

Starke County Plan Commission Minutes
Technical Committee Meeting
December 10, 2024

- ❖ **Call to Order** - Member Collins called the meeting to order at 9:05 AM.
- ❖ **Discussion to consider an ordinance establishing definitions and criteria for standards for commercial solar battery energy storage systems and amendments to the Starke County Solar Energy Ordinance.**
 - **Solar Energy Ordinance**
 - Plan. Comm. Admin. Beever explained the highlighting

SOLAR ENERGY ORDINANCE

Section 1. Commercial Solar Energy Systems, is added to read as follows:

Purpose. It is the purpose of these performance standards to enable Starke County to: regulate the permitting of commercial solar energy systems; be informed of the placement of commercial solar energy systems; preserve and protect public health and safety; allow for the orderly development of land; and protect property values in Starke County. The terms; conditions and regulations set forth herein may be enforced through the issuance and enforcement of an **Improvement Location Permit**.

Commercial Solar Energy Stems (CSES) and Private Residential Solar Energy Systems (PRSES) are defined in Section 3 of this ordinance.

Permitted Accessory Use. CSES are a permitted accessory use in the zoning district(s) permitted below. CSES that do not meet the following design standards will require a conditional use permit.

DESIGN STANDARDS

- A. **Permitted Districts.** Subject to issuance of an **Improvement Location Permit** (hereinafter “Permit”) a CSES may only be located in the following zoning districts:
 - Zoning District: Agricultural
- B. **Parcel Line Setbacks.** Any CSES equipment, excluding, poles, roads, and wires, necessary to connect to facilities of the electric utility, must be set back in accordance with the accessory structure standards for the zoning district. **Fencing** and ground mounted Solar Panels/arrays shall be set back a minimum of 50 feet from any adjoining property line **or 250 feet from the nearest any dwelling to whichever is greater**, and a minimum of 100 feet from the center of any public road. These setbacks shall not apply between adjoining participating parcels. Additionally, these setbacks **may not be** waived by adjacent property owners not participating in the CSES. Setbacks from center of any public road cannot be waived.
- C. **Height Limit.** The height of any CSES ground mounted solar equipment is limited to 35 feet, as measured from the highest natural grade below each solar panel. If a switchyard or substation is required to connect the project to the electrical grid, the switchyard’s/substation’s design shall not exceed 75 feet.

For CSES located within **1000 feet** of an Airport or within the approach zones of an airport, the applicant shall show that the height limits are consistent with the Federal Aviation Administration (FAA) Office of Airports Interim Policy, FAA Review of Solar Energy Projects on Federally Obligated Airports, or most recent version adopted by the FAA.

- D. **Fire Prevention/Suppression/Monitoring.**

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A Copy of the written Indiana Department of Homeland Security's Written approval to operate the CSES shall be included in the Submission of the CSES with the preliminary Site Plan and Specifications. IC 22-14-8-4.

A fire prevention plan along with fire suppression and monitoring equipment must be included with the preliminary Site Plan and Specifications.

The fire prevention plan along with fire suppression and monitoring plans and specifications must be in accordance to the most recent NFPA-855 code for the standard installation of Stationary Energy Storage Systems.

The fire monitoring system shall notify Starke County Dispatch in the event of an emergency.

An Emergency Response plan by the fire departments responsible for the fire protection services in the area which the CSES will be located must be included with the preliminary Site Plan and Specifications.

- a. Funding for any fire suppression equipment and supplies necessary to enable the immediate responding fire department, any mutual aid immediate responding fire department designated by the immediate responding fire department, and EMS department to respond effectively to an emergency event shall be provided by the developer/operator of the CSES after permitting of the project within three months of the permit being issued.
- b. The immediate responding fire department, with any mutual aid immediate responding fire department designated by the immediate responding fire department, and EMS department shall have SOP and SOG plan.
- c. Any fire suppression equipment and supplies shall have a max dollar amount of \$50,000.00 to each immediate responding fire department, any mutual aid immediate responding fire department designated by the immediate responding fire department, and EMS department.

Annual training from the developer must be offered to local fire departments. Required by IC 22-14-8-99(a) and described in IC 22-14-8-9(b). The first training must be offered and completed before the CSES equipment and materials arrive on site.

- a. The developer must provide proof of this training to the Starke Co. Planning Commission Annually.

Any CSES shall have a secondary containment measure in effect.

All CSES locations must have an 8 inch well located on the property for local fire departments use in the event of an emergency.

- a. The well must be operational off of a control panel near it.
- b. It must have all the standard hydrant fixtures for any fire department to be able to hook up to it.
- c. The hydrant must be located 20 ft off of the improved portion of the road and within 20 feet of the field entrance.
- d. The well must produce a minimum of 600 gallons per minute of water.
- e. The well must be able to be controlled by an electric H-panel that is located within 20 feet of the discharge area.
- f. The electrical panel must have a lock on it and the key for the lock must be provided to the immediate responding fire department.
- g. The electrical panel needs to be labeled for fire department use only.
- h. The well and the electrical panel for the well needs to be inspected bi-annually to be in functional working condition.

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- E. **Noise Limit.** A noise study shall be performed and included with the submitted application for review. Noise caused by an operational CSES shall not exceed 55 dBA above background noise, as measured from the nearest residence during daylight hours. These limits **may not** be waived by the adjoining property owner.

F. **Landscape Buffer/Screening.**

Landscape Buffer /Screening shall be provided for all ground mounted CSES along all highways, roadways and along all property lines adjoining the CSES.

Participating CSES Landowners adjoining another Participating CSES Landowner may opt out of the Landscape Buffer Screening requirement “along all property lines” upon written/recorded legal agreement between said land owners. Recorded legal agreement shall be submitted to Plan Commission for approval.

A Landscape Buffer/Screening Plan shall be submitted for review with the **Preliminary Site Plan and Specifications.**

The Landscape Buffer/Screening Plan shall include, at a minimum, one large native evergreen (Coniferous) tree (a minimum **of 3 feet** in height) a minimum of every 20 linear feet.

In addition to the evergreen plantings, the Landscape Buffer/Screening plan shall include a range of additional native deciduous trees every 20 linear feet between the native evergreen (Coniferous) tree plantings (a minimum separation of **10 feet between coniferous and deciduous trees**) with the evergreens in order to provide for wider habitat diversity and a more naturalized appearance.

The Landscape Buffer /Screening plan shall also include a ground cover planting of a Tall Grass Prairie Mix to provide additional screening and habitat value.

