

## **Minutes for the Planning Commission Meeting of Thursday, March 13, 2025**

Acting Chair Derr called the meeting to order at 7:00 pm.

PRESENT: Address, Derr, Kelly, Klein, Petty

ABSENT: Granger, Kleissler

STAFF: Rachel Juba, Community Development Director  
Max Gort, Associate Planner

Pledge of Allegiance.

## **Approval of Minutes for the Planning Commission Meeting of February 27, 2025**

Commissioner Petty made a motion, seconded by Commissioner Klein, to approve the minutes for the Planning Commission meeting of February 27, 2025.

All ayes.

Motion carried.

## **Public Hearing: Ordinance Amendment – Solar Farms**

Associate Planner Gort presented background on the proposed amendments to the solar energy systems ordinance as it relates to solar farms. Gort explained the difference between accessory solar, which is designed to produce energy for on-site use, and solar farms, where solar energy generation is the primary land use of a property and the system generates energy for wholesale to off-site subscribers. Accessory solar is allowed as an accessory use anywhere in the city subject to approval criteria, whereas solar farms require an interim use permit (IUP). The City adopted its first solar energy systems ordinance in 2016, and approved its first solar farm project in 2018, which received significant negative feedback from the community due to aesthetics and proximity to property lines. The City amended the ordinance relating to solar farms in 2023 to address public concerns. Another solar farm was proposed in 2024 after the new ordinance was put in place, but was likewise met with similar negative feedback. The 2024 solar farm proposal was approved by the Planning Commission, but denied by the City Council. Following the denial, the City Council directed the drafting of an ordinance amendment to prohibit solar farms. The Planning Commission considered the amendment, receiving mixed feedback during the public hearing, and subsequently recommended that the ordinance be revised again prior to prohibiting solar farms outright. Following a joint workshop with the City Council and Planning Commission in September 2024, the Ordinance Review Committee (ORC) met to discuss revisions to the ordinance. The ORC's recommended revisions included:

- Increasing the minimum lot size for solar farms from 10 acres to 20 acres.
- Increasing the minimum setback from any principal structure on adjacent properties from 200 feet to 400 feet.

- Requiring solar farms to “be located, insofar as possible, on a central portion of the property in order to minimize visual impact on adjacent properties and dwellings.”
- Amending zoning districts to separate accessory solar energy systems and solar farms, and removing solar farms as a conditional use in the floodplain in urban zoning districts.
- Amending the definition of a solar farm to clarify that it is capable or intended to distribute electricity for off-site use.

Staff recommended that the Planning Commission hold a public hearing, and take all comments. Staff recommended that the Planning Commission recommend approval of the ordinance amendments to the City Council.

### **Acting Chair Derr opened the Public Hearing at 7:10 PM**

Alex Gast, COO of Cedar Creek Energy, stated that he supports the minimum lot size increase, but sees the increased setback from adjacent dwellings and the requirement for centrally locating the solar array as creating wasted space. Cedar Creek Energy has been working on a solar farm proposal with Hugo residents John and Mark Lutz for some time. Gast stated that developers prefer to locate solar farms as closely as possible to the interconnection points with the distribution system, and that the central location requirement will have an impact on the Lutz’ ability to farm the property.

Commissioner Petty asked if the company had information on how relocating the proposed solar array will impact the Lutz’ ability to farm. Gast said they had that information stored on his computer, and that relocating the solar array would require navigating the approval process for impacting wetlands. Petty asked if there will be flexibility with wetland placement if the ordinance amendments are adopted. Community Development Director Juba responded that solar panels are one of the few permanent improvements that are allowed in wetlands, and that the ordinance encourages wetland placement. Juba stated that if there are practical difficulties with meeting any ordinance standard, that the applicant may request a variance, but that the proposed ordinance language leaves some flexibility to approve alternate solar array locations administratively. Juba stated that the purpose of this public hearing is only to consider the ordinance amendments, and not related to any specific project.

Mark Lutz, 8112 157<sup>th</sup> St. N, stated that on their project site, they wouldn’t be able to locate the solar array anywhere else, and that the increased setback from adjacent dwellings would impact their ability to farm the property.

Ann Brasse, 5965 138<sup>th</sup> St. N, stated that she would like the ordinance to have an item regulating noise levels with solar farms, and asked if solar farms would have battery storage. Brasse asked if there was a numerical limit to the number of solar farms in the community, how inspections of solar farm IUPs are conducted, and if there is a way to determine if a system has been abandoned by the operator.

Daniel Baack, 6662 Lacasse Drive in Lino Lakes, asked if the setback requirement from a principal structure on an adjacent property is from the structure or from the property line. Baack stated that he understands the need to locate solar farms away from property lines, but said that the requirement

can be challenging with oddly-shaped lots. Baack stated that he wants to protect access to solar energy generation, and that there should be considerations for noise.

