eden Prairie. Klima agreed the language was not concerned with the science of converting energy but how to regulate it based on its location. Weber suggested the language “another medium” would encompass a battery. Kirk noted the word “chemical” included the concept of a battery. Villarreal replied he agreed somewhat, however one did not “transfer heat” into a battery but electrons. Kirk replied he saw the language “transforming solar energy into another form of energy or transferring heat from a collector into another medium” as inclusive of both heat and electron transfer. Mette agreed the

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language did not necessarily preclude the use of a battery, and suggested the substitution of “transforming solar energy into another form of energy or energy storage” instead of “transferring heat from a collector into another medium” which she thought meant a rooftop collector such as a water system. Mette asked for a clarification that solar energy was being added to the Code as a primary use. Klima replied this was being done through the creation of the “eco-innovation” zoning code amendment. DeSanctis asked what financial incentives were being considered. Klima replied she was not aware of any incentives through the City, but they could potentially be offered in the future, and for now the incentives would come through private energy entities.

Villarreal suggested entering a comma after the word “energy” and before “or” in the phrase, “transforming solar energy into another form of energy [comma]” and adding another comma after “collector” in “or transferring heat from a collector [comma] into another medium” for additional clarity.

MOTION: Villarreal moved, seconded by DeSanctis to close the public hearing. **MOTION CARRIED 7-0.**

MOTION: Villarreal moved, seconded by DeSanctis to recommend approval of the code amendment revision based on the staff report dated May 22, 2019 with the amendment to add a comma after the second word “energy” in the second line of the definition of the active solar energy system and a comma after the word “collector” in the said definition. **MOTION CARRIED 7-0.**

VI. PLANNERS' REPORT

VII. MEMBERS' REPORTS

Villarreal asked staff for the location of the online agendas. Klima replied the agendas and related materials were posted on the Eden Prairie calendar.

VIII. ADJOURNMENT

MOTION: DeSanctis moved, seconded by Higgins to adjourn. **MOTION CARRIED 7-0.** The meeting was adjourned at 7:26 p.m.