All Native trees utilized for the Landscape Buffer/Screening shall be chosen so as to reach a maximum height of approximately 20 feet in 20 years. Consideration for plantings of larger tree types in areas where maturity of trees may impact the array via shading will be made.

Landscape Buffer/Screening shall have a minimum width of 30 feet.
Plantings shall also be located a minimum of 5 feet off any fence line.

The Landscape Buffer/Screening cannot be within the Right of Way of any public road or within 20 feet of the edge of the improved portion of a public road.

In order for the Landscape Buffer/Screening plantings to be a success, the Landscape Buffer/Screening Plan shall also include a Monitoring and Maintenance Plan during both the establishment period and a long term management plan for the Landscape Buffer/Screening plantings. **Replacement of damaged or dead trees shall be included in this plan. Any damaged or dead trees shall be replaced every 5 years for the lifetime of the project.**

G. **Ground Cover.**

Ground cover shall be placed on all disturbed areas of the CSES facility.

Ground around the solar panels shall be planted, established and maintained for the life of the project in perennial

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vegetated ground cover that meets the **2020 Indiana Solar Site Pollinator Habitat Planning Scorecard** developed by Purdue University **or the most updated planning scorecard available**, or an equivalent pollinator-friendly standard designed for Midwest ecosystems and conditions that will meet water quality and habitat goals by the local USDA/Natural Resources Conservation Service of Starke County or other qualified seed specialist.

Notes: Pollinator mixes are used only in buffer areas and around solar panels and are not intended to be planted under solar panels.

It is recommended that all vegetation in the field is dead prior to planting pollinator habitat and that seeds are not planted more than ¼”.

Converting areas of Non-native grasses to native grasses and wildflowers may require significant effort. It is recommended to seek out a specialist that can guide you in the process of planting and managing pollinator habitat.

Additionally, the vegetated groundcover shall be required to be planted and controlled On-Site to be free of invasive or noxious species (where identified within established ground cover) as listed by the Indiana Invasive Species Council and to further require that no insecticide or limited use of insecticide be permitted on the site. Also, ground cover must include permanent seeding specifications submitted with the final Landscape-Buffer/Screening Plan and shall meet required groundcover specifications mentioned above and also be reviewed and approved by the Starke County Plan Commission Board.

H. Drainage and Erosion Control.

It is required that runoff calculations be included for all disturbed areas per the Starke County Drainage Ordinance, Section 5-7-1-G of the amended Code of the County of Starke, Indiana dated 1991, or most current. If it can be shown in submitted runoff calculations that the proposed Ground Cover perennial mix, as submitted in Section F above, meets or exceeds the “C” value of the existing ground cover condition of the site, then discharge and storage requirements may be waived for permeable surfaces.

It is required that a Drainage and Erosion Control Plan be prepared and submitted to local and State agencies in order to comply with the IDEM Construction Storm Water General Permit (formerly “Rule 5”).

Provide Temporary seeding mix specifications with Erosion Control Plan Submittal.

The CSES project owner or developer must provide a certification of acknowledgement that they are aware and accept liability for all damages to County regulated waterways, drainage, ditches, field tiles or other drainage related infrastructure caused by the construction, installation or maintenance of a solar energy project and such infrastructure and must be repaired by the project developer/owner/operator to near original condition so as not to impede the flow of water as it existed in its pre-damaged state. All repairs must be made in a reasonable time frame and to the satisfaction of the unit and as stated in an applicable lease or other agreement with the landowner subject to applicable federal, state and local drainage laws and regulations.

All Drainage and Erosion plans must go through the Starke County Drainage Board and must meet any additional criteria or additional ordinances set forth by the Starke County Drainage Board.

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I. Application and Permits.

Any CSES shall be required to submit a **Preliminary Site Plan and Specifications** to the Technical Advisory Committee for review. Such review shall occur within 30 business days once the engineering consultant has completed their review of the CSES project. The engineering consultant shall have all agreements approved and included for their review and approved before it comes to the Technical Advisory Committee. Preliminary Site Plan and Specifications shall only be submitted once all requirements that are required in this ordinance are obtained from any and all necessary boards and departments. Once a **Preliminary Site Plan and Specifications** has been approved by the Plan Commission, an **Improvement Location Permit** shall be issued. The Improvement Location Permit Form is created by the Plan Commission once an **Improvement Location Permit** is applied for.

The Preliminary Site Plan and Specifications shall include and/or show the following:

1. Solar System specifications, including typical manufacturer and model and maximum spatial extent (height and fence lines).
2. Preliminary array/module design and site plans with the maximum spatial extent of the CSES and its perimeter fence indicated.
3. Certification on the Preliminary Site Plans and Specifications that layout, design, and installation conform to and comply with the most recent and applicable industry standards, such as the National Electrical Code (NEC) (NFPA-70), the American National Standards Institute (ANAI), the Underwriter's Laboratories (UL), the American Society for Testing & Materials (ASTM), the Institute of Electric & Electronic Engineers (IEEE), the Solar Rating & Certification Corporation (SRCC), the Electrical Testing Laboratory (ETL), and other similar certifying organizations, the Federal Aviation Administration (FAA), the Indiana Building Code (IBC), and any other standards applicable to solar energy systems. The manufacturer specifications for the key components of the CSES shall be included with the submittal.
4. All ground-mounted electrical and control Equipment for CSES shall be labeled and secured to prevent unauthorized access.
5. All CSES shall be installed so as not to cause significant wire or wireless communication signal disturbance. An Affidavit certifying compliance with this requirement shall be included with the Preliminary Site Plan and Specifications submittal.
6. All CSES shall be designed to avoid concentrated and prolonged glare onto abutting structures and roadways. An Affidavit certifying compliance with this requirement shall be included with the Preliminary Site Plan and Specifications submittal.
7. For CSES located within 1000 feet of an airport or within approach zones of an airport, the Applicant shall complete and provide the results of a glare analysis through a qualitative analysis of potential impact, field test demonstration or geometric analysis of ocular impact in consultation with the Federal Aviation Administration (FAA) Office of Airports, consistent with the Interim Policy, FAA Review of Solar Energy projects on Federally Obligated Airports, or most recent version adopted by the FAA.

