

Franklin County, IN
Summary Only

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

Date Passed/Amended: October 22, 2021

Summary Written: May 5, 2022

Agricultural Use Table:

Eligible Zoning:

- a) Commercial Solar Energy System (CSES)
 - a. Agriculture Alternative Energy System District (A-AES)
 - b. Industrial District (I-1)
 - c. Industrial District (I-2)

Prohibition Language:

Required Information/Permits Required:

- a) Commercial Solar Energy System (CSES)
 - a. Improvement Location Permit
 - i. Demonstration of Need
 - ii. Utility Notification
 - iii. Development Plan
 - iv. Project Description

Request for Variance:

Site and Structure Requirements:

- a) Compliance with all local, state, and federal regulations:
 - a. Commercial Solar Energy System (CSES)
 - i. SES shall conform to applicable industry standards, as well as all local, state and federal laws and regulations. An Applicant shall submit certificate(s) of design compliance that solar equipment manufacturers have obtained from Underwriters Laboratories, or an equivalent third party.
- b) Concentrating Solar Power Facilities:
- c) Fencing/Security:
 - a. Commercial Solar Energy System (CSES)
 - i. Fencing shall be six (6) feet tall chain link fence with three (3) strands of barbed wire at the top around the perimeter of the site.

- ii. Fencing shall be setback a minimum of one hundred and twenty (120) feet from the center of an adjacent roadway or eighty (80) feet from a non-participating property line.
 - iii. Fencing shall be setback a minimum of six hundred and thirty (630) feet from the nearest outer wall of a non-participating residence measured to the nearest outer edge of the SES.
 - iv. Fencing shall be setback a minimum of two hundred and thirty (230) feet from a cemetery.
- d) Glare minimization:
 - a. Commercial Solar Energy System (CSES)
 - i. The color and finish must be made to minimize glare to surrounding properties.
- e) Height:
 - a. Commercial Solar Energy System (CSES)
 - i. The SES shall not exceed the height of twenty (20) feet.
- f) Lighting:
 - a. Commercial Solar Energy System (CSES)
 - i. All lighting shall be shielded so that no glare extends substantially beyond the boundaries of the project.
 - ii. No solar apparatus shall cast an appreciable shadow on surrounding properties solar production facilities.
- g) Minimum Lot Size:
- h) Noise:
 - a. Commercial Solar Energy System (CSES)
 - i. The noise level for the SES shall be no greater than fifty (50) decibels measured from the nearest property line. This level may only be exceeded during short-term events such as utility outages and/or severe windstorms.
- i) Outside storage:
- j) Setbacks and Lot Coverage:
 - a. Commercial Solar Energy System (CSES)
 - i. SES shall be setback a minimum of one hundred and forty (140) feet from the center of any adjoining road.
 - ii. SES shall be setback a minimum of one hundred (100) feet from any non-participating adjoining parcel.
 - iii. SES shall be setback a minimum of six hundred and fifty (650) feet from the nearest outer edge of the SES to the nearest point on the outer wall of a dwelling located on a non-participating property.

- k) Screening:
 - a. Commercial Solar Energy System (CSES)
 - i. Visual screening, foliage and/or fencing not less than eight (8) feet in height, on a strip of landscaped ground at least five (5) feet wide year round if located within four hundred (400) feet of a non-participating landowner or public right-of way.

- l) Signage:
 - a. Commercial Solar Energy System (CSES)
 - i. "No Trespassing", "Danger" and signs displaying emergency telephone numbers shall be placed every five hundred (500) feet along the perimeter fence.
 - ii. All mechanical and electrical shutdown switches must be clearly labeled.

- m) Site Access/Emergency Response:
 - a. Commercial Solar Energy System (CSES)
 - i. Owner/operator shall provide fire suppression equipment, appropriate training and supplies necessary to enable the Fire Department and Emergency Medical Services to respond effectively to an emergency event such as fire or life-threatening event at the site.

- n) Utility Connections:
 - a. Commercial Solar Energy System (CSES)
 - i. The SES, if primary voltage is interconnected to a utility system, shall meet the requirements for interconnection and operate as prescribed by the applicable regulations of the electrical utility.

- o) Waste:

Operation and Maintenance Plan:

- a) Monitoring and Maintenance:
 - a. Commercial Solar Energy System (CSES)
 - i. The owner/operator of record will be the assumed liable party for maintenance.
 - ii. Prior to any physical modifications to the mechanics or major electrical components the owner/operator must confer with the County to determine the need for recertification.
 - iii. Like-kind replacements will not need recertification.

- b) Soil and Erosion and Sediment Control:
 - a. Commercial Solar Energy System (CSES)

- i. Drainage and Erosion Control Plan must be submitted in the application process
 1. All existing drainage fields shall be maintained as originally designed
 2. No existing drainage field shall be disturbed or impede service to or from non-participating landowners
 3. The site shall be scanned using ground penetrating radar (GPR) technology to locate and map any existing drainage tile or other unknown structures.

Decommissioning and Site Reclamation:

- a) Commercial Solar Energy System (CSES)
 - a. Prior to project construction approval, applicant/owner/operator and the County must reach an agreement on a Decommissioning Plan.
 - b. Within the Decommissioning Plan, there must be cost estimates and procedures for removal of all physical materials and restoration of the site to pre-construction conditions or as near as possible to a depth of six (6) feet below ground level.
 - c. Applicant/owner/operator must provide the County with financial assurance in the way of a surety bond or other proof of assurance acceptable to the County. Remaining funds will be returned to the security provider following the proper decommissioning of the site.
 - d. All SES shall be considered discontinued or abandoned following six (6) consecutive months of no power generation unless a plan is approved by the County to bring the SES back into production.
 - e. If the SES is deemed abandoned by the County, the owner/operator must ensure the facility will be decommissioned within one (1) year of expiration.
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