

	Marshall County	Indiana Code (8-1-42)
Definition	10,000sqft of panels	atleast 10 MW(megawatts)
Permitted	-	-
Special Use	A-1, I-1 and I-2	-
Road Setback	150' from Centerline	40' from ROW (County->Federal Highway) to 10' from ROW (local road)
Property Line Setback	75'	50'
Non Participating Residence Setback	250'	250' min. (whenless than 250' shall install a landscape buffer) (may be waived subject to the written consent of the owner of each affected nonparticipating property.)
Height Max	15'	25'
Height Min.	3'	may not impose clearence requirement between ground and bottom of system.
Lot Coverage	District Standard	
Ground Cover	Pollinator mix approved by local licensded Landscape Architect or equivalent.	Shall plant, establish, and maintain for the life of the CSE system perennial vegetated ground cover on the ground around and under solar panels, and in project site buffer areas. The use of pollinator seed mixes in the planting of ground cover required by this section is encouraged.
Drainage	Must meet MCSDCO	
Buffer	4 Seasons buffer while within 250' setback from residence and adjacent to roadway intersection.	
Drainage Board	Must be approved by Drainage Board and meet standard 75' setback from County ditch or tile.	
Private Drainage Tile	Must repair, reroute or install new tile in order to preserve the overall drainage integrity.	All damages to waterways, drainage ditches, field tiles, or other drainage related infrastructure caused by the construction, installation, or maintenance of a CSE system must be completely repaired by the project owner or remedied with the installation of new drainage infrastructure so as to not impede the natural flow of water. All repairs must be completed within a reasonable period of time
Technical Review Committee	Must be review by Technical Review Committee	
Floodplain	Must meet floodplaing regulations	
Access	All ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.	
Lighting	Shall be limited to that required for safety and operational purposes and will not produce glare across lot lines onto properties associated with the project.	
Underground Facilities Law	Shall certify that the Applicant will comply with the Damage Underground Facilities Law (Ind. Code 8-1-26) and accompanying regulations of the Indiana Utility Regulatory Commission.	
Decommissioning Agreement	Agreement must be executed by the Applicant. Must be approved by Board of Zoning Appeals and recorded and cross-referecneced to the the deeds to all associated project parcels. Failure to generate for 1 month will require developer/owner to notify Plan Commission Director. Failure to generate for 6 months, the Decommissioning Plan shall be activated. The developer/owner shall provide semi-annual report to the Plan Director and County Commissioner a at minimum the lifetime of the project, timeline of construction and general operation, and the decommissioning cost estimate including the salvage value of materials.	The project owner submits to the permit authority a decommissioning and site restoration plan, and posts a surety bond, or an equivalent means of security acceptable to the permit authority, including a parent company guarantee or an irrevocable letter of credit, but excluding cash, in an amount equal to the estimated cost of decommissioning the CSE system, as calculated by a third party licensed or registered engineer or by another person with suitable experience in the decommissioning of CSE systems, as agreed upon by the project owner and the permit authority. Shall provide to the permit authority written notice of the project owner's intent to decommission a CSE system not later than sixty (60) days before the discontinuation of commercial operation by the CSE system. Abandonment of the facility is identified as 18 months without electricity being generated. After 540 days the assets shall be removed in accordance with decommissioning.
Traffic Management Plan	Shall be approved by Marshall County Highway/Marshall County Commissioners.	
Property Operation and Maintenance Plan	Plan shall be submitted with the Special Use application.	
Fence	Shall have a security fence that must be kept repaired, painted and in good condition.	Shall completely enclose the CSE system with fencing that is at least six (6) feet high.
Signage	Located on fencing and shall display the facility name, address and emergency contact information.	
Emergency Vehicle Access	Must provide reasonable access for emergency vehicles.	
Top Soil Preservation	Shall be preserved on site and grading should be minimized to preserve the futre viability of palnting and the natural contours of the property must be maintained.	
Deforestation	Shall be minimized and approved by the Plan Director and Board of Zoning Appeals.	
Energy Storage	Must meet the associated development standards.	
Wildlife Protection	Wildlife and Mitigation study or similar as required by state or federal department shall be submitted.	
Preferred Locations	On Brownfields and Industrial Zoned property.	
System Components	Must have a UL or equivalent listing.	

