



WILDWOOD

July 15, 2019

The Honorable City Council
City of Wildwood, Missouri
16860 Main Street
Wildwood, Missouri 63040

The Planning and Zoning Commission has completed its review of the requested application for a Conditional Use Permit (CUP) to authorize solar panels facing an adjoining roadway and prepared the following recommendation report in this regard. This recommendation report reflects the Planning and Zoning Commission's action upon this item and is now being forwarded for receipt and filing by the City Council. This recommendation and action were completed in accordance with the requirements of Chapter 89 of Missouri Revised Statutes, the City's Charter, and those regulations of the City relating to public notice and publications (Chapter 415.560 of the City of Wildwood Zoning Ordinance). The details associated with this request, and the Commission's related action, are as follows:

Petition No.: **P.Z. 8-19**
Petitioner: **Albert and Gisela Baner, 18909 Old Fox Bridge Road, Wildwood, Missouri 63069, c/o Straight Up Solar, 10330 Page Industrial Boulevard, St. Louis, Missouri 63132**
Request: A request for a Conditional Use Permit (CUP) to allow for the installation of roof-mounted solar panels, which are to be so situated on the dwelling as to be visible from an adjoining roadway.
Location: 18909 Old Fox Bridge Road (St. Louis County Locator Number: 26Y120115)
Zoning: NU Non-Urban Residence District and FPNU Floodplain Non-Urban Residence District
Public Hearing Date: June 17, 2019
Letter of Recommendation
Decision Date and Vote: July 15, 2019 – **Approval of the Conditional Use Permit (CUP) by a vote of 9-0 (Voting Aye – Helfrey, Levitt, Kohn, Gagnani, Deppeler, Simpson, Lee, Woerther, and Bowlin)**
Report: Attachment A
Background Information: Attachment B
School District: Rockwood
Fire District: Metro West
Ward: Six

Copies of the City of Wildwood's Master Plan, Charter, and Zoning Ordinance are all on file with the City Clerk's Office.

Respectfully submitted,
CITY OF WILDWOOD PLANNING AND ZONING COMMISSION

Michael Lee, Acting Chair

ATTEST:

Joe Vujnich, Director
Department of Planning

Cc: The Honorable James R. Bowlin, Mayor
Steve Cross, Co-Interim City Administrator
John A. Young, City Attorney
Kathy Arnett, Assistant Director of Planning and Parks
Travis Newberry, Planner

ATTACHMENT A

CURRENT REQUEST:

P.Z. 8-19 Albert and Gisela Baner, 18909 Old Fox Bridge Road, Wildwood, Missouri 63069, c/o Straight Up Solar, 10330 Page Industrial Boulevard, St. Louis, Missouri 63132 – A request for a Conditional Use Permit (CUP) in the NU Non-Urban Residence District and FPNU Floodplain Non-Urban Residence District (Street Address: 18909 Old Fox Bridge Road/Locator Number: 26Y120115), for the installation of roof-mounted solar panels, which are to be so situated on the dwelling as to be visible from an adjoining roadway. This request is to be reviewed in accordance with Chapter 415.090 NU Non-Urban Residence District Regulations of the City of Wildwood Zoning Ordinance, which establishes standards and requirements for the installation of solar panels. The requested permit is required due to the panels' placement on the front facing area of the dwelling's roof, which does abut a roadway. (**Ward Six**)

BACKGROUND REGARDING REGULATIONS:

The consideration of the current regulations for solar panels was prompted a number of years ago by a request for a large array of ground-mounted types on a tract of land located in a rural area of the City. The tract of land was approximately thirty (30) acres in size and had one (1) dwelling located upon it. Despite the size of the tract of land, the owner requested the placement of the array on the westernmost boundary line of the lot and, in fact, sought a variance from the City's Board of Adjustment to place them within the required thirty (30) foot setback area. The City's Board of Adjustment denied this request, based upon the size of the tract of land and the existence of other locations on it for them, while also noting the major impact to the neighboring property in the abutting residential subdivision. Thereafter, with the action of the City's Board of Adjustment, the property owner submitted the required information to the City for its zoning authorization process to allow the installation of these solar panels, which did meet all of the requirements for setback distances and other regulations for this type of construction.

Thereafter, the owner installed the solar panel arrays and placed them within the side yard setback area, thereby violating the requirements of the City, and the approved plans for their respective installations. Since the encroachment resulted in the removal of the established woodland buffer, between the subject lot and the adjoining property to the west, that impacted owner was concerned with the limited nature of the City's regulations for solar panel arrays and foresaw this situation happening again elsewhere in Wildwood. To that end, the impacted property owner (the neighbor to that installation) submitted information to the City regarding other communities' regulations relating to solar panel arrays and requested their implementation here in Wildwood, given the need for such to be more detailed and comprehensive, thereby addressing these structures and their related impacts.

On June 2, 2014, the Planning and Zoning Commission held a public hearing on solar panels to solicit input on the matter from the public. The consideration of this matter was based upon the question that, if solar panel arrays are placed on a residential lot, do they have a greater impact than a normal accessory structure? If so, then are there guidelines that should be developed for such, so as to justify special provisions or conditions in association with them. During this consideration, the Commission believed solar panel arrays, and their respective installations, did create a greater set of impacts than typical accessory structures, such as swimming pools, storage buildings, and decks. With the belief that solar panel arrays, both ground and roof-mounted types, have a greater impact on properties, when placed in residential settings, i.e. all residential zoning districts and the NU Non-Urban Residence District, the need for increased oversight and