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8. All ground-mounted electrical and control equipment for 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. A chain-link fence with three rows of secure wire on top with metal posts, and a locked gate are required. Show fence details, Gate Details and Locking mechanism details and Specifications on the Preliminary Site Plan and Specifications submittal.
9. To the greatest practical extent, all electrical wires and utility connections for CSES shall be installed underground, except for transformers, inverters, switchyards/substations, High Voltage Transmission lines, and controls. Any DC Above Ground Designs including any system of hangars and exposed PV wiring shall meet current NEC Standards and also be installed at heights that allow necessary weed abatement.
10. Exterior lighting for CSES shall be limited to that required for safety, inspection/repair/maintenance, and operational purposes.
11. All signs, other than the manufacturer's or installer's identification, appropriate warning (including safety and trespassing) signs, or Owner identification on a solar panel array and/or module signage, building, or other structure associated with a CSES, shall be prohibited.
12. The CSES applicant shall certify by affidavit that they will comply with the utility notification requirements contained in Indiana law and accompanying regulations unless the applicant intends, and so states in an affidavit, that the system will not be connected to the electricity grid.
13. Prior to permit consideration, a Decommissioning Agreement must be executed by the applicant that stipulates that decommissioning of the entire facility will begin upon the occurrence of twelve consecutive months of no power generation at the facility.

In order to facilitate and ensure appropriate removal of the energy generation equipment of a CSES when it reaches the end of its useful life, or if the applicant ceases operation of the facility, applicants must file a Decommissioning Agreement which details the means by which decommissioning will be accomplished and the timeline for completion.

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 a decommissioning fund, and a demonstration of financial assurance.

Salvage value shall be considered in determining decommissioning cost.

In the event of a force Majeure, or other event which results in the absence of electrical generation for twelve months, or by the end of the twelfth month of non-operation, the applicant must demonstrate to Starke County's satisfaction that the decommissioning must be initiated eighteen months after the force Majeure or other event. The County considers a force Majeure to mean fire, earth quake, flood, tornado, or other acts of God and natural disasters, war, civil strife or other similar violence.

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The operator of any CSES shall secure and provide a performance bond, escrow deposit, or other financial assurance in a form acceptable to the County 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 **once a permit is issued** and will re-evaluate the decommissioning cost and financial assurance at the end of every **three (3) years (ex: three, six, nine, twelve, fifteen... for the duration of the project.)** Every three years after the permit is issued, updated proof of acceptable financial assurance must be submitted to Starke County for review.

Proof of acceptable financial assurance will be required prior **to permit being issued.**

A copy of the final approved Decommissioning Agreement shall be submitted for review along with the **Preliminary Site Plan and Specifications.**

Final acceptance and approval of the Decommissioning Agreement shall be by the Starke County Commissioners.

14. The **Preliminary Site Plan and Specifications** shall include all required drainage calculations and “Rule 5” submittal information as outlined in Item G above for review. An approved Erosion and Sediment Control plan and permit in accordance with IDEM Construction Storm Water General Permit (formerly “Rule 5”) standards shall be required before any construction can begin on site. IDEM Construction Storm Water General Permit shall be posted on-site.
15. Submit **Preliminary Site Plan and Specifications** to County Drainage Board for review and approval. Drainage Board written approval shall be required for all CSES. All CSES facilities shall be located a minimum of 75 feet from any county ditch bank, county tile and shall not be built over any county tile lines unless Drainage Board approval is given to such a request.
16. Must follow same rules as building in a Flood Plain, including raising elevation of structures if deemed necessary and/or applying for Letters of Map Amendment. Must submit Elevation Certificate for all sites with any electrical and/or permanent structures located within the IDNR published Flood Plain **requirements set forth in IC 22-14-8-8 or the most current regulations.**
17. Applicant agrees to pay all reasonable County Attorney fees and costs in the enforcement of the terms of this Ordinance. **The Starke County Auditor’s office shall handle this fund.**
18. If Starke County finds it is necessary to hire an Engineering Consultant to review **Preliminary Site Plans and Specifications** for conformance to this Ordinance, the Applicant agrees to pay all reasonable Engineering Consultant fees according to the terms of this Ordinance.
19. All Preliminary (and final) Site Plans provided to the County shall require all roads, Section numbers, Range numbers, Township numbers, Governmental Townships, parcel numbers of each affected parcel, road names, Legal drain names, River names, North Arrow and other pertinent mapping information be shown on said plans.

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20. A Road Use and Maintenance Agreement must be executed by the applicant **prior to Technical Advisory Committee review** of the CSES. The Road-Use and Maintenance Agreement document shall be provided to the Applicant by the Starke County Highway Department Final acceptance and approval of the Road-Use and Maintenance Agreement shall be by the Starke County Commissioners.
21. The Applicant shall identify all State highways and local roads to be used in the transport of equipment and parts for construction of the CSES. **This reporting shall be provided to the Starke County Highway Department and the Planning Commission.** They shall also prepare a timeline and phasing plan for construction and identify any known road closures. This information shall be released to the local newspapers as notice to persons who may be affected. This information shall also be conveyed to local law enforcement, emergency services, public school corporations, the United States Postal Service, and the regional office of the Indiana Department of Transportation (INDOT).
22. All adjacent land owners must be notified by certified mail of the CSES project. Mailings must include a toll-free phone number of the Applicant for adjacent land owners to direct their comments and questions to. **Certified mailings shall be sent during the leasing process of lands to be used in the project.**
23. **Any CSES project needs to have a public relation representative available at any time during the preliminary stage of the project through the completion of the commissioning phase of the project. There needs to be a public Toll-Free number for the public to call and an office to speak with the public relations representative in Starke County to get answers to any questions or concerns they many have. The office must be staffed with a public relation representative during normal business hours.**
24. **Pre-Construction Survey.** The Applicant shall conduct a pre-construction baseline survey, acceptable to the Starke County Highway Superintendent, to determine existing road and culvert conditions for assessing potential future damage. The survey shall include photographs, or video, or a combination thereof, and a written agreement to document the condition of the public facilities. The Starke County Highway Superintendent shall have 10 business days to respond to the pre-construction baseline survey
25. **As-Built Plans Requirement.** Upon completion of the development, the exact measurements of the location of utilities and structures erected during the development are necessary for public record and shall therefore be recorded. The applicant, owner, or operator shall submit a copy of the Final Construction Plans (as-Built plans), as amended, to the Planning Administrator. After being satisfied that the measurements are substantially the same as indicated on the originally approved final plans, The Planning Administrator shall approve, date and sign said Final Construction Plans (as-Built plans) for the project, which the applicant, owner, or operator shall then record the As-Built document in the Office of the Starke County Recorder.
 - a. **CSES specifications, including manufacturer and model along with maximum spatial extent (height and fence lines) shall be provided per parcel and anytime equipment is changed out it shall be identified in a document and recorded in the Starke County Recorder's office for the duration of the CSES.**
26. Preliminary (and Final) Site Plans and Specifications shall include a note indicating the following:

Contractors are to keep track of all installed utilities and structures and noted differences from the

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approved Final Construction Plans for inclusion into the final As-Built document.. The applicant, owner, or operator shall submit a copy of the Final Construction Plans (As-Built plans), as amended, to the Planning Administrator. After being satisfied that the measurements are substantially the same as indicated on the originally approved final plans, The Planning Administrator shall approve, date and sign said Final Construction Plans (as-Built plans), for the project, which the applicant, owner, or operator shall then record the As-Built document in the Office of the Starke County Recorder.

