

**ORDINANCE 2024-15
AN AMENDMENT TO THE
CASS COUNTY ZONING ORDINANCE
FOR SOLAR ENERGY CONVERSION SYSTEM STANDARDS**

WHEREAS, the General Assembly of the State of Indiana granted powers to the counties to adopt zoning ordinances for their jurisdiction according to IC 36-7-4-600 series; and

WHEREAS, the County of Cass County, Indiana adopted the Cass County Zoning Ordinance which became effective on October 3, 1986, and has had subsequent amendments as listed on the title page of the Cass County Zoning Ordinance; and

WHEREAS, The General Assembly of the State of Indiana granted powers to counties to amend the text of an adopted zoning ordinance according to IC 36-7-4-602 (b), and Section 906 of the Cass County Zoning Ordinance allows for the amendment of said Ordinance; and

WHEREAS, the Cass County Plan Commission held a public hearing on Tuesday July 2, 2024, on the proposed textual amendments to the Cass County Zoning Ordinance regarding the Solar Energy Conversion System Regulations; and

WHEREAS, The Cass County Plan Commission did send a favorable recommendation for the text amendments to the Cass County Commissioners; and

WHEREAS, the Cass County Board of Commissioners believes there is merit in amending the Ordinance, in order to promote the public health, safety, comfort, morals, convenience and general welfare of the community; now therefore, be it

ORDAINED by the Cass County Board of Commissioners of Cass County, Indiana, as follows:

SECTION 1: That the Cass County Zoning Ordinance be amended according to the amendments, as follows:

M. Any CSES ground mounted equipment, excluding any security fencing, poles, roads and wires necessary to connect to facilities if the electric utility ("Equipment"), must be fifty (50) feet from property lines of any non-participating property and edge of road or road right-of-way unless a fully executed and recorded written waiver agreement is secured from the affected land owner. Additionally, CSES Equipment shall have a minimum setback of one hundred fifty (150) feet away from non-participating property lines of land that has residential unit(s) and/or three hundred (300) feet from the residence, whichever is more restrictive. New construction and additions to residences are only required to follow the setback standards for their respective zoning district. In the same manner any changes to property lines may move closer to the CSES.

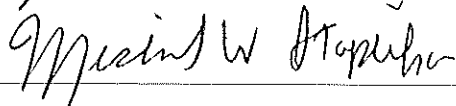
S. Temporary laydown yard(s) shall have a minimum setback of five hundred (500) feet away from non-participating residences, unless a waiver is provided.

SECTION 2: That this amendment be in full force and effect upon its passage by the Cass County Board of Commissioners.

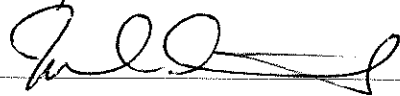
Adopted this 16 day of September 2024.



Ruth Baker, President



Michael Stajduhar, Member



Michael Deitrich, Member

ATTEST:


Cheryl Alcorn, Cass County Auditor