

Clinton County, IA
Summary Only

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

Date Passed/Amended: October 3, 2016

Summary Written: June 9, 2022

Agricultural Use Table:

Eligible Zoning:

- a) Commercial Solar Energy System (CSES)
 - a. Prime Agricultural District (A-1)
 - b. Agricultural Recreation District (AR-1)
 - c. Highway Commercial District (C-1)
 - d. Rural Support Commercial District (C-2)
 - e. Limited Industrial District (M-1)
 - f. General Industrial District (M-2)

Prohibition Language:

Required Information/Permits Required:

- a) Commercial Solar Energy System (CSES)
 - a. Major Site Plan and Special Exception Use Permit is required.
 - b. Other items to be submitted are:
 - i. Number, location and spacing of solar arrays.
 - ii. Planned location of underground or overhead electric lines.
 - iii. Project development timeline.
 - iv. Interconnection agreement.
 - v. Operation and maintenance plan.
 - vi. Decommissioning Plan.

Request for Variance:

Site and Structure Requirements:

- a) Compliance with all local, state, and federal regulations:
 - a. Commercial Solar Energy System (CSES)
 - i. All CSES installations shall comply with all applicable local, state and federal regulations.
- b) Concentrating Solar Power Facilities:
 - a. Commercial Solar Energy System (CSES)
 - i. Concentrated Solar Power (CSP) systems shall be prohibited.

- c) Fencing/Security:
 - a. Commercial Solar Energy System (CSES)
 - i. A security fence must be installed along all exterior sides of the CSES installation and be equipped with a minimum of one (1) gate and locking mechanism on the primary access side.
 - ii. Security gates and warning signs must be maintained in good condition until the CSES installation is dismantled and removed from the site.

- d) Glare minimization:
 - a. Commercial Solar Energy System (CSES)
 - i. All solar panels must be constructed to minimize glare or reflection onto adjacent properties and adjacent roadways and must not interfere with traffic, including air traffic or create a safety hazard.

- e) Height:
 - a. Commercial Solar Energy System (CSES)
 - i. All structures shall be subject to the height requirements of the underlying zoning district.

- f) Lighting:

- g) Minimum Lot Size:

- h) Noise:

- i) Outside storage:

- j) Setbacks and Lot Coverage:
 - a. Commercial Solar Energy System (CSES)
 - i. Setbacks for all structures must adhere to the minimum principal setback standards for the zoning district where the project is located.
 - ii. Greater setbacks may be required by the Board of Adjustment.

- k) Screening:
 - a. Commercial Solar Energy System (CSES)
 - i. A landscape buffer may be required to be installed and maintained during the life of the project's operation.
 - ii. Determination of screening requirements will be made by the Board of Adjustment as part of the review and approval process and will be based on adjacent or nearby surrounding land uses and topography.
 - iii. Blooming shrubs may be used in buffer areas as appropriate for visual screening.

- l) Signage:
 - a. Commercial Solar Energy Systems (CSES)
 - i. No signs other than appropriate warning signs, or standard manufacturer's, operator's or installer's identification signage shall be displayed.

- m) Site Access/Emergency Response:
 - a. Commercial Solar Energy System (CSES)
 - i. Site access shall be maintained to a level acceptable to emergency response officials.

- n) Utility Connections:
 - a. Commercial Solar Energy System (CSES)
 - i. Reasonable efforts shall be made to place all utility connections from the solar installation underground, depending on appropriate soil conditions, shape and topography of the site, distance to the connection or other conditions or requirements.

- o) Waste:
 - a. Commercial Solar Energy System (CSES)
 - i. During operation, all chemicals or solvents used to clean photovoltaic panels should be low in volatile organic compounds and the operator should use recyclable or biodegradable products to the extent possible.
 - ii. Any onsite storage of chemicals or solvents shall be referenced.

Operation and Maintenance Plan

- a) Monitoring and Maintenance
 - a. Commercial Solar Energy System (CSES)
 - i. The applicant shall submit a plan for the operation and maintenance of the installation, which shall include measures for maintaining safe access to the installation, stormwater and erosion controls, as well as general procedures for operation and maintenance of the installation.
 - ii. Maintenance shall include, but not be limited to, painting, structural repairs and integrity of security measures.
 - iii. Any retrofit, replacement or refurbishment of equipment shall adhere to all applicable local, state and federal requirements.

- b) Soil and Erosion and Sediment Control
 - a. Commercial Solar Energy System (CSES)
 - i. A grading plan shall be submitted and shall include all proposed changes to the landscape of the site (e.g. clearing, grading, topographical changes, tree removal, etc.).

- ii. All CSES installations are considered to be maximum damage potential structures and facilities for purposes of the floodplain district regulations.
- iii. Applicant agrees to conduct all roadwork and other site development work in compliance with a National Pollutant Discharge Elimination System (NPDES) permit as required by the Iowa Department of Natural Resources and comply with requirements as detailed by local jurisdictional authorities during the plan submittal.
- iv. If subject to NPDES requirements, the applicant must submit the permit for review and comment and an erosion and sediment control plan before the beginning of construction.
- v. The plan must include both general “best management practices” for temporary erosion and sediment control both during and after construction and permanent drainage and erosion control measures to prevent damage to local roads or adjacent areas and to prevent sediment laden runoff into waterways.
- vi. For the purposes of pollutant removal, stormwater rate and runoff management, flood reduction and associated impacts, the applicant shall provide a detailed analysis of pre- and post-development stormwater runoff rates for review by local jurisdictional authorities.
- vii. Ground cover around and under solar arrays and in project site buffer areas shall be planted and maintained in perennial vegetated ground cover.
 - 1. Top soils shall not be removed during development, unless part of a remediation effort.
 - 2. Soils shall be planted and maintained in perennial vegetation to prevent erosion, manage runoff and build soil.
 - 3. Seeds should include a mix of grasses and wildflowers, ideally native to the region of the project site that will result in a short stature prairie with a diversity of forbs or flowering plants that bloom throughout the growing season.
 - 4. Seed mixes and maintenance practices should be consistent with recommendations made by qualified natural resource professionals such as those from Department of Natural Resources, County Soil and Water Conservation Service or Natural Resource Conservation Service.

Decommissioning and Site Reclamation

- a) Commercial Solar Energy System (CSES)
 - a. An application must include a Decommissioning Plan that includes anticipated life of the CSES, anticipated manner in which the project will be decommissioned, the anticipated site restoration actions, the estimated decommissioning costs in current dollars, and the method for ensuring that funds will be available for decommissioning and restoration.

- b. Applicant shall provide the basis for estimates of net costs for decommissioning the site, costs less salvage value. The basis must include a mechanism for calculating adjusted costs over the life of the project.
 - c. Restoration or reclamation activities shall include, but not be limited to:
 - i. Restoration of the pre-construction surface grade and soil profile after removal of CSES and access roads.
 - ii. Re-vegetation of restored soil areas with crops, native seed mixes, plant species suitable to the area, consistent with the County's weed control plan.
 - iii. For any leased area, the plan may incorporate agreements with the landowner regarding leaving access roads, fences, gates or repurposed buildings in place or regarding restoration of agricultural crops or forest resource land.
 - iv. Any use of remaining structures must be in conformance with the regulations in effect at that time.
 - d. Following a period of one (1) year with no electricity, or if substantial action on the project is discontinued for one (1) year the permit holder will have one (1) year to complete decommissioning of the CSES.
 - e. Decommissioning shall be done in accordance with the approved Decommissioning Plan and the land owner or tenant must notify the County when the project is discontinued.
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