

Clinton County, IN
Summary Only

For full ordinance text, please find pdf below or visit county website.

Date Passed/Amended: September 22, 2021

Summary Written: May 4, 2022

Agricultural Use Table:

Eligible Zoning:

- a) Commercial Solar Energy Systems (CSES)
 - a. Solar Overlay District
 - i. A Solar Overlay District must be requested from the Area Plan Commission and it may be a combined application as long as all property owners are Co-Applicants.

Prohibition Language:

Required Information/Permits Required:

- a) Commercial Solar Energy System (CSES)
 - a. A Solar Overlay District must be obtained.
 - i. Including a Site Plan
 - b. A Development Plan must be submitted and approved.
 - c. An Improvement Location Permit must be obtained.

Request for Variance:

Site and Structure Requirements:

- a) Compliance with all local, state, and federal regulations:
 - a. Commercial Solar Energy System (CSES)
 - i. CSES shall comply with all local, state and federal laws and regulations.
- b) Concentrating Solar Power Facilities:
- c) Fencing/Security:
 - a. Commercial Solar Energy System (CSES)
 - i. A security fence at least six (6) feet in height, but no more than nine (9) feet in height, shall be installed along the exterior sides of the facility including gates with locking mechanisms.
 - ii. Fencing must sit at least one and a half (1.5) times its own height from the road right-of ways but may be placed up to the property line on the side and rear boundaries.

- d) Glare minimization:
 - a. Commercial Solar Energy System (CSES)
 - i. All solar panels shall be constructed to eliminate glare or reflection, as much as possible, onto adjacent properties and roadways.
 - ii. Where positioning alone does not fully mitigate glare for a residence, roadway or other specific safety related adjacent user, then further mitigation shall be provided with fencing, berming or vegetation.

- e) Height:
 - a. Commercial Solar Energy System (CSES)
 - i. No part of the solar panels or arrays may exceed twenty (20) feet in height at their highest point.

- f) Lighting:

- g) Minimum Lot Size:

- h) Noise:

- i) Outside storage:

- j) Setbacks and Lot Coverage:
 - a. Commercial Solar Energy System (CSES)
 - i. Solar Arrays must be at least two hundred (200) feet from non-participating residences and at least fifty (50) feet from non-participating landowners property lines, road right-of ways, wetlands and floodplains.

- k) Screening:
 - a. Commercial Solar Energy System (CSES)
 - i. A buffer yard shall be installed according to (UDO 406.02B)
 - ii. A minimum Buffer Yard Class D shall be installed around the front, side and rear boundaries, except:
 - 1. When adjacent to A-1 District, no buffer yards will be required on side or rear property lines unless adjacent to residential use.
 - 2. Where adjacent to residences, increased buffer yards shall be installed to screen the view from the residence.
 - 3. Where existing screening equaling or exceeding these requirements exists, no added buffering will be required.
 - iii. Ground cover around or under the solar arrays shall be planted and maintained as perennial vegetative cover, unless producing a yearly agricultural crop for harvest.

- iv. Plantings that become diseased, damaged or dead shall be replaced in six (6) months.

l) Signage:

- a. Commercial Solar Energy System (CSES)
 - i. There shall be no signage other than appropriate warning signs or standard identification signage.
 - ii. All advertising signage is prohibited.

m) Site Access/Emergency Response:

n) Utility Connections:

o) Waste:

Operation and Maintenance Plan:

a) Monitoring and Maintenance

- a. Commercial Solar Energy System (CSES)
 - i. Prior to any modifications to any physical modifications to the original Development Plan, the County must be consulted and the new plan approved by the County.

b) Soil and Erosion and Sediment Control

- a. Commercial Solar Energy System (CSES)
 - i. CSES panels are exempt from the impervious surface requirements of the applicable zoning district, but must have an approval from the County Surveyor showing that any drainage concerns have been addressed to the satisfaction of the County Drainage Board.

Decommissioning and Site Reclamation:

a) Commercial Solar Energy System (CSES)

- a. A Decommissioning Plan must be submitted and approved prior to construction.
- b. A CSES is considered abandoned when it has not generated power for twelve (12) consecutive months or if it reaches an age of sixty (60) days from the end of its projected life under its current Decommissioning Plan without updating the Plan and financial assurance.
- c. The projected life of the facility, decommissioning methods, restoration plan and decommissioning cost estimates are to be included in the Decommissioning Plan.
- d. Decommissioning must remove all physical materials, access roads and restore the ground to a depth of four (4) feet below grade. Land not intended for immediate agricultural production must be covered with vegetation or forested.
- e. Financial assurance in the form of a performance bond, surety bond, irrevocable letter of credit or any other form of financial assurance approved by the County

that equals one hundred and twenty-five (125) percent of the estimated costs for decommissioning.
