

**ORDINANCE NO. 90, FOURTH SERIES**

**AN ORDINANCE ADOPTING THE 2014 UNIFIED DEVELOPMENT  
ORDINANCE WITH AMENDMENTS AS PROVIDED IN §14.02 OF THE  
REDWOOD FALLS CITY CODE**

**THE CITY COUNCIL OF REDWOOD FALLS DOES ORDAIN:**

**SECTION 1. PURPOSE.** Pursuant to State Statute §462.357 which enables cities to enact land use plans through zoning ordinances, a certain document, one (1) copy of which is on file in the office of the City Administrator of the City of Redwood Falls, being marked and designated as the Unified Development Ordinance, 2014 Edition, was adopted, after public hearing, as the Unified Development Ordinance of the City of Redwood Falls, State of Minnesota by Ordinance No. 44, Fourth Series, on November 7, 2014 by the City Council of Redwood Falls. The Unified Development Ordinance of the City of Redwood Falls, State of Minnesota, was adopted for regulating and governing zoning ordinances for the purpose of promoting public health, safety and the general welfare; for the future layout and landscape of the City for years to come; for the development or preservation of open space; for the redevelopment and revival of existing properties; and to develop future plans for harmonious and healthy land use patterns that are consistent with the goals of the City's Comprehensive Plan.

That Ordinance No. 69, Fourth Series, adopted on April 6, 2021, purportedly repealed Ordinance No. 44, Fourth Series, however, no public hearing was held prior to the adoption of Ordinance No. 69, Fourth Series and the intent of the Council in adopting Ordinance No. 69, Fourth Series in conjunction with the adoption of Ordinance No. 70, Fourth Series (also adopted on April 6, 2021) was not to repeal or amend the Unified Development Ordinance of the City of Redwood Falls but rather to relocate the Unified Development Ordinance within the City Code of Ordinances from Chapters 11 and 12 to Chapters 14 and 15.

That the Unified Development Ordinance, 2014 Edition, shall continue and remain adopted as the Unified Development Ordinance of the City of Redwood Falls, State of Minnesota, replacing the entirety of Chapters 14 and 15 of the City Code of Ordinances.

That the Unified Development Ordinance, 2014 Edition shall remain on file in the office of the City Administrator of the City of Redwood Falls, is hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance with amendments as noted below.

**SECTION 2.** That after a public hearing and review of all the evidence pertaining to the request to amend the Unified Development Ordinance, 2014 Edition, as referenced in Section 7, the City Council of the City of Redwood Falls makes the following:

**FINDINGS OF FACT**

1. The amendments are consistent with the applicable policies of the City's Comprehensive and Land Use Plan.

2. The amendments do not purpose to change the zoning classification of a particular property.
3. The amendments are in the best interest of the public as they promote orderly development and are not solely for the benefit of a single property owner.

**SECTION 3. CONFLICT AND REPEAL.** That any and all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4. SEVERABILITY.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Redwood Falls City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that anyone or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

**SECTION 5. APPLICATION.** That nothing in this ordinance or in the Unified Development Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

**SECTION 6.** That Chapter 14, Section 14.01 of the Redwood Falls City Code continue to read as follows:

**"SEC. 14.01. UNIFIED DEVELOPMENT ORDINANCE.** The Unified Development Ordinance, 2014 Edition, is hereby adopted by reference as though set forth verbatim herein. One copy of said Code shall be marked CITY OF REDWOOD FALLS-OFFICIAL COPY and kept on file in the office of the City Administrator and open to inspection and use by the public."

**SECTION 7.** That Chapter 14, §14.02 of the Redwood Falls City Code be amended to read as follows:

**~~SEC. 14.02 [RESERVED]~~**

***"SEC. 14.02. AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE.*** *The Unified Development Ordinance, 2014 Edition, as adopted on November 7, 2014, and April 6, 2021, by reference as though set forth verbatim in §14.01, is hereby amended to read as follows:*

1. **Section 7.18 Residential Accessory Buildings**

*(A) In general. In all residential districts, the design and construction of any garage, carport, or storage building shall be similar to or compatible with the design and construction of the principal building. All new single family residential construction, whether attached or detached units, shall require the construction of at least a single stall garage. In no case shall a single family use, where detached or attached, with a garage be permitted to eliminate the garage or to provide less than a one stall garage on the property, either through conversion, demolition or other means of destruction.*

*(B) Attached structures. An accessory structure shall be considered attached, and an integral part of, the principal structure when it is connected by an enclosed passageway. Such structures shall be subject to the following requirements:*

