

CITY OF NORTHFIELD, MINNESOTA
CITY COUNCIL RESOLUTION #2020-038

A RESOLUTION BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
NORTHFIELD, MINNESOTA APPROVING A CONDITIONAL USE PERMIT TO ALLOW A
COMMUNITY SOLAR GARDEN UP TO 1MW IN SIZE

- WHEREAS, the applicant, Hyacinth Solar, LLC, seeks a Conditional Use Permit pursuant to Northfield City Code, Ch. 34, Sec. 8.5.9, to allow a community solar garden on property leased from St. Olaf College, which is zoned Agricultural (A); and
- WHEREAS, St. Olaf College is the property owner, has consenting in writing, and has leased the property legally described in Exhibit A to Hyacinth Solar LLC; and
- WHEREAS, the above-referenced property owned by St. Olaf College and subject to the Conditional Use Permit is legally described on Exhibit A, which is attached hereto and incorporated herein by reference; and
- WHEREAS, all required notices regarding the public hearing were properly made; and
- WHEREAS, the Planning Commission conducted a public hearing on January 16, 2020, and received public testimony regarding the proposed Conditional Use Permit; and
- WHEREAS, the Planning Commission found that the application meets the standards in the Land Development Code for conditional use; and
- WHEREAS, the Planning Commission has reviewed and recommended approval of the Conditional Use Permit with the conditions that the development of the property includes restoration of areas compacted during construction and native plantings on the site, that stormwater discharge rates leaving the property shall not be greater than existing stormwater discharge rate conditions and shall be evenly distributed, and when the current use expires, the conditions of this CUP will expire; and
- WHEREAS, the City Council reviewed the requested Conditional Use Permit and Planning Commission recommendation and conditions for the requested Conditional Use Permit at its meeting of February 18, 2020 and March 17, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL THAT:

1. The Planning Commission's findings from its January 16, 2020, meeting are hereby adopted and incorporated herein by reference.
2. The Conditional Use Permit to allow a community solar garden on the St. Olaf property on North Avenue legally described in Exhibit A is hereby approved, subject to the following conditions:
 - a. Pursuant to Northfield City Code, Section 2.9.5 (P), the applicant, property owner and City, shall enter into an Agreement to Secure the Decommissioning and Removal of a Solar Farm in a form acceptable to the City prior to commencement of construction of the solar farm project on the

above-referenced property or within 180 days of the approval hereof, whichever is sooner. The applicant as part of this agreement shall either (i) provide evidence to the City that an escrow or other financial guarantee has been or will be created to secure the payment of the solar energy system removal costs, or (ii) furnish to the city a financial guarantee, in one of the forms listed in City Code, in the amount of the solar energy system removal costs, which financial guarantee must remain in full force and effect until removal of the commercial solar farm or community solar garden has been completed in accordance with Northfield City Code. The applicant shall prepare and provide a decommissioning plan acceptable to the City for inclusion in the above-mentioned agreement. Failure to timely meet these conditions shall render the Conditional Use Permit null and void and of no further force or effect without further action of the City Council;

- b. The Conditional Use Permit shall be recorded by the applicant at the applicant's expense within 180 days of the approval hereof Failure to timely meet this condition shall render the Conditional Use Permit null and void and of no further force or effect without further action of the City Council;
- c. The applicant shall prior to construction provide to the City Engineer for review and approval a plan for development of the above-referenced property, which includes restoration of all areas compacted during construction of the solar farm project as well as the inclusion of native plantings on the project site as described in Exhibit A;
- d. Stormwater discharge rates from the above-referenced property following construction of the solar farm project shall not be greater than existing conditions and shall be evenly distributed. The applicant shall prior to construction provide to the City Engineer for review and approval a stormwater management plan meeting this condition and the requirements of Northfield City Code, Chapter 22, and maintain compliance with the same on an ongoing basis throughout the life of the project; and
- e. If the commercial solar farm or community solar garden as approved in this Conditional Use Permit remains nonfunctional or inoperative for a continuous period longer than one year, and is thereafter not brought into operation within the time specified by the City, the system shall be presumed to be abandoned and shall constitute a public nuisance. The applicant or the owner of the real property on which the commercial solar farm or community solar garden is located shall remove the abandoned system at the applicant's or owner's expense after a demolition permit has been obtained from the City. Removal of the commercial solar farm or community solar garden shall include removal of all modules and racking equipment and all structures erected in connection with the system.

PASSED by the City Council of the City of Northfield on this 17th day of March, 2020.

ATTEST

City Clerk

Mayor

VOTE: ___ POWNELL ___ DELONG ___ GRABAU ___ NAKASIAN
 ___ NESS ___ PETERSON WHITE ___ ZWEIFEL

EXHIBIT A

(legal description and project site attached)