444 Cedar Street, Suite 1500
Saint Paul, MN 55101
651.292.4400
tkda.com

TKDA

Memorandum

To:	Stillwater Township Planning Commission	**Reference:**	May 3 Planning Commission meeting
Copies To:	Kathy Schmoeckel, Clerk		
	Town Board members	**Project No.:**	16625.000
	Brian Allen, All Energy Solar		
	Jeff Wiberg, All Energy Solar		
From:	Sherri Buss, Planner	**Routing:**	
Date:	April 24, 2018		

The Planning Commission discussed several sections of the Zoning Ordinance at its meeting on April 5, including:

- Home occupations
- Livestock and livestock operations
- Day-care facilities
- Seasonal agriculture businesses
- Residential townhouses (definition)
- Accessory solar uses

The Planning Commission made recommendations for several of the sections, and identified needs for additional information for some sections, as noted below. The Commission will have a discussion with some solar energy systems experts and continue its discussion about an accessory solar ordinance and the livestock standards at the meeting on May 3

Home Occupations

The Planning Commission recommended that the Township maintain its current requirement to require a Certificate of Compliance for Home Occupations.

Livestock and Livestock Operations

The Commission recommended the following for regulation of Livestock, Livestock Operations, and Accessory Buildings used for Agriculture:

- Continue to require that parcels need to include a minimum number of acres to have livestock on the property (5 acres).
- Continue to use the current density standard that specifies the number of livestock units permitted per grazable acre.

An employee owned company promoting affirmative action and equal opportunity

- Eliminate the requirement for a Certificate of Compliance for livestock that meet the density standard.
- Require that landowners obtain a CUP if they want to have more animals than permitted by the density standard. The CUP requires a manure management plan.
- Require that all feedlots obtain a CUP, which requires a manure management plan and may require registration or a permit from the MPCA.
- Require that all Agricultural buildings obtain a Certificate of Compliance
  - **Note: the current ordinance standards for Accessory Buildings require that all Agricultural buildings over 1,000 square feet in size obtain a COC. The recommendation would change to include Agricultural buildings between 160 and 1,000 square feet in size in the requirement.** Buildings that are less than 160 square feet do not require a building permit, and therefore it would be difficult to require a COC.

Day Care Facilities

The Planning Commission recommended the following:

- The Township should update its Zoning Ordinance to state that State Statutes permit licensed day care facilities as single-family residential uses up to 12 persons (adults), or up to14 children for licensed group family day care facilities.
- The Township should not permit facilities larger than those permitted by the State Statute.
- The Township should not require a COC or CUP for day care facilities.

Seasonal Agricultural Use

The Planning Commission recommended that the Township should make Seasonal Agricultural use a permitted use in the Township, and no longer require a COC.

The Township should advertise local Seasonal Agricultural businesses on its website and in the newsletter.

Residential Townhomes Definition

The Planning Commission recommended the following:

- Remove Residential Townhomes as a permitted use with a CUP in the Agriculture district since the required lot sizes make this use impractical.
- Consider permitted Townhomes as a use within Open Space Developments when the Planning Commission reviews that ordinance.

Accessory Solar Use

The Commission requested that a residential solar expert be asked to attend the Commission's May meeting to discuss the Accessory Solar Ordinance and solar uses.

The Commission requested that the requirements in the Scandia Ordinance be organized in a table for easier review. The table is attached on the next page.

City of Scandia – Accessory Solar Ordinance
Summary of Requirements

Type of Accessory Solar System	Standards	Permits Required
Building-integrated or passive solar systems	Do not need to comply with Accessory Building limits on number and size. Must comply with building setbacks. Must comply with building height limits.	Building permit
Roof-mounted solar systems	Do not need to comply with Accessory Building limits on number and size. Must comply with Building setbacks. Must comply with building height limits. Cannot extend beyond the perimeter of the building.	Building permit
Ground-mounted solar systems		
• Footprint up to 800 square feet	Do not need to comply with Accessory Building limits on number and size. Do not need to comply with lot coverage requirement if area under the system is vegetated. Maximum 15' height at maximum tilt. Require screening if located within shoreland area on lake side of home or within 100' of a public roadway.	Building permit
• Footprint >800 square feet	Do not need to comply with Accessory Building limits on number and size. Do not need to comply with lot coverage requirement if area under the system is vegetated. Maximum 15' height at maximum tilt. Require screening from view from public ROW or if within shoreland area on lake side of home	Building permit CUP