- (1) The structure shall meet the required setbacks for a principal structure, as established for the zoning district in which it is located.*
- (2) In no case shall the total floor area of an attached garage, carport, or other accessory structure exceed the ground floor area of the principal building located on the same lot.*
- (3) The structure shall not exceed the height of the principal building to which it is attached.*

*(C) Detached structures. Up to two detached accessory structures shall be permitted on a residential property in accordance with the requirements as follows:*

- (1) Detached accessory structures shall be comprised of a shed and/or garage, you shall be allowed to have two sheds, but not permitted to have two detached accessory structures which are considered garages.*
- (2) Detached accessory structures shall be located to the side or rear of the principal building, and are not permitted within the front yard or within a corner side yard. When such structure is located in a side yard, the required setback shall be the same as that for the principal structure.*
- (3) Detached accessory structures located completely behind the rear plane of the home shall be allowed to reduce the side yard setback to five (5) feet, instead of the required side yard setback designated by the zoning district. These structures are still required to maintain the distance between structures as outlined in table 7.1.*
- (4) Exterior materials and finish must match or compliment the exterior finish of the principal structure in material, color, and texture. Structures with a corrugated metal exterior finish shall not be permitted, unless they match the color of the primary structure and are well maintained.*

- (5) *Garages, when accessed from and situated perpendicular to a public alley, shall maintain a setback of at least five (5) feet from said alley right-of-way and five (5) feet from rear side yard.*
- (7)(6) *Maximum lot coverage for detached structures is regulated under Section 11.13. For those properties that are exempted under Section 11.13 no more than thirty (30) percent of the rear yard area may be covered by accessory structures.*
- (8)(7) *Distance between structures shall be measured from wall to wall.*

Table 7.1 Requirements for detached accessory structure in residential districts

<i>Use</i>	<i>R-1 or R-2</i>	<i>Other Multi-Family residential use</i>	<i>Permitted non-residential use</i>
<i>Number of Structures Allowed</i>	<i>2</i>	<i>2</i>	<i>2</i>
<i>Maximum size—Detached Garage</i>	<i>864 sq. ft.</i>	<i>300 sq. ft./unit</i>	<i>1,000 sq. ft.</i>
<i>Maximum size - Shed</i>	<i>120 sq. ft.</i>	<i>250 sq. ft.</i>	<i>250 sq. ft.</i>
<i>Maximum height</i>	<i>16 feet</i>	<i>16 feet</i>	<i>20 feet</i>
<i>Required Setbacks</i>			
<i>—Side</i>	<i>8 feet*</i>	<i>15 feet</i>	<i>15 feet</i>
<i>—Rear</i>	<i>5 feet</i>	<i>15 feet</i>	<i>15 feet</i>
<i>—Between Structures</i>	<i>8 feet</i>	<i>10 feet</i>	<i>10 feet</i>

\*See number 7.18(e)(3)

Table 7.1 Requirements for detached accessory structures in residential districts

<i>Use</i>	<i>R-1 or R-2</i>			<i>Other Multi-Family residential use</i>	<i>Permitted non-residential use</i>
	<i>Under 1 Acre</i>	<i>1 – 2 Acres</i>	<i>2+ Acres</i>		
<i>Land Area</i>					
<i>Number of Structures Allowed</i>	<i>2</i>	<i>2</i>	<i>2</i>	<i>2</i>	<i>2</i>
<i>Maximum Combined Sq. Footage</i>	<i>1000 sq. ft.</i>	<i>2000 sq. ft.</i>	<i>3000 sq. ft.</i>	<i>300 sq. ft./unit</i>	<i>1000 sq. ft.</i>
<i>Maximum size - Shed</i>	<i>120 sq. ft.</i>			<i>250 sq. ft.</i>	<i>250 sq. ft.</i>

<b>Maximum height</b>	16 feet	20 feet	20 feet	16 feet	20 feet
<b>Required Setbacks</b>					
Side	8 feet*	8 feet*	8 feet*	15 feet	15 feet
Rear	5 feet	5 feet	5 feet	15 feet	15 feet
Between Structures	8 feet	8 feet	8 feet	10 feet	10 feet

\*See number 7.18(c)(3)

**2. Section 7.20 Private Swimming Pools**

*All private swimming pools, both above the ground and in the ground, that are capable of holding water at a depth of more than 24" ~~and have a have a capacity of 1,000 gallons or more,~~ are subject to the following standards:*

