

**NOTICE OF MOUND CITY COUNCIL PUBLIC HEARING TO CONSIDER AMENDMENTS TO CITY CODE
CHAPTER 129 ZONING TO ALLOW AND ESTABLISH STANDARDS FOR ACCESSORY DWELLING UNITS,
SOLAR ENERGY SYSTEMS, AND ELECTRIC VEHICLE CHARGING**

NOTICE IS HEREBY GIVEN that the Mound City Council, as part of its regular meeting being held on **Tuesday, October 22, 2024 at 6:00 p.m.**, or as soon as possible thereafter, in the Council Chambers in the Centennial Building located at 5341 Maywood Road, Mound, MN, will hold a public hearing to consider proposed amendments to Chapter 129 Zoning.

The proposed changes to Chapter 129 include modifications to definitions and the accessory use tables to allow accessory dwelling units, solar energy systems, and electric vehicle charging. The amendments will also add one section in Chapter 129 for each use to establish the standards for accessory dwelling units, solar energy systems, and electric vehicle charging.

Information about the proposed zoning code is on file and available for viewing at City Hall, by appointment, during office hours, and is also available on the City of Mound website at www.cityofmound.com.

Written or email comments about the proposed amendments will be accepted and should be directed to Sarah Smith at 2415 Wilshire Boulevard, Mound, MN 55364. Email comments can be sent to sarahsmith@cityofmound.com. Comments or emails received by 11:00 a.m. on Thursday, October 17, 2024 will be included in the City Council agenda packet. Comments received after that time will be presented to the City Council at the meeting. Information submitted will be made part of the public record.

By: Sarah Smith
Community Development Director

Published in the **Laker** on October 12, 2024

TO BE CONSIDERED AT THE OCTOBER 22, 2024 CITY COUNCIL MEETING

**CITY OF MOUND
ORDINANCE NO. _____**

**AN ORDINANCE REGULATING SOLAR ENERGY SYSTEMS
WITHIN THE CITY OF MOUND**

The City Council of the City of Mound ordains:

SECTION 1. The City Council of the City of Mound hereby amends Chapter 129, Section 129-2. Definitions to add the following terms:

Building-integrated solar energy systems means a solar energy system that is an integral part of a principal or accessory building. Rather than a separate mechanical device, the building-integrated solar energy system replaces or substitutes for an architectural or structural component of the building. Building-integrated systems include, but are not limited to, photovoltaic systems that are contained within roofing materials, windows, skylights, and awnings.

Ground-mounted solar energy system means a solar panel system mounted on a rack or pole that rests or is attached to the ground. This shall not be construed to include an individual solar panel installed to serve a mechanical equipment such as, but not limited to a security light, gate, boat lift, or pool heater.

Roof-mounted solar energy system means a solar energy system mounted on a rack that is fastened to or ballasted on a roof structure.

Solar access means an unobstructed access to direct sunlight on a lot or building through the entire year, including access across adjacent parcel air rights, for the purpose of capturing direct sunlight to operate a solar energy system.

SECTION 2. The City Council of the City of Mound hereby amends Chapter 129, Section 129-99 to add the following to the Allowable uses (residential districts) table:

Use	R-1	R-1A	R-2	R-3
Solar energy system, building-integrated or roof-mounted	A	A	A	A
Solar panel for mechanical equipment (e.g. boat lift, pool heater, gate, etc.)	A	A	A	A

SECTION 3. The City Council of the City of Mound hereby amends Chapter 129, Section 129-135 to add the following to the Allowable uses table:

Use	MU-D	MU-C	C-1	I-1
Accessory Uses				
Solar energy system, building-integrated or roof-mounted	P	P	P	P

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Use	MU-D	MU-C	C-1	I-1
Solar panel for mechanical equipment (e.g. security light, security camera)	P	P	P	P

SECTION 4. The City Council of the City of Mound hereby amends Chapter 129, to add Section 129-206 Solar Energy Systems containing the following text:

