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Attn: S. Wanda

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due

**ORDINANCE AMENDMENT
TO THE BLUE EARTH COUNTY CODE OF ORDINANCES
CHAPTER 24 - ZONING, SEC. 24-334. - SOLAR ENERGY SYSTEM AND
SEC. 24-112. - USES IN AGRICULTURE ZONING DISTRICT
TO CLASSIFY LARGE SOLAR ENERGY SYSTEMS AS INTERIM USES**

WHEREAS, Minnesota Statutes 394.21 to 394.37 gives Counties the authority to regulate land development by adopting and amending Official Controls to protect the public health, safety, and welfare: and,

WHEREAS, the Planning Agency of the County prepared an amendment proposal and completed a report pertaining to staff report PC 17-21, a copy of said report has been presented to the Planning Commission and County Board; and,

WHEREAS; the Planning Commission of the County on the 5th day of May 2021, following proper notice held a public meeting regarding the amendments, and following discussion, voted unanimously to forward the Ordinance Amendment to the County Board with a recommendation for approval of the ordinance amendments; and,

WHEREAS; the County Board of Commissioners on the 25th day of May 2021, held a public hearing regarding the request, and following due consideration of presented testimony and information, voted unanimously to adopt the proposed amendments; and,

WHEREAS, the Blue Earth County Board of Commissioners finds:


1. Minnesota Statute, Chapter 394.21 grants counties the authority to regulate land development by adopting and amending official controls.
2. That solar energy systems should be encouraged in Blue Earth County if they do not negatively impact nearby environmentally sensitive areas or neighboring dwellings.
3. That modifying the code to classify large solar energy systems as an interim use in the Agriculture District is appropriate and will be consistent how large solar energy systems are classified in other districts.

4. That standards for the location of solar energy systems are necessary to protect the public health, safety and general welfare.
5. That modifying the setback to a dwelling for solar energy systems proposed in the business and industrial districts is consistent with the Land Use Plan's development objectives.

NOW THEREFORE BE IT ORDAINED, by the Blue Earth County Board of Commissioners, that the amendments to Sec. 24-112. - Uses Sec. 24-334. - Solar energy system standards of the Blue Earth County Code of Ordinances contained in Attachment A, are hereby adopted.

These amendments shall become effective after their passage and required publication.

Passed this 25th day of May 2021.




 Chair, Blue Earth County Board of Commissioners

ATTEST: 

 County Administrator

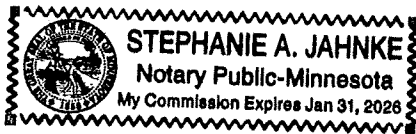
STATE OF MINNESOTA, COUNTY OF BLUE EARTH

This instrument was acknowledged before me on May 25, 2021,
 by Kip Bruender, Chair of the Board, and by Robert W Meyer, County Administrator.



 (Signature of Notary Officer)

Title Administrative Assistant



My commission expires: Jan. 31, 2026
 (Month/day/year)

DRAFTED BY: Blue Earth County - Property and Environmental Resources
 P.O. Box 3566 - Mankato, MN 56002-3566

**Attachment A
Ordinance
Changes**

Sec. 24-112. - Uses.

(b) Conditional uses. The following uses may be allowed in the A district as a conditional use as regulated in article II of this chapter.

~~(15) Large solar energy systems. Large solar energy systems are not allowed in floodplains.~~

(c) *Interim uses.* The following uses may be allowed in the A district as an interim use as regulated in article II of this chapter.

(21) Large solar energy systems. Large solar energy systems are not allowed in floodplains.

Sec. 24-334. - Solar energy system standards.

(c) *Requirements for large solar energy systems.* Large solar energy systems shall meet the following standards.

(13) Large solar energy systems shall meet or exceed the following setbacks:

~~a. 750 feet from the outermost edge of a solar array to the nearest wall or portion of a dwelling, including an attached garage. The setback does not apply to a dwelling owned by the applicant.~~

13) Large solar energy systems shall meet or exceed the following setbacks:

a. The setback distance from the outermost edge of a solar array to the nearest wall or portion of a dwelling, including an attached garage is as follows:

District where a Large Solar Energy System is Proposed	Setback
Agriculture, Conservation, Rural Residence, or Rural Townsite District	750 Feet
Highway Business, General Business, Light Industry or Heavy Industry District	200 Feet

The setback does not apply to a dwelling owned by the applicant.