*(A) The pool is not operated as a business or private club, except when allowed as a permitted home occupation.*

*(B) The pool, including any related walks, paved areas, or other structures, shall not be located in a front yard, and must be set back at least five (5) feet from any property line.*

*(C) The pool, or the rear yard, or the entire property, shall be enclosed by a wall or fence or combination thereof which is at least four (4) feet in height, with a self-closing gate capable of being secured with a lock so as to prevent uncontrolled access by children from the street or adjacent properties. Any exterior release mechanism shall not be located less than 45 inches from grade. A cover capable of being locked, but not easily penetrated, when the subject is not in use may be substituted for fencing.*

*(D) If the only access to a pool is through a principal or accessory structure, all points of access shall be made lockable.*

*(E) Required fencing shall be of durable wood, chain linked, masonry, or metal, and shall be so designed as to discourage climbing. Building walls may contribute to enclosure requirements.*

*(F) In the case of aboveground pools, sides that are vertical or slanted outward may contribute to required fencing, provided all points of access are controlled to prevent access by children, including the removal of all ladders and/or stairs whenever the pool is not in use. A cover capable of being locked, but not easily penetrated, when the subject is not in use may be substituted for fencing.*

*(G) Hot tubs or spas with approved locking safety covers meeting industry standards shall be exempt from the fencing requirements, provided the cover is locked at all times during periods of non-use.*

(H) Existing pools, as defined by this ordinance, shall comply with all provisions of this ordinance within one year of the effective date of this ordinance.

## **2. Section 7.24 Solar Energy Systems**

(A) Purpose. This section is established for the purpose of providing for the appropriate location and development of solar energy systems which are often needed to serve the residents and businesses within the City, to reduce potential negative visual impacts of such facilities, to maximize the use of existing towers and structures, and to provide restrictions which do not conflict with any federal statute or FCC rule or regulation. Towers and antennae provided for use by a Municipality shall be exempt from the regulations identified in this section.

~~(B) — General Provisions. Solar energy systems shall be permitted in all zoning districts. A property is permitted to have up to four (4) square feet of solar panels before the following standards are required to be met. All panels and/or systems with over four (4) square feet of solar panels are subject to the following requirements:~~

~~(1) A maximum of 120 square feet of solar panels are permitted on a property. A system over 120 square feet in size may be permitted by conditional use.~~

~~(2) All roof mounted systems shall meet the following requirements:~~

~~(a) The rooftop solar collector shall not project beyond the peak of the roof.~~

~~(b) A roof mounted system on a flat roof shall not extend more than nine (9) feet above the average height of that of the roof segment it is on. The height of the system shall be measured from the roof surface to the highest extent the system is capable of reaching. If attached on a pitched roof, it shall not be more than five (5) feet above the roof surface.~~

~~(c) Shall be mounted so that the edge of the system is at no less than one foot in from the edge of the roof, if mounted to the roof on the front of the building. In no case shall a system extend past the wall line of a structure.~~

~~(d) If mounted to the wall of a building, the solar energy systems may not extend into or over any applicable lot line setbacks;~~

~~(e) Exterior piping for solar hot water systems shall be allowed to extend beyond the perimeter of the building on a side yard exposure.~~

~~(3) All ground mounted systems shall meet the following requirements:~~

~~(a) A ground system shall not extend over ten (10) feet in height in all residential zoning districts. An institutional use may apply for a conditional use permit to allow for a taller structure. The height of~~

~~the system shall be measured from the ground surface to the highest extent the system is capable of reaching.~~

~~(b) A ground system shall not extend over fifteen (15) feet in height in all other zoning districts. A taller system may be permitted by conditional use. The height of the system shall be measured from the ground surface to the highest extent the system is capable of reaching.~~

~~(c) All ground systems shall meet the setbacks required of an accessory structure. The setbacks shall be measured from the property line to the closest extent the system is capable of reaching.~~

~~(d) All ground systems within residential zoning districts shall be located in a side or rear yard. Church and school uses shall be exempt from this requirement provided the lot exceeds one (1) acre in size.~~

~~(e) A ground system shall not be located within a drainage and utility easement.~~

~~(f) Be located so as to minimize glare directed toward an adjoining property.~~

~~(g) The total surface area of all ground-mounted and freestanding solar collectors on the lot shall not exceed 15% of the lot size or 1,000 square feet, whichever is less.~~

~~(h) Shall be considered in determining the maximum coverage of structures on the lot.~~