Power and Communication	Power and Communication lines shall be buried under ground and may be granted exemptions where natural features interfere with burying the cables.	Cables shall be buried 36-48" pending kv and onsite condition dependent. Some cables may be permitted to be above ground.
Airport	Within 500' applicants must completed and provide results of a glare analysis, field test demonstration or acular impact analysis in consultation with Federal Aviation Administration.	
System Component Specifications	Required upon Building Permit application. All components should be minimum 95% recyclable.	
Retoration and Reclamation	Restoration of the pre-construction surface grade and soil profile after removal of the structures, equipment, graveled areas and access roads. Sub-grade components shall be removed a depth of 3' and shallower and encourage total removal. Revegetation of restored soil areas with crops, native seed mixes, or plant species suitable for area. Private agreements with landowner may permit leaving access roads, fences, gates or repurposed buildings in place. Copies of said agreements must be provided as a part of the decommissioning plan pending approval of the Marshall County Plan Director.	All structures, foundations, roads, gravel areas, and cables associated with the project shall be removed to a depth of at least thirty-six (36) inches below grade; and) the ground shall be restored to a condition reasonably similar to its condition before the start of construction activities in connection with the CSE system project. Except as provided in subsection (e), if the project owner fails to remove all CSE system project assets not later than one (1) year after the proposed date of final decommissioning, as set forth in the notice to the permit authority under subsection (c), the permit authority may engage qualified contractors to: enter the project site; remove the CSE system project assets; sell any assets removed; and remediate the site; and may initiate proceedings to recover any costs incurred. Project assets may remain in place after decommissioning is complete if: the location and condition of the assets conform with local regulations at the time of decommissioning; and the written consent of the landowner is obtained.
Bonds and Financial Assurance	Bond or FA to cover the reconstruction of public infrastructure due to construction activity relate to the solar energy system installation that is to be approved associated with the traffic management plan. Bond or FA to cover damage to the drainage infrastructure that may be damaged during the cosntruction process beginning once construction has been completed and is to last for 5 years once construction has been completed. Bond or FA that will cover the decommissioning of the Solar Energy System as described in the decommissioning plan. Bonds and FA's to be reevaluated every 3 years with contributions adjusting at that time to cover costs at the time of decommissioning. Bonds and FA's must be approved by the Marshall County Commissioners.	(2) the ground shall be restored to a condition reasonably similar to its condition before the start of construction activities in connection with the CSE system project.

Glare		Must be designed and constructed to minimize glare on adjacent properties and roadways and not interfere with vehicluar traffic, including air traffic
Signal Interference		Must be installed in a manner so as to minimize and mitigate impacts to: television signals, microwave signals, agricultural global positioning systems, military defense radar, radio reception, and weather and doppler radar.
Sound Level Limitations		The project owner must demonstrate to the permit authority that the CSE system will operate in a manner such that the sound attributable to the CSE system will not exceed an hourly average sound level of fifty (50) A-weighted decibels, as modeled at the outer wall of a dwelling located on an adjacent nonparticipating property. Can be waived by written consent of adjacent nonparticipating property owner.
Force Majeure Event		"force majeure event" includes the following: Fire, flood, tornado, or other natural disasters or acts of God; War, civil strife, a terrorist attack, or other similar acts of violence; Other unforeseen events or events over which a project owner has no control. If a force majeure event results in a CSE system not generating electricity, the project owner shall: as soon as practicable after the occurrence of the force majeure event, provide notice to the permit authority of the event and of the resulting cessation of generating operations; and demonstrate to the permit authority that the CSE system will be substantially operational and generating electricity not later than twelve (12) months after the occurrence of the force majeure event. If the CSE system does not become substantially operational and resume generating electricity within the time set forth in subsection (b)(2): the CSE system is considered abandoned as of the date that is three hundred sixty-five (365) days after the date on which the CSE system last generated electricity, unless the project owner demonstrates to the permit authority that the project owner is using all commercially reasonable efforts to resume generation; and all CSE system project assets shall be removed in accordance with decommissioning