27. **Change in Ownership.** It is the responsibility of the owner or operator listed in the application to inform the Starke County Plan Commission of all changes in ownership and operation during the life of the project, including the sale or transfer of ownership or operation.

Section 2. Improvement Location Permit Fees & Timeline, is amended by the addition of Solar Energy System Fees as follows:

1. CSES Permits

- a. Fees applicable to **Preliminary Site Plan and Specifications** submittal will also be required, as well as any and all other permits as required by Starke County.
- b. Engineering Consultant fees for review of **Preliminary Site Plan and Specifications** may also be required. Applicant Shall be responsible for payment of said fees prior to receiving any **Improvement Location Permit**. **The Starke County Auditor's office shall handle this fund.**

An ILP application for a CSES permit shall be accompanied by a fee of:

0-10 kilowatts	\$300.00
11-50 kilowatts	\$600.00
51-100 kilowatts	\$1200.00
101-500 kilowatts	\$3000.00
501-1000 kilowatts	\$6000.00
1,001-2,000 kilowatts	\$12,000.00
Over 2,000 kilowatts	\$12,000.00 + \$500.00 for each additional 1,000 kw

- c. Maximum Fee of \$250,000.00

2. PRSES Permits. Application shall be accompanied by an accessory use fee of \$300.00.

3. Permits are valid for 1 year and must be renewed each year

- a. **FIRST RENEWAL:** for a fee of \$1000.00.
- b. **SECOND RENEWAL:** for a fee of 10% of the cost of the original permit.
- c. **THIRD RENEWAL:** is up to the discretion of the Planning Commission Board at the same cost as a second renewal.

Section 3. Inspections and Fines

All CSES projects are liable for having weekly inspections and are subject to fines for non-compliance once construction starts and until the end of construction project. Post compliance written reports are required monthly and shall be given to the Starke County Planning Commission and are subject to fines for non-compliance for the life of the project. Failure twice will result in the issuance of fines. Any violation of this zoning ordinance shall result in the following fines. All fines associated with any CSES shall go into the Starke County Planning Commission Penalty Fund. Any fines that are

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accrued shall be paid within 30 days of receipt of the fine. In the event that the fine is not paid within 30 days of receipt of the fine it shall double to \$1000.00 per day and a stop work order shall be issued.

- a. **FIRST VIOLATION:** A stop work order will be issued until all inspections are up to date with the Starke County Building Commissioner.
- b. **SECOND VIOLATION AND ANY VIOLATION AFTER A SECOND VIOLATION:** A stop work order will be issued along with a daily fine of \$500 per day until all inspections are up to date with the Starke County Building Commissioner.

Section 4. Monthly Meetings

All CSES projects shall conduct a monthly scheduled meeting with the following department heads: Starke County Building Commissioner, Starke County Highway department, and the County Surveyor and any County Officials that want to be involved in the project.

Section 5. Definitions:

“Commercial Solar Energy Systems (CSES)” means an area of land or other area used by a property owner, multiple property owners, and/or corporate entity for a solar collection system principally used to capture solar energy, convert it to electrical energy or thermal power, and supply electrical or thermal power, primarily or solely for off-site utility grid use, and consisting of one or more free-standing ground-mounted, solar arrays or modules, solar related equipment, and ancillary improvements, including substations. CSES are a minimum of 10 acres in total area.

“Private Residential Solar Energy Systems (PRSES)” means an area of land or other area used for a solar collection system principally used to capture solar energy convert it to electrical energy or thermal power, and supply electrical or thermal power, primarily or solely for on-site residential use, and consisting of one or more free-standing, ground or roof mounted, solar arrays or modules, or solar related equipment, intended to primarily reduce on-site consumption of utility power and/or fuels. PRSES shall be permitted in all zoning districts and shall be treated as accessory structures in each zoning district in which they are erected. The maximum size of PRSES is limited to the maximum size allowed for an accessory structure in each zoning district (other accessory structures shall not be included in maximum size calculations).

Section 6.

Starke County Plan Commission Public Hearing Held On January 8, 2025

Recommended and Approved By The Starke County Plan Commission on _____

Presented to the Starke County Commissioners On _____ 2025.

This Ordinance shall be effective upon its passage and posting of law.

Dated this _____ day of _____ 2025.

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Starke County Board of Commissioners.

Charles Chesek, Commissioner President

Mike VanDeMark, Commissioner Vice -President

Don Binkley, Member

Attest: _____

Michaelean Houston, Auditor

- The board reviewed the above information and discussed some of the highlighted areas. They discussed the information regarding the typical manufacturer and model information under the Application and permits portion. The committee agreed to leave the typical manufacture and model information left in the ordinance. The committee discussed section 4 in regards to monthly meetings. They wanted to know if this is in regards to just during construction or if it is for the duration of the project. Plan. Comm. Admin. Beever explained that the building inspector likes to have monthly meetings with companies at the sites to go over everything going on with construction, however some of the companies have not complied with doing this and he thought it would be a good idea to include this in the ordinance going forward. The committee discussed the time frame for the re-evaluation of the decommissioning agreement. There was then discussion regarding the monthly meetings with the companies, the inspections, the engineering consultant’s review of the projects, the decommissioning due to no power being generated for 12 months, the renewal of the permit when issued, and more discussion on the typical manufacturer and model. All members of the committee agreed to pass this ordinance on to the Planning Commission for a public hearing with there being the following added into the preliminary site plan specifications number 1.to add to it stating, If manufacturer and or model change other than what is referenced in the 30% preliminary site plan and specifications it will then need to be referenced in the “As Built” plan that there was a change and what it was changed to. They agreed they were okay with this going to a public hearing with the Planning Commission.
- The board moved on to the following ordinance.

