

**Jasper County, IN**  
**Summary Only**

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

**Date Passed/Amended:** October 4, 2021

**Summary Written:** April 21, 2022

**Agricultural Use Table:**

**Eligible Zoning:**

- a) Commercial Solar Energy System (CSES)
  - a. Conservation District (CO)
  - b. Agriculture District (A-1)
  - c. Agriculture District (A-2)
  - d. Agriculture District (A-3)
  - e. Agriculture District (A-4)
  - f. Industrial District (I-1)
  - g. Industrial District (I-2)
  - h. High Impact District (H-1)

**Prohibition Language:**

**Required Information/Permits Required:**

- a) Commercial Solar Energy System (CSES)
  - a. Special Exception Use
  - b. Improvement Location Permit required

**Request for Variance:**

**Site and Structure Requirements:**

- a) Compliance with all local, state, and federal regulations:
- b) Concentrating Solar Power Facilities:
- c) Fencing/Security:
  - a. Commercial Solar Energy System (CSES)
    - i. All ground mounted electrical and control equipment for CSES shall be fenced and labeled or secured to prevent unauthorized access. The solar array and/or modules shall be designed and installed to prevent access by the public, and access to same shall be through a locked gate.
- d) Glare minimization:
  - a. Commercial Solar Energy System (CSES)



boundary with the adjacent lot. Each tree shall be planted within twenty (20) feet of the property line; and

- ii. 2. *Ornamental or Evergreen Tree.* Two (2) ornamental or evergreen trees shall be planted for every fifty (50) feet of contiguous boundary with the adjacent lot. Each tree shall be planted within twenty (20) feet of the property line; and
  - iii. 3. *Row of Evergreens.* One (1) evergreen tree shall be planted for every twelve (12) feet of contiguous boundary with the adjacent lot. The evergreen trees shall be planted in an irregular row spaced no closer than nine (9) feet apart or more than fifteen (15) feet apart. The irregular row shall be planted at least twenty-five (25) feet from the property line; and
  - iv. 4. *Fence or Mound.* A minimum six (6) foot tall opaque fence or a minimum five (5) foot tall undulating mound shall be installed roughly parallel to the property line. The fence or undulating mound shall be installed at least twenty-five (25) feet from the property line.
2. Buffer yard "A" where the subject parcel abuts a parcel with an equal or lower intensive zoning category than the subject parcel.
- a. *Buffer Yard "A."* One (1) canopy tree and one (1) ornamental or evergreen tree shall be planted for every seventy (70) feet of contiguous boundary with the adjacent lot. Each tree shall be planted within twenty (20) feet of the property line, but no closer than five (5) feet to the property line.

l) Signage:

- a. Commercial Solar Energy System (CSES)
  - i. All signs, other than the manufacturer's or installer's identification, appropriate warning signs, or owner identification on a solar panel array and/or modules, building, or other structure associated with a CSES, shall be prohibited.

m) Site Access/Emergency Response:

n) Utility Connections:

- a. Commercial Solar Energy System (CSES)
  - i. The CSES applicant shall certify that the applicant will comply with the utility notification requirements contained in Indiana law and

accompanying regulations through the Indiana Public Utility Commission, unless the applicant intends, and so states on the application, that the system will not be connected to the electricity grid.

o) Waste:

**Operation and Maintenance Plan:**

a) Monitoring and Maintenance:

b) Soil and Erosion and Sediment Control:

a. Commercial Solar Energy System (CSES)

i. The site plan submitted in the application process shall be in accordance with plan requirements of the County Storm Drainage and Erosion and Sediment Control Ordinances.

ii. There must be approval from the County Drainage Board.

**Decommissioning and Site Reclamation**

a) Commercial Solar Energy System (CSES)

a. A decommissioning agreement must be executed by the applicant which stipulates that decommissioning of the entire facility will begin upon the occurrence of twelve (12) consecutive months of no power generation at the facility.

b. Prior to the issuance of any permits, the Applicant must file a Decommissioning Agreement with the County to ensure the appropriate removal of the project.

c. This agreement must include a description of implementing the decommissioning, a description of the work required, a cost estimate for decommissioning, a schedule for contributions to its decommissioning fund, and a demonstration of financial assurance. Salvage value shall be considered in determining decommissioning cost.

d. In the event due to unforeseen events, such as earthquake, flood, tornado or other acts of God and war, civil strife or other similar violence, which results in the absence of electrical generation for twelve (12) months, by the end of the twelfth month of nonoperation the applicant must demonstrate to Jasper County that the project will be substantially operational, producing electricity within twenty-four (24) months of the impacting event.

e. If such a demonstration is not made to Jasper County's satisfaction the decommissioning must be initiated eighteen (18) months after the impacting event.

f. The operator of any CSES shall secure and provide a performance bond or submit an escrow deposit in an amount determined by a third party engineering firm to ensure the proper decommissioning and removal of the CSES. The applicant will have the financial assurance mechanism in place prior to the issuance of an improvement location permit and will reevaluate the decommissioning cost and financial assurance at the end of years five (5), ten (10) and fifteen (15). Every

five (5) years after the start of construction, updated proof of acceptable financial assurance must be submitted to Jasper County for review. Proof of acceptable financial assurance will be required prior to the start of commercial operation.

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