

**CITY OF WEST ST. PAUL
DAKOTA COUNTY, MINNESOTA**

ORDINANCE NO. 22-###

**AN ORDINANCE AMENDING SECTIONS 153.004 AND 153.380
OF THE WEST ST. PAUL ZONING CODE REGARDING
FREE STANDING SOLAR ENERGY SYSTEMS**

The City of West Saint Paul does ordain:

SECTION 1. AMENDMENT. West St. Paul City Code Section 153.004 is hereby amended as follows:

SIGN. Any device which is displayed or placed outdoors in view of the general public for the purpose of directing attention to a product, service, place, activity, business, institution or person. The device shall include any written announcement, declaration, display, illustration, insignia, symbol, logo, balloon, banner, pennant and shall also include forms shaped to resemble any human, animal or product. SIGNS shall include devices which bear lettered, pictorial or sculptured matter and are affixed to, painted on, or represented directly or indirectly upon a building or other outdoor surface or parcel of land. SIGNS shall also include devices which form a component part of any building, marquis, canopy, awning, street clock, pole, parked vehicle or other object whether stationary or movable. See §§ 153.430 through 153.438 and §§ 150.105 through 150.110.

SOLAR ENERGY SYSTEM. Any device or structural design feature of which the primary purpose is to provide for the collection, storage and/or distribution of energy for space heating or cooling, electricity (generation), or water heating.

SPA. A business establishment that provides consumers with access to one of the following beauty-related personal services, including, but not limited to, manicures, pedicures, waxing, chemical peels, cosmetic tattooing as defined in § 111.06 or similar services. Massage services may be offered incidental and secondary to the personal services identified herein, as long as it is performed by a licensed massage therapist.

SECTION 2. AMENDMENT. West St. Paul City Code Section 153.380 is hereby amended as follows:

(F) All accessory buildings or structures in R-1 and R-2 and B-5 Districts shall additionally conform to the following requirements.

(1) There shall be no more than one detached garage on a lot.

(2) In addition to one detached garage, there shall be no more than one accessory building, free standing solar energy system or structure on a lot. Exception: schools located in an R-1 or R-2 district shall be allowed up to four accessory buildings or structures without a conditional use permit, provided that there is no more than one detached garage and all accessory buildings or structures comply with the remaining

requirements of this section. Schools shall obtain a conditional use permit for more than four accessory buildings or structures.

- (3) No detached garage may exceed 624 square feet in area, except on lots of 75 feet width or greater, in which case the maximum size of a detached garage may not exceed 800 square feet in area. Free standing solar energy systems shall not exceed 200 square feet in area, measured by the length and width of the panels when viewed from above. Other accessory buildings may not exceed 200 square feet in area, except as follows.
- (a) The maximum size of ~~either the detached garage or an accessory building, but not both,~~ one accessory building or structure may be increased by ten square feet of building area for every 2,000 square feet of lot area in excess of the required minimum lot area; provided, however, that no detached garage shall exceed 1,000 square feet in area and no accessory building or free standing solar energy system shall exceed 250 square feet in area. For each 20 square feet increase in the allowable building size, the required side and rear yard setbacks shall be increased one foot.
 - (b) For properties that exceed four acres in size, the maximum size of one accessory structure for uses other than single-family and two-family uses in the R-1 District may exceed the maximum size requirement as listed above through a conditional use permit. Said structure must be an open air structure (cannot be enclosed), may not exceed 2,500 square feet in size, may not be a free standing solar energy system and must be setback a minimum of 50 feet from the nearest residential property line.
- (4) All accessory buildings or structures shall be securely affixed to the ground in a manner than will resist movement from storms or vandalism.

SECTION 3. SUMMARY PUBLICATION. Pursuant to Minnesota Statutes Section 412.191, in the case of a lengthy ordinance, a summary may be published. While a copy of the entire ordinance is available without cost at the office of the City Clerk, the following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance:

The ordinance added a definition, regulations, and performance standards for solar energy systems.

SECTION 4. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage and publication according to law.

Passed by the City Council of the City of West St. Paul, Minnesota, this **DATE** day of **MONTH**, 2022.

Attest:

David J. Napier, Mayor

Nicole Tillander, City Clerk