~~(4) The majority of all associated utilities shall be installed underground.~~

~~(5) A visible exterior disconnect shall be provided per the National Electrical Code.~~

~~(6) All solar energy systems shall be UL listed or certified by an equal agency recognized by the State of Minnesota and American National Standards Institute (ANSI) standards.~~

~~(7) Building and Electrical permits shall be required for all systems over four (4) square feet in size.~~

~~(8) A property owner who has installed or intends to install a solar energy system shall be responsible for negotiating with other property owners in the vicinity for any necessary solar easements and shall record the easement with the Redwood County Recorder. If no such easement is negotiated and recorded, the owner of the solar energy system shall have no right to prevent the construction of structures, planting of trees, or any other items that may affect the performance of the solar energy system permitted by this ordinance on nearby properties on grounds that the construction would cast shadows on the solar energy system.~~

~~(9) All solar energy systems, unless it is an integral part of the structure, that remain nonfunctional or inoperative for a continuous period of twelve (12) months shall be deemed abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at their expense after a demolition permit has been obtained. Removal includes the entire structure, including but not limited to the foundation, transmission equipment, structure, and any associated accessory structures. Any owner that has not removed the system within these twelve (12) months shall be notified by the Zoning Administrator in writing and given thirty (30) days to comply with the removal. Upon failure to comply with the notice within the specified time period, the Zoning Administrator is authorized to cause removal of such system, and assign any expenses incidental to the removal of the same to the property or the property owner.~~

~~(10) Active solar energy systems shall be designed to blend into the architecture of the building or be screened from routine view from public right of ways other than alleys. Collector surfaces shall minimize glare and reflected light. The color of the solar collector shall be consistent with or complement other roofing materials.~~

~~(11) The solar energy system must be anchored in such a manner as to withstand wind speeds as required of other rooftop mechanical equipment in the building code, and must be set back from adjoining properties far enough so as to present no threat to accidental contact with electrical components.~~

~~(C) General standards. Solar energy systems shall be subject to the following additional requirements:~~

~~(1) Location and color shall be in a manner to minimize off-site visibility to the greatest possible extent.~~

~~(2) Building permits shall be required for the installation of solar energy systems. All such structures shall be designed and installed in compliance with pertinent building codes and other regulations.~~

~~(3) No signs, other than public safety warning or equipment information, shall be affixed to any portion of the structure.~~

~~(4) No artificial illumination, except when required by law or by a governmental agency to protect the public's health and safety, shall be utilized.~~

~~(5) The placement of transmitting, receiving, and switching equipment shall be integrated within the site, being located within an existing structure whenever possible. Any new accessory equipment structure shall be attached to the principal building, if possible, and be constructed of materials and a color scheme compatible with the principal structure and/or surrounding area, or within an equipment encasement not exceeding ten (10) feet by ten (10) feet in area and five (5) feet in height.~~

~~(6) Accessory equipment or buildings shall be screened in accordance with the provisions required within Chapter 5, Site Plan Review.~~

~~(7) Towers, and any equipment attached thereto, shall be unclimbable by design for the first twelve (12) feet or be completely surrounded by a six (6) foot high security fence with a lockable gate.~~

~~(8) No grid intertie photovoltaic system shall be installed until evidence has been given to the Planning and Zoning Department that the owner has submitted notification to the utility company of the customer's intent to install an interconnected customer-owned generator. Off grid systems are exempt from this requirement.~~

(B) *Applicability.* The provisions of this Section shall apply to the construction and reconstruction of all solar energy systems within the City.

(C) *Residential Districts.*

(1) Ground mounted solar energy systems are permitted as accessory uses in all residential zoning districts subject to the following standards.

(a) Location: rear yard only

(b) Setbacks: (i) Must comply with applicable side and rear yard setbacks of the zoning district in which the system is located. (ii) Must be located a minimum of five (5) feet from any other principal or accessory structure. (iii) Must be located a minimum of 30' from all buildings located on adjacent lots or parcels of property.

(c) Height: (i) Shall not exceed fifteen (15) feet in height when oriented at maximum vertical tilt. (ii) The height of a ground mounted solar energy system shall be measured from the ground surface to the highest extent the system is capable of reaching.

(d) Coverage: (i) The total surface area of all ground mounted solar energy systems on the lot shall not exceed 120 square feet. (ii) A system over 120 square feet in size may be permitted by conditional use permit. (iii) Square footage of the solar energy system shall be considered in determining the maximum amount of allowable square footage for accessory buildings and structures permitted on the lot.

