

CITY OF FOLEY  
COUNTY OF BENTON  
STATE OF MINNESOTA

ORDINANCE NUMBER 457

AN ORDINANCE AMENDING THE CITY OF FOLEY'S ZONING ORDINANCE  
RELATING TO SOLAR GARDENS

**WHEREAS**, the City of Foley wishes to amend its Zoning Ordinance by making revisions to Sections 4 (Definitions) of the Zoning Ordinance; and

**WHEREAS**, the City of Foley wishes to amend its Zoning Ordinance by making revisions to Section 11 (General Zoning District Provisions)

**WHEREAS**, the City of Foley issued a public hearing notice regarding this ordinance amendment and said public hearing was held on July 13, 2021.

**NOW, THEREFORE**, the City of Foley ordains as follows:

**Section 1.** The following additions shall be made to Section 4 of the City of Foley's Zoning Ordinance:

**Subdivision 2: DEFINITIONS**

1. **COMMUNITY SOLAR FARM:** A solar array composed of multiple solar panels on ground-mounted rack or poles which is not directly connected to or designed to serve the energy needs of the primary use but rather for the primary purpose of wholesale sales of generated electricity or a financial proxy for retail power. Community solar farms are a prohibited use in all zoning districts.
2. **PRIVATE SOLAR GARDEN:** A solar energy system greater than 5 acres which is directly connected to or designed to serve the energy needs of the primary use. Private solar gardens are a prohibited use in all zoning districts.
3. **SOLAR COLLECTOR:** A devise or combination of devices, structure, or part of a device or structure that transforms direct solar energy into thermal, chemical or electrical energy and that contributes significantly to a structure's energy supply.
4. **SOLAR ENERGY:** Radiant energy (direct, diffuse, and reflected) received from the sun.
5. **SOLAR ENERGY SYSTEM:** A solar collector mounted on a building, pole or rack whose primary purpose is to harvest energy by transforming solar energy into another

form of energy or transferring heat from a collector to another medium using mechanical, electrical or chemical means.

**Section 2. GENERAL ZONING DISTRICT PROVISIONS**

**Subdivision 4: Uses Not Provided for Within Zoning Districts**

1. Any solar energy system larger than 2 feet by 2 feet in size which is not mounted on a roof of a building is strictly prohibited. Private solar gardens and community solar gardens are also strictly prohibited.

**Section 3. Summary Publication.**

At least four-fifths of the City Council’s members direct the Administrator to publish only the title and a summary of this Ordinance as follows:

“ORDINANCE AMENDING SECTION 4 (DEFINITIONS) AND SECTION 11 (GENERAL ZONING DISTRICT PROVISIONS) OF THE CITY OF FOLEY’S ZONING CODE RELATED TO SOLAR GARDENS.

The ordinance amendment incorporates solar definitions and prohibits solar gardens within all zoning districts.

Approved this 13<sup>th</sup> day of July, 2021.

**ATTEST:**

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Gerard L. Bettendorf, Mayor

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Sarah A. Brunn, Administrator