AN ORDINANCE ESTABLISHING DEFINITIONS AND CRITERIA FOR STANDARDS FOR COMMERCIAL SOLAR BATTERY ENERGY STORAGE SYSTEMS

WHEREAS, the Board of Commissioners for Starke County, Indiana (the “**Board**”), is responsible for the performance of various functions for Starke County, Indiana (the “**County**”); and

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WHEREAS, the Board of the County is vested with the authority to enact ordinances for the health, safety, and welfare of its residents; and

WHEREAS, it is necessary to establish clear definitions and criteria for commercial solar battery energy storage systems in the jurisdiction of the County; and

WHEREAS, the Board has determined that the establishment of such definitions and criteria is essential for ensuring the proper regulation and administration of residential properties;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for Starke County, Indiana, that this Ordinance Establishing Definitions and Criteria for commercial solar battery energy storage systems, for the County of Starke, State of Indiana, is hereby adopted as follows:

ARTICLE I.

Definitions

1. **COMMERCIAL SOLAR ENERGY SYSTEMS (CSES)** means an area of land or other area used by a property owner, multiple property owners, and/or corporate entity for a solar collection system principally used to capture solar energy, convert it to electrical energy or thermal power, and supply electrical or thermal power, primarily or solely for off-site utility grid use, and consisting of one or more free-standing ground mounted, solar arrays or modules, solar related equipment, and ancillary improvements, including substations. CSES are a minimum of 10 acres in total area.
2. **COMMERCIAL SOLAR BATTERY ENERGY STORAGE SYSTEMS (BESS)** means ANY PARCEL CONTAINING A Battery Energy Storage System that shall comply with the development standards applicable to Commercial Solar Energy Systems in addition to standards expressly applicable to Battery Energy Storage Systems.
3. **SETBACK WAIVER** means any documents that provide evidence to the existence of a setback, including contingent waivers.

ARTICLE II.

Criteria for Commercial Solar Battery Energy Storage Systems

Permitted Accessory Use. BESS are a permitted accessory use in the zoning district(s) permitted below.
BESS that do not meet the following design standards will require a conditional use permit.

INDIANA HOUSE BILL 1173

1. All Battery Energy Storage Systems must comply with Indiana House Bill 1173 for Utility scale battery energy storage systems.

LOT & LOT SIZE

1. Battery Energy Storage systems shall be limited to only Agricultural (AG) zoned parcels.
2. Battery Energy Storage systems shall be limited to a maximum of five (5) acres in total area, as determined by the calculating of the area within the system's perimeter security fencing.

FENCING

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1. Any BESS must be fenced in completely to prevent unauthorized access. The BESS shall be designed and installed to prevent access by the public, and access to the same shall be through a locked gate.
2. Any BESS must be equipped with a restricted entrance light inside the fencing visible from the entrance gate. The light shall be color coded with a green and red light. The green light shall permit emergency personnel to enter. The red light shall restrict emergency personnel from entering the BESS yard. Colored light shall be inspected to insure it is in working condition bi-annually. The red light shall indicate that the field is energized and not safe for entry by emergency personnel. The green light shall indicate that the field is de-energized and is safe for entry by emergency personnel.
3. Fencing shall be comprised of six (6) foot tall chain-link fencing with three rows of secure wire on top with metal posts, and a locked gate is required.
4. There shall be signage at each BESS location with emergency response phone numbers for any emergency circumstance that may arise. Phone numbers shall be updated annually and consist of direct contact to company personnel and the BESS field operations manager. Signage shall be located at the gate entrance.
5. Any retention pond shall comply with these fencing stipulations as well.

SETBACKS

1. Any BESS equipment, including, security fencing, excluding poles, roads, and wires necessary to connect to facilities of the electric utility, must be set back in accordance with the following standards;
 - a. Must be a minimum setback of 1000 from the center of any road or highway.
 - b. Must be a minimum setback of one thousand (1000) feet from any adjoining property line that is not a participating property in the CSES or BESS.
 - c. Be subject to an enhanced minimum setback distance of one thousand three hundred twenty (1320) feet from any property line of any BESS Non-Participating Adjoining Parcel that contains the following uses; Residential, Educational, and Religious Use.
 - d. The enhanced minimum setback distance from the property line of any CSES Non-Participating adjoining parcel may be waived in writing by the land owner of the adjoining non-participating property; however, the minimum one thousand (1000) feet setback cannot be waived.
 - e. Setbacks from center of any public road cannot be waived.
 - f. Must be a minimum setback of 1000 feet from any waterways, ditches, streams, rivers, residential wells, and field drains,
2. Setback Waivers
 - a. Must be recorded in the Starke County Recorder's office within 45 days of the execution of the instrument effecting the waiver of setback. In the event that contingent waivers are recorded, instruments shall be recorded promptly upon the occurrence, expiration, or termination of the contingency. Documents recorded under this subsection shall contain a reference to the current recorded deed of conveyance.
 - b. A copy of the recorded setback waiver must be provided to the Starke County Planning Commission Office.

FIRE PREVENTION/SUPPRESSION/MONITORING

1. A Copy of the written Indiana Department of Homeland Security's Written approval to operate the BESS shall be included in the Submission of the BESS with the preliminary Site Plan and Specifications. IC 22-14-8-4.
2. A fire prevention plan along with fire suppression and monitoring equipment must be included with the preliminary Site Plan and Specifications.
3. The fire prevention plan along with fire suppression and monitoring plans and specifications must be in accordance to the most recent NFPA-855 code for the standard installation of Stationary Energy Storage Systems.

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4. The fire monitoring system shall notify Starke County Dispatch in the event of an emergency.
5. An Emergency Response plan by the fire departments responsible for the fire protection services in the area which the BESS will be located must be included with the preliminary Site Plan and Specifications.
 - a. Funding for any fire suppression equipment and supplies necessary to enable the immediate responding fire department, any mutual aid immediate responding fire department designated by the immediate responding fire department, and EMS department to respond effectively to an emergency event shall be provided by the developer/operator of the BESS after permitting of the project within three months of the permit being issued.
 - b. The immediate responding fire department, with any mutual aid immediate responding fire department designated by the immediate responding fire department, and EMS department shall have SOP and SOG plan.
 - c. Any fire suppression equipment and supplies shall have a max dollar amount of \$50,000.00 to each immediate responding fire department, any mutual aid immediate responding fire department designated by the immediate responding fire department, and EMS department.
6. Annual training from the developer must be offered to local fire departments. Required by IC 22-14-8-99(a) and described in IC 22-14-8-9(b). The first training must be offered and completed before the BESS equipment and materials arrive on site.
 - a. The developer must provide proof of this training to the Starke Co. Planning Commission Annually.
7. Any BESS shall have a secondary containment measure in effect.
8. All BESS locations must have an 8 inch well located on the property for local fire departments use in the event of an emergency.
 - a. The well must be operational off of a control panel near it.
 - b. It must have all the standard hydrant fixtures for any fire department to be able to hook up to it.
 - c. The hydrant must be located 20 ft off of the improved portion of the road and within 20 feet of the field entrance.
 - d. The well must produce a minimum of 600 gallons per minute of water.
 - e. The well must be able to be controlled by an electric H-panel that is located within 20 feet of the discharge area.
 - f. The electrical panel must have a lock on it and the key for the lock must be provided to the immediate responding fire department.
 - g. The electrical panel needs to be labeled for fire department use only.
 - h. The well and the electrical panel for the well needs to be inspected bi-annually to be in functional working condition.

