

Starke County, IN
Summary Only

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

Date Passed/Amended: July 8, 2019

Summary Written: May 3, 2022

Agricultural Use Table:

Eligible Zoning:

- a) Commercial Solar Energy System (CSES)
 - a. Agriculture District

Prohibition Language:

Required Information/Permits Required

- a) Commercial Solar Energy System (CSES)
 - a. A preliminary/conceptual commercial site plan shall be submitted to the Technical Advisory Committee for review.
 - b. Upon approval, an Improvement Location Permit will be issued.

Request for Variance:

Site and Structure Requirements:

- a) Compliance with all local, state, and federal regulations:
 - a. Commercial Solar Energy System (CSES)
 - i. CSES must conform to and comply with all applicable industry standards, such as the National Electrical Code (NEC), the American National Standards Institute (ANAI), the Underwriter's Laboratories (UL), the American Society for Testing and Materials (ASTM), the Institute of Electric and Electronic Engineers (IEEE), the Solar Rating and Certification Corporation (SRCC), the Electrical Testing Laboratory (ETL) and other similar certifying organizations, the FAA, the Indiana Building Code (IBC) and any other standards applicable to solar energy systems.
- b) Concentrating Solar Power Facilities:
- c) Fencing/Security:
 - a. Commercial Solar Energy System (CSES)
 - i. All CSES shall be fenced to prevent unauthorized access. The solar array and/or modules shall be designed and installed to prevent access by the public, and access to the same shall be through a locked gate.

- d) Glare minimization:
 - a. Commercial Solar Energy System (CSES)
 - i. All CSES shall be designed to avoid concentrated and prolonged glare onto abutting structures and roadways.
- e) Height:
 - a. Commercial Solar Energy System (CSES)
 - i. The height of any ground mounted solar equipment is limited to thirty-five (35) feet as measured from the highest natural grade below each solar panel.
- f) Lighting:
 - a. Commercial Solar Energy System (CSES)
 - i. Exterior lighting for the CSES shall be limited to that required for safety, inspection, repair, maintenance and operational purposes.
- g) Minimum Lot Size:
- h) Noise:
 - a. Commercial Solar Energy System (CSES)
 - i. A noise study shall be performed and included in the application.
 - ii. Noise caused by an operational CSES shall not exceed 55 decibels above background, as measured at a dwelling unit measured on an hourly average basis.
- i) Outside storage:
- j) Setbacks and Lot Coverage:
 - a. Commercial Solar Energy System (CSES)
 - i. Ground mounted solar systems shall be set back a minimum of fifty (50) feet from any adjoining property line and a minimum of one hundred (100) feet from the center of any public road.
 - 1. These setbacks shall not apply between adjoining participating parcels.
 - ii. CSES equipment must be set back a minimum of two hundred (200) feet from the foundation of a primary dwelling unit located on a parcel not participating in the CSES.
- k) Screening:
 - a. Commercial Solar Energy System (CSES)
 - i. Evergreens shall be planted long the perimeter of the CSES outside of the fence, including along road frontage.
 - ii. This requirement shall not apply between participating parcels.

- l) Signage:
 - a. Commercial Solar Energy System (CSES)
 - i. All signs, other than the manufacturers of installers identification, appropriate warning signs or owner identification on a solar panel array and/or modules, building or other structures of the CSES shall be prohibited.
- m) Site Access/Emergency Response:
- n) Utility Connections:
 - a. Commercial Solar Energy System (CSES)
 - i. The Applicant must certify that they 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. Drainage Board approval shall be required for all CSES and must be located a minimum of seventy-five (75) feet from any county ditch and shall not be built over any county tile lines.
 - ii. Must follow all flood plain rules, including elevating structures as deemed necessary.

Decommissioning and Site Reclamation:

- a) Commercial Solar Energy System (CSES)
 - a. An CSES shall be deemed abandoned if the facility has twelve (12) consecutive months of no energy production and will be required to decommission.
 - b. Prior to construction date, the applicant must file a Decommissioning Plan Agreement with the County. This agreement lays out the work required, cost estimate, schedule for decommissioning fund contributions and financial assurance.
 - i. In the event of an unforeseen circumstance or other event resulting in twelve (12) months of no power generation, the applicant must demonstrate to the County that power generation will be restored in twenty-four (24) months. If satisfaction is not met, the County may initiate decommissioning eighteen (18) months following said event.

- c. The CSES owner/operator must provide financial security in the form of a bond, escrow deposit, or other financial assurance acceptable to the County in the amount determined by a third party engineering firm.
 - d. Every five (5) years after the start of construction, updated proof of acceptable financial assurance must be submitted to the County for review.
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