(2) Roof or building mounted and building or architecturally integrated solar energy systems are permitted on principal or accessory buildings in all residential zoning districts subject to the following standards:

(a) Location: on principal or accessory buildings. (i) If mounted to the wall of a building, the solar energy system may not extend beyond the exterior perimeter wall of the building. (ii) Shall be flush mounted on a pitched roof.

(b) Setback: all solar energy systems must have a three (3') foot clearance around all roof edges to facilitate emergency responder access.

(c) Height: no part of the solar energy system shall project beyond the peak of the roof to which it is attached.

(d) Coverage: there is no percentage or square footage limitation.

(e) Flat Roof: Solar collectors may be bracket mounted on flat roofs no more than three (3') feet above the surface of the flat roof, or extending to the height of the roof's parapet without regard to projection and must maintain a setback of not less than three (3') feet from all roof edges.

(D) *Business, Industrial, and Agricultural Residence Districts.*

(1) Ground mounted solar energy systems are permitted as accessory uses in all business, industrial and agricultural residence zoning districts subject to the following standards.

(a) Location: rear yard only

(b) Setbacks: (i) Must comply with applicable side and rear yard setbacks of the zoning district in which the system is located. (ii) Must be located a minimum of ten (10) feet from any other principal or accessory structure. (iii) Must be located a minimum of 30' from all buildings located on adjacent lots or parcels of property.

(c) Height: (i) Shall not exceed fifteen (15') feet in height when oriented at maximum vertical tilt. (ii) The height of a ground mounted solar energy system shall be measured from the ground surface to the highest extent the system is capable of reaching.

(d) Coverage: (i) The total surface area of all ground mounted solar energy systems on the lot shall not exceed 15% of the lot size or 1,000 square feet, whichever is less. (ii) Square footage of the solar energy system shall be considered in determining the maximum amount of allowable square footage for accessory buildings and structures permitted on the lot.

(2) Roof or building mounted and building or architecturally integrated solar energy systems are permitted on principal or accessory buildings in all business, industrial and special purpose zoning districts subject to the following standards:

(a) Location: (i) If mounted to the wall of a building, the solar energy system may not extend beyond the exterior perimeter of the building. (ii) Shall be flush mounted on pitched roofs.

(b) Height: no part of the solar energy system shall project beyond the peak of the roof to which it is attached.

(c) Setback: all solar energy systems must have a three (3) foot clearance around all roof edges to facilitate emergency responder access.

(d) Coverage: there is no percentage or square footage limitation.

(e) Flat roof: (i) Solar energy systems shall be set back as follows: at least one (1) foot from the exterior perimeter of the building on which the system is mounted, for every foot that the system extends above the height of the roof at its exterior perimeter. (ii) The maximum height of any component of the solar energy system shall be not greater than 10 feet.

(E) *Other applicable standards for all zoning districts.*

(1) Feeder lines. All power exterior electrical or other service lines must be buried below the surface of the ground.

(2) A visible exterior disconnect shall be provided per the National Electrical Code.

(3) The solar energy system must be anchored in such a manner as to withstand wind speeds and snow load as required of other rooftop mechanical equipment in the Minnesota Building Code.

(4) Exemption. Building integrated solar energy systems are exempt from the requirements of this Section and shall be regulated as any other building element.

(5) Compliance with building codes. All solar energy systems shall comply with the Minnesota Building Code.

(6) Compliance with electric code. All solar energy systems shall comply with the National Electrical Code.

(7) Compliance with plumbing code. All solar thermal systems shall comply with the Minnesota State Plumbing Code.

(8) No signs, other than public safety warning or equipment information, shall be affixed to any portion of the structure.

(9) Institutional uses may install solar energy systems in a side yard that does not have street frontage, provided the lot exceeds one (1) acre in size.

(10) The placement of transmitting, receiving, and switching equipment shall be integrated within the site, being located within an existing structure whenever possible. Any new accessory equipment structure shall be attached to the principal building, if possible, and be constructed of materials and a color scheme compatible with the principal structure and/or surrounding area, or within an equipment encasement not exceeding ten (10') feet by ten (10') feet in area and five (5') feet in height.