BESS FLOODPLAIN ELEVATION

1. Any Battery Energy Storage System located less than one-half (1/2) mile from the nearest one hundred (100) year flood plain must have all the equipment located at least two (2) feet above the one hundred (100) year frequency flood elevation, or any greater standard established by IC 22-14-8-8

HEIGHT LIMIT

1. The height of any BESS ground mounted solar equipment is limited to thirty-five (35) feet. This measurement shall be measured from surrounding natural grade. The design shall be in accordance with applicable Indiana electrical codes.
2. For any BESS located within 1000 feet of an airport, commercial or private landing strip or within the approach zones of an airport, the applicant shall show that the height limits are consistent with the Federal Aviation Administration

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(FAA) Office of Airports Interim Policy, FAA Review of Solar Energy Projects on Federally Obligated Airports, or most recent version adopted by the FAA.

NOISE LIMIT

1. Noise shall not exceed fifty (55) dBA above background for any BESS and shall follow all noise restrictions set forth in the most current Starke County Solar Ordinance for the CSES.
2. These limits **may not be waived** by the adjoining property owners or non-participating properties

LANDSCAPE BUFFER

1. Any BESS shall be buffered by a berm, a minimum of six (6) feet in height at a minimum of 3:1 slope and not within any local, county, or state right of way.
2. **In front of the** berm shall be planted with an assortment of tall native grasses, evergreen trees, and shrubbery. There shall be one every 20 feet with shrubbery planted in between.
3. **The berm must be a minimum of 20 feet outside of the fenced area of the BESS.**
4. The berm must be included in the developer's drainage plan.
5. Any BESS shall be constructed with a subsurface non-permeable liner to keep contaminants in place.
 - a. **The subsurface non-permeable liner must be at least 5 feet below ground level subgrade.**
 - b. **Water may be pumped out of the BESS into a retention pond with a subsurface non-permeable liner to keep contaminants in place.**
 - i. **The retention pond must have a berm as well, following all the same guidelines as the berm for the BESS.**
 - ii. **Water quality testing must be completed with IDEM bi-monthly (every two weeks). All testing results must be submitted to the Starke County Health Department. The Starke County Health Department shall ensure that water quality testing is being done bi-monthly (every two weeks).**
 - iii. **The retention pond may only be drained into a local waterway only after water quality testing has been submitted to the Starke County Health Department and a discharge permit has been obtained through IDEM; and has been deemed safe by the Starke County Health Department and IDEM.**
 - iv. **The retention pond must be able to hold minimum of 3 times the amount of water that the BESS can hold subgrade.**
 - v. **All testing costs associated with water testing shall be paid for by the developer/owner/operator of the BESS.**
 - vi. **In the event of a contamination event all contaminated soil and water must be removed per IDEM guidelines. All costs associated with a contamination event shall be paid for by the developer/owner/operator of the BESS**

DRAINAGE & EROSION CONTROL

1. The BESS project shall follow all the requirements set forth in the most current CSES ordinance for Starke County.
2. The BESS project owner or developer must provide a certification of acknowledgement that they are aware and accept liability for all damages to County regulated waterways, drainage, ditches, field tiles or other drainage related infrastructure caused by the construction, installation or maintenance of a solar energy project and such infrastructure **and must be repaired by the project developer/owner/operator** to near original condition so as not to impede the flow of water as it existed in its pre-damaged state. All repairs must be made in a reasonable time frame and to the satisfaction of the unit and as stated in an applicable lease or other agreement with the landowner subject to applicable federal, state and local drainage laws and regulations. A "reasonable time frame may be determined by the Starke County Surveyor's discretion as the severity of the issue at the time it occurs.

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3. All Drainage and Erosion plans must go through the Starke County Drainage Board and must meet any additional criteria or additional ordinances set forth by the Starke County Drainage Board.

ARTICLE III.

Permit Requirements

APPLICATION PROCEDURE

1. Any BESS projects shall be required to submit a preliminary Site Plan and Specifications to the Technical Advisory Committee for review. Such review shall occur within 30 business days once the engineering consultant has completed their review of the BESS project. The engineering consultant shall have all agreements approved and included for their review and then approved before it comes to the Technical Advisory Committee. Preliminary Site Plan and Specifications shall only be submitted once all requirements that are required in this ordinance are obtained from any and all necessary boards and departments. Once a Preliminary Site Plan and Specifications have been approved by the Planning Commission, an improvement Location Permit shall be issued. The Improvement Location Permit is filed for in the office of the Starke County Planning Commission.
2. The Preliminary Site Plan and specifications shall include and or show the following;
 - a. Bess specifications, including typical manufacturer and model along with maximum spatial extent (height and fence lines). If manufacturer and or model change other than what is referenced in the 30% preliminary site plan and specifications it will then need to be referenced in the "As Built" plan that there was a change and what it was changed to.
 - b. Preliminary site plans and designs with the maximum spatial extent of the BESS and its perimeter fence indicated.
 - c. Certification on the Preliminary Site Plans and Specifications that layout, design, and installation conform to and comply with the most recent and applicable industry standards, such as The National Fire Protection Association (NFPA) 855, National Electrical Code (NEC) NFPA 70, the American National Standards Institute (ANSI), the underwriter's Laboratories (UL), the American Society for testing and Materials (ASTM), the institute of Electric and Electronic Engineers (IEEE), the Solar Rating & Certification Corporation (SRCC), the Electrical Testing Laboratory (ETL), and other similar certifying organizations, the Federal Aviation Administration (FAA), the Indiana Building Code (IBC), and any other standards applicable to Commercial Solar Energy/Battery Energy Storage Systems The manufacturer specifications for the key components of the BESS shall be included with the submittal.
 - d. All Ground-mounted electrical and control equipment for the BESS shall be labeled and secured to prevent unauthorized access.
 - e. All BESS shall be installed so as not to cause significant wire or wireless communication signal disturbance. An Affidavit certifying compliance with this requirement shall be included with the Preliminary Site Plan and Specifications submittal.
 - f. For BESS located within 1000 feet of an airport or within approach zones of an airport, the Applicant shall complete and provide the results of a glare analysis through a qualitative analysis of potential impact, field test demonstration or geometric analysis of ocular impact in consultation with the Federal Aviation Administration (FAA) Office of Airports, consistent with the Interim Policy, FAA Review of Solar Energy projects on Federally Obligated Airports, or most recent version adopted by the FAA.