Alex Gast returned to the podium, and stated that noise concerns are negligible, as their projects produce a sound level comparable to normal conversation volume or a car driving by on the road, and that the increased setbacks and buffering measures should make it difficult to hear any noise generated by a solar farm on any adjacent property. Ann Brasse stated that she would still like to have a noise control item in the solar ordinance.

Daniel Baack returned to the podium, and asked if there's a seeding requirement so as to not adversely affect drainage. Juba stated that the ordinance requires a vegetation establishment and management plan, and that the seed mixture is reviewed by staff prior to project approval. Baack asked if the ordinance would allow animals to graze ground areas within the solar array.

John Lutz, 8050 157<sup>th</sup> St N, said that people who have opposed solar farm project proposals are not attending this specific meeting. Lutz stated that increasing the minimum lot size excludes a lot of properties in Hugo, and that solar farm proposals should be evaluated on a case-by-case basis.

Mark Lutz returned to the podium and stated that it is difficult to farm around permanent improvements within a parcel, and that Xcel Energy has a certain capacity in their distribution.

No one else spoke.

**Acting Chair Derr closed the Public Hearing at 7:37 PM**

Commissioner Petty stated that the purpose of the meeting was to determine a way to accommodate solar farms while addressing community concerns, and is comfortable knowing that variances could be applied in cases of hardship meeting the ordinance standard. Petty stated that there's a need to consider future development and associated impacts when considering setbacks for solar farms. Petty asked if there would be a numerical cap on solar farms related to Xcel Energy's capacity.

Juba answered a few questions that were raised during the public hearing. The solar farm ordinance does not have an item related to noise, but the City has a way of addressing noise complaints within the nuisance ordinance. However, the Planning Commission may recommend adding an item to control noise in the solar farm ordinance if they'd like. Whether a solar farm has battery storage depends on the individual project, but none of the proposals that the City has received included battery storage. The City does not have a numerical limit on solar farms within the ordinance, but that there probably is a limit to how many projects can connect to Xcel Energy's distribution system. Solar Farm IUPs do not have an inspection timeline in them, but staff will check on solar farm projects from time to time, and there are visual cues to indicate that required maintenance is not being performed. The ordinance includes a requirement to submit a decommissioning plan for the solar farm, and for the developer to post an escrow for the cost of decommissioning so that the City can remove the system if needed. Livestock grazing within ground areas of a solar farm would be permitted.

Commissioner Klein stated that he's been on the ORC during the process of revising the solar farm ordinance, that he lives near the existing solar farm on 165<sup>th</sup> Street, and that he has not seen a significant impact from that particular solar farm. Klein stated that the primary concern in the negative feedback from the community has been visual, and that he understands the need to mitigate those concerns as much as possible.

Commissioner Klein asked if there's flexibility for the specific location of a solar farm on a property if the centermost point is not the best option. Juba stated that the only specifics for location are the setbacks, and that the item requiring central location is intended to leave flexibility for moving a solar farm around the parcel. Commissioner Petty asked if locating a solar farm away from the centermost point of a parcel would require a variance. Juba said that it depends on the situation, but that the applicant would have to make a case that the location they're proposing is the best location.

Commissioner Klein stated that he doesn't see noise generated by solar farms as an issue, and that he's seen situations where agricultural activity occurs within ground areas of a solar farm. Acting Chair Derr asked if there should be an item to locate any electrical equipment that does generate noise towards the center of a property. Klein replied that noise shouldn't be considered an issue.

Mark Lutz came back to the podium and said that the increased setback from dwellings won't completely screen view of solar farms.

Acting Chair Derr stated that Xcel Energy should be able to construct new infrastructure if the demand for increased capacity occurs. Commissioner Klein stated that he doesn't think that would happen due to the cost of constructing new substations, and that Xcel Energy prefers utility-scale solar farms that are much larger than the solar farms that the ordinance currently allows. Alex Gast came back to the podium and showed a map that Xcel Energy has on their website of feeder capacity, and said that he thinks that their project may be the last project that Xcel would accept into their distribution system.

Commissioner Andress stated that in previous public hearings for solar farms, all of the comments opposing the projects were related to visual concerns, and not noise concerns. Andress stated that he thinks the proposed amendments will address the comments that the Planning Commission has heard in the past, and that the increased setback from dwellings is still a significant increase in distance.

Alex Gast asked if there could be text in the ordinance for the setback requirements saying "unless approved by a variance." Juba stated that a variance is always an option for any ordinance requirement.

No further discussion.

Commissioner Petty made a motion, seconded by Commissioner Klein, to approve the proposed text amendments to the solar farm ordinance.

All ayes.

Motion carried.

The proposed ordinance text amendments will be considered by the City Council at their meeting of April 7<sup>th</sup>, 2025.

**New Business**

None.

**Old Business**

None.

**Adjournment**

The next Planning Commission meeting will be on March 27<sup>th</sup>, 2025.

Commissioner Klein made a motion, seconded by Commissioner Andress, to adjourn at 7:58 PM.

All ayes.

Motion carried.

Respectfully Submitted,  
Max Gort, Associate Planner