

Minutes for the Planning Commission Meeting of Thursday, July 11, 2024

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

PRESENT: Andress, Arcand, Derr, Granger, Kelly, Kleissler, Lessard, Petty

ABSENT: None

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

Pledge of Allegiance.

Approval of Minutes for the Planning Commission Meeting of May 9, 2024

Commissioner Derr made a motion, seconded by Commissioner Andress, to approve the minutes for the Planning Commission meeting of April 11, 2024.

AYE: Andress, Derr, Kelly, Kleissler, Petty

NAY: None.

ABSTAIN: Granger, Lessard

Motion carried.

Public Hearing: Ordinance Amendment – Solar Farms

Associate Planner Gort presented background on the history of the city ordinance relating to solar farms, and the current directive from the City Council to proposed an ordinance amendment that would prohibit their construction within the city. The solar energy systems ordinance was adopted in 2016, which outlines rules and regulations for accessory solar, which provides solar energy for individuals to use on their own property, and solar farms, which distribute solar energy to off-site users on a larger scale. There was one solar farm project approved in 2018 on 165th Street that drew significant negative feedback from the community, primarily concerned with aesthetics and character of the area. Due to rising interest in solar farm development, the City Council and Planning Commission decided to review the ordinance relating to solar farms in 2023. The Ordinance Review Committee (ORC) convened and recommended several revisions to the performance standards, including increased setbacks, a maximum size of the solar array, and landscaping requirements. The City Council adopted these revisions in 2023, and a solar farm was proposed on Everton Avenue with the new development standards in place. The Everton Avenue solar farm proposal was heard by the Planning Commission at its April 11, 2024 meeting with a public hearing, and drew significant negative feedback from the community – largely the same concerns that were heard in 2018. The Planning Commission recommended approval of the proposal, but the City Council found that the solar farm would not meet the character of the area, and denied the request on May 6, 2024. The City Council discussed the direction for the ordinance, and wanted to get feedback from the community about prohibiting the

future development of solar farms, primarily asking community members whether they would want to live next to one. The City Council directed staff to draft text amendments to the ordinance that would prohibit the development of solar farms, and hold a public hearing with the Planning Commission. Gort presented two draft text amendments, the first of which amends the definition for solar farms with clarifying language, and the second of which prohibits their development in any zoning district within the city. Staff recommended that the Planning Commission hold a public hearing and take all comments, and to discuss the solar farm ordinance based on the comments received, before making a recommendation to the City Council.

Commissioner Granger asked if staff was intending for the Planning Commission's recommendation to be the text amendments as presented. Gort responded that staff does not have a specific recommendation for the text amendments, but that the Planning Commission can make any recommendation based on their discussion.

Chair Kleissler asked how the public hearing was noticed. Gort responded that the notice was published in the Citizen newspaper and on the City website, but that residents did not receive a notice in the mail since the city's application was not tied to a specific property.

Chair Kleissler opened the Public Hearing at 7:12 PM.

John Udstuen, 15190 Everton Ave N, stated that he is opposed to allowing solar farms within the city, comparing solar farms to a factory being placed next to houses. Udstuen stated that he wants to continue to allow accessory solar, and protect future development potential on large parcels.

Arnie Triemert, 15220 Everton Ave N, stated that he wouldn't want to live next to a solar farm.

Mark Lutz, 8112 157th St N, stated that he wants to allow property owners, such as himself, the opportunity to construct a solar farm to earn supplemental income, and thinks they are a good fit in the agricultural areas of the city.

Jimmie Gregoire, 16720 Henna Ave N, stated that he lives next to the existing solar farm on 165th Street and had been vocal in his opposition to it. Gregoire stated that he wants to continue to allow property owners the opportunity to develop solar farms, but feels that much larger buffers from view on adjacent property should be put in place, suggesting a minimum lot size of over 40 acres.

John Lutz, 8050 157th St N, stated that he and his brother who spoke previously are working with a developer to construct a solar farm as a way to supplement the income from their farm, and see it as a way to keep their acreage intact without needing to subdivide and sell smaller parcels or construct more disruptive uses such as a feedlot. Lutz said that he thinks the Planning Commission should evaluate solar farm proposals on a case-by-case basis, reviewing how many people are impacted, rather than prohibit them completely. Commissioner Andress asked what he meant by impact, Lutz said that he meant the number of people who had a visible sightline.

Daniel Baack, 6662 Lacasse Dr in Lino Lakes, asked about state directives for providing renewable energy, and stated that he wants the city to continue permitting solar farms as a way to generate renewable energy and for farmers to be able to supplement their income.