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- g. All ground-mounted electrical and control equipment for BESS shall be fenced to prevent unauthorized access. The BESS shall be designed and installed to prevent access by the public. Show fence details, Gate Details and Locking mechanism details and Specifications on the Preliminary Site Plan and Specifications submittal.
To the greatest practical extent, all electrical wires and utility connections for BESS shall be installed underground, except for transformers, inverters, High Voltage Transmission lines, and controls. Any DC Above Ground Designs including any system of hangars and exposed PV wiring shall meet current NEC Standards and also be installed at heights that allow necessary weed abatement.
- h. Exterior lighting for BESS shall be limited to that required for safety, inspection/repair/maintenance, and operational purposes.
- i. All signs, other than the manufacturer's or installer's identification, appropriate warning (including safety and trespassing) signs, or Owner identification on a battery signage, building, or other structure associated with a BESS, shall be prohibited.
- j. The BESS applicant shall certify by affidavit that they will comply with the utility notification requirements contained in Indiana law and accompanying regulations unless the applicant intends, and so states in an affidavit, that the system will not be connected to the electricity grid.
- k. Prior to permit consideration, a Decommissioning Agreement must be executed by the applicant that stipulates that decommissioning of the entire facility will begin upon the occurrence of twelve consecutive months of no power generation at the facility.

In order to facilitate and ensure appropriate removal of the BESS equipment when it reaches the end of its useful life, or if the applicant ceases operation of the facility, applicants must file a Decommissioning Agreement which details the means by which decommissioning will be accomplished and the timeline for completion.

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 a decommissioning fund, and a demonstration of financial assurance.

Salvage value shall be considered in determining decommissioning cost.

In the event of a force Majeure, or other event which results in the absence of electrical generation for twelve months, or by the end of the twelfth month of non-operation, the applicant must demonstrate to Starke County's satisfaction that the decommissioning must be initiated eighteen months after the force Majeure or other event. The County considers a force Majeure to mean fire, earth quake, flood, tornado, or other acts of God and natural disasters, war, civil strife or other similar violence.

The operator of any BESS shall secure and provide a performance bond, escrow deposit, or other financial assurance in a form acceptable to the County in an amount determined by a third-party engineering firm to ensure the proper decommissioning and removal of the BESS.

The applicant will have the financial assurance mechanism in place once a permit is issued and will re-evaluate the decommissioning cost and financial assurance at the end of every three (3) years (ex: three, six, nine, twelve, fifteen... for the duration of the project.) Every three years after the permit is issued, updated proof of acceptable financial assurance must be submitted to Starke County for review.

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Proof of acceptable financial assurance will be required prior to permit being issued.

A copy of the final approved Decommissioning Agreement shall be submitted for review along with the **Preliminary Site Plan and Specifications**.

Final acceptance and approval of the Decommissioning Agreement shall be by the Starke County Commissioners.

- l. The **Preliminary Site Plan and Specifications** shall include all required drainage calculations and “Rule 5” submittal information as outlined in drainage and erosion control section above for review. An approved Erosion and Sediment Control plan and permit in accordance with IDEM Construction Storm Water General Permit (formerly “Rule 5”). standards shall be required before any construction can begin on site. IDEM Construction Storm Water General Permit shall be posted on-site.
- m. Submit **Preliminary Site Plan and Specifications** to County Drainage Board for review and approval before any **Technical Advisory Committee meeting**. Drainage Board written approval shall be required for all BESS. All BESS facilities shall be located a minimum of 1000 feet from any county ditch bank, county tile and shall not be built over any county tile lines unless Drainage Board approval is given for such a request.
- n. Any BESS must follow all IDNR floodplain requirements set forth in IC 22-14-8-8 or the most current regulations.
- o. Applicant agrees to pay all reasonable County Attorney fees and costs in the enforcement of the terms of this Ordinance. **The Starke County Auditor’s office shall handle this fund**
- p. If Starke County finds it is necessary to hire an Engineering Consultant to review **Preliminary Site Plans and Specifications** for conformance to this Ordinance, the Applicant agrees to pay all reasonable Engineering Consultant fees according to the terms of this Ordinance.
- q. All Preliminary (and final) Site Plans provided to the County shall require all roads, Section numbers, Range numbers, Township numbers, Governmental Townships, parcel numbers of each affected parcel, road names, Legal drain names, River names, North Arrow and other pertinent mapping information be shown on said plans.
- r. A Road Use and Maintenance Agreement must be executed by the applicant prior to **Technical Advisory Committee review** of the BESS. The Road-Use and Maintenance Agreement document shall be provided to the Applicant by the Starke County Highway Department Final acceptance and approval of the Road-Use and Maintenance Agreement shall be by the Starke County Commissioners.
- s. The Applicant shall identify all State highways and local roads to be used in the transport of equipment and parts for construction of the BESS. **This reporting shall be provided to the Starke County Highway Department and the Planning Commission**. They shall also prepare a timeline and phasing plan for construction and identify any known road closures. This information shall be released to the local newspapers and **local radio station** as notice to persons who may be affected. This information shall also be conveyed to local law enforcement, emergency services, public school corporations, the United States Postal Service, and the regional office of the Indiana Department of Transportation (INDOT).
- t. All adjacent land owners must be notified by certified mail of the BESS project. Mailings must include a toll-free phone number of the Applicant for adjacent land owners to direct their comments and questions to. **Certified mailings shall be sent during the leasing process of lands to be used in the project.**