- (11) Accessory equipment or buildings shall be screened in accordance with the provisions required within Chapter 5, Site Plan Review.
- (12) Towers, and any equipment attached thereto, shall be unclimbable by design for the first twelve (12) feet or be completely surrounded by a six (6) foot high security fence with a lockable gate.
- (13) The City prohibits ground mounted solar energy systems in flood plain districts.
- (14) No solar energy system shall violate Minnesota Pollution Control Agency noise standards, air quality standards or otherwise result in a nuisance source of noise.
- (15) All solar energy systems shall be operable and maintained in good repair.
- (16) All solar energy systems and building integrated solar energy systems are subject to any and all applicable federal, state, and local laws and regulations.
- (17) All solar energy systems shall be UL listed or certified by an equal agency recognized by the State of Minnesota and American National Standards Institute (ANSI) standards.
- (18) Any solar energy system exceeding 40kW shall require a Conditional Use Permit.
- (19) Any community solar or solar farm project must be located in an R-R or industrial district and shall require a Conditional Use Permit.
- (20) All solar energy systems shall comply with the height requirements in the applicable zoning district in which the system is placed.

(F) *Approvals.*

- (1) Permits: The erection, alteration, improvement, reconstruction, and movement of a solar energy system requires building and electrical permits and supplemental application from the City prior to installation of the system.
- (2) Utility notification: The owner of a solar energy system that will physically connect to a house or other building's electrical system and/or electric utility grid shall provide the City of Redwood Falls with proof of an interconnection agreement with the City of Redwood Falls Public Utilities prior to the issuance of a building permit.

(G) *Aesthetics.*

- (1) All solar energy systems shall use colors that blend with the color of the roof or other structure or be screened from routine view from public rights-of-way other than alleys as much as possible.
- (2) Reflection angles from collector surfaces shall be oriented so as not to interfere with the use and enjoyment of other properties. Where

necessary, screening may be required to address glare to the extent possible without impeding their function.

(3) Screening from routine view from the public right-of-way and immediate adjacent residences shall be required in an attempt to minimize the visual impact of ground mounted solar energy systems and any extensive or imposing perimeter security fencing that is proposed.

(4) The City may require additional landscaping or other means of screening to limit the visual impacts of the solar energy system.

(H) *Easements.*

(1) A property owner who has installed or intends to install a solar energy system shall be responsible for negotiating with other property owners in the vicinity for any solar easements and shall record the easements with the Redwood County Recorder's Office (per MN SS 500.30, as it may be amended from time to time). If no such easement is negotiated and recorded, the owner of the solar energy system shall have no right to prevent the construction of structures, planting of trees, or any other items that may affect the performance of the solar system permitted by this Ordinance on nearby properties on grounds that the construction would cast shadows on the solar energy system. The City does not assure access to sunlight.

(2) Solar energy systems shall not be located within any easement areas.

(I) *Abandonment.* All solar energy systems, unless it is an integral part of the structure, that remain nonfunctional or inoperative for a continuous period of twelve (12) months shall be deemed abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at their expense after a demolition permit has been obtained. Removal includes the entire structure, including but not limited to the foundation, transmission equipment, structure, and any associated accessory structures. Any owner that has not removed the system within twelve (12) months shall be notified by the City in writing and given thirty (30) days to comply with the removal. Upon failure to comply with the notice within the specified time period, the City is authorized to cause the removal of such system as a public nuisance and assign and specially assess any expenses incurred from the removal of the same to the property or the property owner.

(J) *Historic Structures.*

(1) All roof, wall, and ground mounted solar energy systems shall not be permitted on any property where a "Historic Structure," as defined in 44 C.F.R. § 59.1., is located.

**SECTION 8.** That Chapter 15 of the Redwood Falls City Code be amended to read as follows:

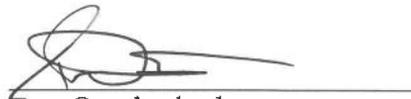
**“CHAPTER 15: [RESERVED]”**

**SECTION 9. EFFECTIVE DATE.** That this Ordinance becomes effective from and after its passage and publication of its adoption and reference that a printed copy of the Unified Development Ordinance is available for inspection by any person during regular office hours at the office of the City Administrator.

**PASSED AND ADOPTED** by the City Council of the City of Redwood Falls, Minnesota this 21<sup>st</sup> day of May, 2024.

ATTEST:

  
Keith Muetzel  
City Administrator

  
Tom Quackenbush  
Mayor

(City Seal)

Subscribed and sworn to before me this  
21<sup>st</sup> day of May 2024.

  
Notary Public

**Introduction:** 04/16/2024  
**Posting:** 04/19/2024  
**Adopted:** 05/21/2024  
**Approval Published:** 05/30/2024