Sec. 129-206. Solar Energy Systems

- (a) Building-integrated and roof-mounted solar energy systems are allowed on principal or accessory buildings.
- (b) No ground mounted solar energy systems are allowed except for a individual solar panel used to provide power for equipment such as light, security camera, boat lift, etc.
- (c) No solar parking lot shade structures or carports are allowed.
- (d) Building-integrated solar energy systems shall be regulated similar to building elements, such as, but not limited to, roofing materials.
- (e) *Roof-mounted solar energy systems.*
 - (1) Shall not exceed the maximum allowed height in any zoning district.
 - (2) Shall be flush mounted on pitched roofs unless the roof pitch is determined to be inadequate, in which case the pitch of the solar collector may exceed the pitch of the roof by up to 5% and the collector and racking shall be set back from all roof edges by at least two feet. In no case shall the roof-mounted solar energy system be higher than ten inches above the roof.
 - (3) May be bracket-mounted on flat roofs. Bracket-mounted collectors shall be certified by a registered architect or engineer and shall be permitted only when a determination is made by the building official that the underlying roof structure will support the solar energy system, wind, and snow loads.
 - (4) Shall not extend beyond the exterior perimeter of the building on which the system is mounted.
- (f) *Removal.*
 - (1) The removal of a solar energy system must include the entire structure, including the transmission equipment.
 - (2) If a solar energy system remains nonfunctional or inoperative for a continuous period of one year, the system shall be deemed to be abandoned and shall constitute as a public nuisance. The owner shall remove the abandoned system at their expense after a demolition permit has been obtained unless the City Council grants an extension of time for its removal.

SECTION 5. This ordinance becomes effective on the first day following the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat. § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

Adopted by the City Council this 22nd day of October, 2024.

TO BE CONSIDERED AT THE OCTOBER 22, 2024 CITY COUNCIL MEETING

Mayor Jason R. Holt

Attest: Kevin Kelly, Clerk

Published in the Laker the _____ of October, 2024.

Effective the _____ day of _____, 2024.

DRAFT

**CITY OF MOUND
ORDINANCE NO. _____**

**AN ORDINANCE REGULATING ELECTRIC VEHICLE CHARGERS
WITHIN THE CITY OF MOUND**

The City Council of the City of Mound ordains:

SECTION 1. The City Council of the City of Mound hereby amends Chapter 129, Section 129-2. Definitions to add the following terms:

Charging levels means the standardized indicators of electrical force, or voltage, at which an electric vehicle's battery is recharged. The terms 1, 2, and 3 (DC) are the most common charging levels, and include the following specifications:

- Level 1 is considered slow charging with 120v outlets.
- Level 2 is considered medium charging with 240v outlets, charging head and cord hard-wired to the circuit.
- Level 3 (DC) is considered fast or rapid charging. Voltage is greater than 240 volts.

Electric vehicle means a vehicle that operates, either partially or exclusively, on electrical energy from the electrical grid, or an off-grid source, that is stored on-board for motive purposes. "Electric vehicle" includes a battery electric vehicle and a plug-in hybrid electric vehicle.

Electric vehicle charging station (EVCS). A public or private parking space that is served by equipment that has as its primary purpose the transfer of electric energy (by conductive or inductive means) to a battery or other energy storage device in an electric vehicle.

Electric vehicle infrastructure. This includes conduit/wiring, structures, machinery, and equipment necessary and integral to support an electric vehicle, including battery charging stations and rapid charging stations.

Electric Vehicle Service Equipment (EVSE). The comprehensive suite of equipment essential for facilitating the charging process of electric vehicles.

SECTION 2. The City Council of the City of Mound hereby amends Chapter 129, Section 129-99 to add the following to the Allowable Uses (residential districts) table:

Use	R-1	R-1A	R-2	R-3
Electric vehicle charging	A	A	A	A

SECTION 3. The City Council of the City of Mound hereby amends Chapter 129, Section 129-135 to add the following to the Allowable Uses table:

Use	MU-D	MU-C	C-1	I-1
Accessory Uses				

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Use	MU-D	MU-C	C-1	I-1
Electric vehicle charging	P	P	P	P

SECTION 4. The City Council of the City of Mound hereby amends Chapter 129, to add Section 129-207 Electric Vehicle Charging containing the following text:

Sec. 129-207. Electric Vehicle Charging

- (a) Electric vehicle supply equipment (EVSE) serving a single family dwelling unit, two family dwelling unit, or twinhome in any zoning district shall be in a garage, on the exterior wall of the home or garage, or on a freestanding pole with footing adjacent to a parking space.
- (b) Electric vehicle supply equipment (EVSE) serving residential structures with three or more units or non-residential uses shall meet the following requirements:
 - (1) *Design Standards.*
 - a. EVSE must be installed per manufacturer specification and must comply with all applicable building codes and relevant Americans with Disabilities Act (ADA) requirements.
 - b. EVSE shall be designed and located so as to not impede pedestrian travel or create trip hazards on sidewalks. Cords must be retractable or hung sufficiently above any pedestrian surface when not in use and shall not extend across sidewalks or trails during charging.
 - c. EVSE may be located adjacent to designated parking spaces in a garage or parking lot as long as the devices do not encroach into the required dimensions of the parking space (length, width, and height clearances).
 - d. EVSE shall be designed to minimize potential damage by accidents through the use of wheel stops or bollards, vandalism, and to be safe for use in inclement weather.
 - (2) *Signage.* Each electric vehicle charging station (EVCS) shall be posted with signage indicating the space is only for electric vehicle charging purposes.
 - (3) *Lighting.* Site lighting shall be provided where an EVCS is installed.
 - (4) *Maintenance.* EVSE shall be maintained in all respects, including the functioning of the equipment. A phone number or other contact information shall be provided on the equipment for reporting problems with the equipment or access to it. When an EVSE is not operational for 30 consecutive days, it shall be removed or have a repair plan approved by the Community Development Director.

SECTION 5. This ordinance becomes effective on the first day following the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat. § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

Adopted by the City Council this 22nd day of October, 2024.

TO BE CONSIDERED AT THE OCTOBER 22, 2024 CITY COUNCIL MEETING

Mayor Jason R. Holt

Attest: Kevin Kelly, Clerk

Published in the **Laker** the _____ of October, 2024.

Effective the _____ day of _____, 2024.

DRAFT

**CITY OF MOUND
ORDINANCE NO. _____**

**AN ORDINANCE REGULATING ACCESSORY DWELLING UNITS (ADU)
WITHIN THE CITY OF MOUND**

The City Council of the City of Mound ordains:

SECTION 1. The City Council of the City of Mound hereby amends Chapter 129, Section 129-2. Definitions to add the following term:

Accessory Dwelling Unit (ADU) means a self-contained dwelling unit with a kitchen, sleeping area, and bathroom facilities (toilet, sink, and shower/tub), which is located within, attached to, or on the same lot as an existing single-family residential dwelling.

SECTION 2. The City Council of the City of Mound hereby amends Chapter 129, Section 129-99 to add the following to the Allowable Uses (residential districts) table:

Use	R-1	R-1A	R-2	R-3
Accessory Dwelling Unit (ADU)	A	A	A	

SECTION 3. The City Council of the City of Mound hereby amends Chapter 129, Section 129-135 to add the following to the Allowable Uses table:

Use	MU-D	MU-C	C-1	I-1
Accessory Uses				
Accessory Dwelling Unit (ADU)	P	P		

SECTION 4. The City Council of the City of Mound hereby amends Chapter 129, Section 129-194 Accessory Buildings to create the following new subsection (i):

- (i) Accessory Dwelling Units (ADU)
 - (1) *District.* In any district where an ADU is permitted, it shall only be allowed on a lot with a single-family dwelling unit.
 - (2) *Number.* A single-family dwelling unit is allowed a maximum of one ADU.
 - (3) *Location.* The ADU may be constructed within a single-family dwelling, as an addition to a single-family dwelling unit, or as a detached accessory building.
 - (4) *ADU Size.* The ADU shall be no larger than 800 square feet, except that if the single-family dwelling unit footprint is less than 800 square feet than the ADU shall be no larger in size than the single-family dwelling unit footprint area.
 - (5) *Setbacks.* The ADU must meet the principal structure setbacks even if it is located within an accessory building.
 - (6) *Height.*

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- a. An ADU which is constructed within or attached to the single-family dwelling unit shall be not exceed 2 ½ stories or 35 feet in height.
 - b. An ADU which is constructed within an accessory building shall not exceed the height of the single-family dwelling unit.
- (7) *Design.*
- a. A detached ADU shall be designed and maintained so as to be consistent with the appearance and character of the single-family dwelling unit.
 - b. A paved surface shall connect the ADU to the driveway or street.
- (8) *Occupancy.* The maximum number of occupants shall be no more than allowed by the building code.
- (9) *Parking.* An ADU shall require one off-street parking space.
- (10) *Owner Occupancy requirement.* The owner(s) of the property must continue to occupy at least one (1) of the dwelling units on the property as their primary residence, except for a bona fide temporary absence.
- (11) *Utility connection.* The ADU shall not have a separate utility connection.
- (12) *Sale.* An ADU shall not be sold independently from the single-family dwelling unit and shall not be split into a separate tax parcel from the property with a single-family dwelling unit.

SECTION 5. This ordinance becomes effective on the first day following the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat. § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

Adopted by the City Council this 22nd day of October, 2024.

Mayor Jason R. Holt

Attest: Kevin Kelly, Clerk

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