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- u. Any BESS project needs to have a public relation representative available at any time during the preliminary stage of the project through the completion of the commissioning phase of the project. There needs to be a public Toll-Free number for the public to call and an office to speak with the public relations representative in Starke County to get answers to any questions or concerns they many have. The office must be staffed with a public relation representative during normal business hours.
- v. **Pre-Construction Survey.** The Applicant shall conduct a pre-construction baseline survey, acceptable to the Starke County Highway Superintendent, to determine existing road, culvert, and driveway conditions for assessing potential future damage. The survey shall include photographs, or video, or a combination thereof, and a written agreement to document the condition of the public facilities. The Starke County Highway Superintendent shall have 10 business days to respond to the pre-construction baseline survey.
- w. **As-Built Plans Requirement.** Upon completion of the development, the exact measurements of the location of utilities and structures erected during the development are necessary for public record and shall therefore be recorded. The applicant, owner, or operator shall submit a copy of the Final Construction Plans (as-Built plans), as amended, to the Building Commissioner. After being satisfied that the measurements are substantially the same as indicated on the originally approved final plans, The Building Commissioner shall approve, date and sign said Final Construction Plans (as-Built plans) for the project, which the applicant, owner, or operator shall then record the As-Built document in the Office of the Starke County Recorder.
 - i. Bess specifications, including manufacturer and model along with maximum spatial extent (height and fence lines) shall be provided per parcel and anytime equipment is changed out it shall be identified in a document and recorded in the Starke County Recorder's office for the duration of the BESS.
- x. Preliminary (and Final) Site Plans and Specifications shall include a note indicating the following:

Contractors are to keep track of all installed utilities and structures and noted differences from the approved Final Construction Plans for inclusion into the final As-Built document.. The applicant, owner, or operator shall submit a copy of the Final Construction Plans (As-Built plans), as amended, to the Building Commissioner. After being satisfied that the measurements are substantially the same as indicated on the originally approved final plans, The Building Commissioner shall approve, date and sign said Final Construction Plans (as-Built plans), for the project, which the applicant, owner, or operator shall then record the As-Built document in the Office of the Starke County Recorder.
- y. **Change in Ownership.** It is the responsibility of the owner or operator listed in the application to inform the Starke County Plan Commission of all changes in ownership and operation during the life of the project, including the sale or transfer of ownership or operation.

ARTICLE IV

Permit Fees & Timeline

All BESS projects must apply for an Improvement Location Permit through the Starke County Planning Commission located at 53 E. Mound St. Knox, IN 46534, after the approval of the Preliminary Site Plan and Specifications have been through a Technical Committee Review and approved by the Starke County Planning Commission.

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4. An ILP application for a BESS permit shall be accompanied by a fee of 1% per \$1,000,000.00 of the total value of the project with a cap of \$250,000.00 for the ILP.
 - a. The total value of the project must be submitted with the preliminary site-plan review.
5. Permits are valid for 1 year and must be renewed each year
 - a. **FIRST RENEWAL:** for a fee of \$1000.00.
 - b. **SECOND RENEWAL:** for a fee of 10% of the cost of the original permit.
 - c. **THIRD RENEWAL:** is up to the discretion of the Planning Commission Board at the same cost as a second renewal.
6. Fees applicable to Preliminary Site Plan and Specifications submittal will also be required, as well as any and all other permits as required by Starke County.
7. Engineering Consultant fees for review of Preliminary Site Plan and Specifications may also be required. Applicant Shall be responsible for payment of said fees prior to receiving any Improvement Location Permit.

ARTICLE V

Inspections & Fines

All BESS projects are liable for having weekly inspections and are subject to fines for non-compliance once construction starts and until the end of construction project. Post compliance written reports are required monthly and shall be given to the Starke County Planning Commission and are subject to fines for non-compliance for the life of the project. Failure twice will result in the issuance of fines. Any violation of this zoning ordinance shall result in the following fines. All fines associated with any BESS shall go into the Starke County Planning Commission Penalty Fund. Any fines that are accrued shall be paid within 30 days of receipt of the fine. In the event that the fine is not paid within 30 days of receipt of the fine it shall double to \$1000.00 per day and a stop work order shall be issued.

- c. **FIRST VIOLATION:** A stop work order will be issued until all inspections are up to date with the Starke County Building Commissioner.
- d. **SECOND VIOLATION AND ANY VIOLATION AFTER A SECOND VIOLATION:** A stop work order will be issued along with a daily fine of \$500 per day until all inspections are up to date with the Starke County Building Commissioner.

ARTICLE VI

Monthly Meetings

All BESS projects shall conduct a monthly scheduled meeting with the following department heads: Starke County Building Commissioner, Starke County Highway department, and the County Surveyor and any County Officials that want to be involved in the project.

See Next page for Article VII

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ARTICLE VII
Effective Date

1. This Ordinance shall become effective immediately upon its passage by the Starke County Board of Commissioners, at a meeting open to the public.

PASSED BY THE STARKE COUNTY PLANNING COMMISSION ON _____, 2025.

PASSED AND ADOPTED BY THE BOARD OF COMMISSIONERS OF STARKE COUNTY,
INDIANA, THIS _____ DAY OF _____, 2025.

THE STARKE COUNTY, INDIANA BOARD OF COMMISSIONERS

APPROVED:

OPPOSED:

Charles Chesak, Commissioner President

Charles Chesak, Commissioner President

Mike VanDeMark, Commissioner

Mike VanDeMark, Commissioner

Don Binkley, Commissioner

Don Binkley, Commissioner

ATTEST:

Michaelene Houston, County Auditor

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Prepared By:
Mary Beever
Planning Commission Admin./Floodplain Mgr.

- The board reviewed the above information and discussed some of the highlighted areas. They decided to leave the definition for CSES in the ordinance. Tech Member Bailey stated he'd like to go on record that a few years back when all of this started, "we were told by all the solar entities that there would be no battery storage in this county." They discussed the information regarding the typical manufacturer and model information under the Application and permits portion. The committee agreed to leave the typical manufacture and model information in the ordinance and if manufacturer and or model change other than what is referenced in the 30% preliminary site plan and specifications it will then need to be referenced in the "As Built" plan that there was a change and what it was changed to. They agreed that the 1000-foot setbacks were good. There was some discussion on the wording of "reasonable time frame" regarding any repairs to any drainage issues. They agreed that this should be left as reasonable time frame and that it would be up to the discretion of the county surveyor due to the particular issue going on at the time. They discussed the Application Procedure 2-u regarding the public relations person and office and agreed that this would make things more transparent to the public having a person to talk to and have a physical place people can go to get answers to their questions located within the county. They agreed they were okay with this going to a public hearing with the Planning Commission.

❖ **Adjournment**-With no further business,

This meeting was recorded and will be on file in the Starke County Plan Commission Office.

❖ **Approval of the minutes at the February 12, 2025 meeting**

- Member Collins made a motion to accept the minutes from the December 10, 2024 technical committee meeting as written, seconded by Member Woolery. Motion carried 6-0.

Mary W. J. Beever
Planning Commission Admin./Floodplain Mgr.