Ben Krull, 15350 Everton Ave N, stated that he believes Hugo residents do not want solar farms and that the only people proposing them are not Hugo residents.

Nathan Dull, Minnesota Land and Liberty Coalition, stated that he believes prohibiting solar farms is too extreme, and mentioned uses that are more disruptive to neighbors than solar farms.

Chair Kleissler asked the Planning Commission and staff to address some public comments. Commissioner Petty asked if the existing solar farm project on 165th Street had screening requirements, Juba said that they had a landscape plan that exceeded the screening requirements at the time, and that the plan would meet the current ordinance standards with the 2023 revisions.

Commissioner Granger asked if there are any other cities in Minnesota that prohibit solar farms, Juba says yes.

Daniel Baack returned to the podium and asked if the question could be brought to a referendum. Juba said that the city only puts items that are required to be decided via referendum on the ballot, and that ordinance discussions are not one of those topics. Baack stated that the sample size present at the public hearing may not be entirely representative and asked if the Planning Commission would consider wider reaching methods of soliciting community feedback, Chair Kleissler responded that the public hearing process is intended to serve that purpose.

Chair Kleissler closed the Public Hearing at 8:03 PM.

Commissioner Petty commented that nobody can truly speak for all residents of Hugo, including the Planning Commission, that there are much more disruptive uses with greater impacts to neighbors allowed on agricultural property, and that she would not mind living next to a solar farm. Petty stated that there is room for a discussion for revising the ordinance to address concerns before prohibiting solar farms.

Commissioner Andress stated that he has a problem with prohibiting solar farms when the city has made efforts for natural resource conservation, and stated he has family members in situations where the ability to construct a solar farm could be financially beneficial.

Commissioner Lessard said that the greater than 40-acre minimum lot size proposed during the public hearing, with the 5-acre solar array placed in the middle, would be too large, stating that it could prevent the property from being subdivided. Commissioner Granger said that the minimum lot size doesn't matter so much as how close the solar farm could potentially be located to adjacent property.

Commissioner Arcand said that the current ordinance and its revisions went through a long and intensive process and weren't rushed, and that he would prefer to live next to a solar farm compared to a more disruptive use.

Commissioners Lessard, Petty, and Arcand all stated that they would prefer to revisit the ordinance before prohibiting solar farms.

Commissioner Kelly stated that there could be places within the city that the community is more comfortable with solar farms.

Commissioner Granger stated that the review process with the Everton Avenue solar farm proposal did its job since there were multiple bodies reviewing it, and the proposal was ultimately denied.

Commissioner Derr stated that the last time the Planning Commission considered prohibiting a use was with short-term rentals, which was due to extensive community complaints without any feedback in the other direction. Derr stated that solar farms are much less disruptive than short-term rentals and other allowed agricultural uses.

Chair Kleissler said that the Planning Commission was able to hear several different perspectives including some that they hadn't heard before. Kleissler stated that she personally would not want to live next to a solar farm, but recognizes that property owners don't own their view.

Commissioner Granger stated that of the comments they've heard there has been a balance of those in favor of the prohibition and those against it, but points to the small sample compared to the community as a whole. Commissioner Petty stated that while the representative sample size is small, that the viewpoints expressed were different enough from each other that she felt the Planning Commission could make a sufficiently informed decision.

Chair Kleissler asked about viewpoints from Xcel Energy or the city's planning consultants at Landform. Juba stated that Landform hasn't been involved with this discussion topic, but that Xcel's representative, Mike Wilhelmi, spoke at the 2023 workshop. Wilhelmi stated at the workshop that while they're required to accept solar energy systems to interconnect into their distribution system, that they prefer larger utility-scale systems over the small-scale systems that third-party developers propose. Commissioner Lessard asked if the smaller systems make a sizable difference for renewable energy generation, Juba said that Xcel Energy would be better suited to answer that question.

Commissioner Derr stated that he thinks there's some room for more restrictions that could effectively address community concerns.

No further discussion.

Commissioner Petty made a motion, seconded by Commissioner Granger, to recommend denial of the text amendments as presented, and to recommend a joint workshop with the Planning Commission and City Council.

All ayes.
Motion carried.

The Planning Commission's recommendation will be heard by the City Council at their meeting of July 15, 2024.

New Business

None.

Old Business

None.

Adjournment

Commissioner Petty made a motion, seconded by Commissioner Derr, to adjourn at 8:28 PM.

All ayes.
Motion Carried.

Respectfully Submitted,
Max Gort, Associate Planner