

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY  
ORDINANCE COMMITTEE  
MINUTES OF A PUBLIC HEARING**

DATE..... December 2, 2020  
 TIME.....5:00 P.M.  
 PLACE..... COUNTY OFFICE BUILDING  
 20 N. 3RD STREET  
 LAFAYETTE, IN 47901

*Due to the public health emergency, the meeting was held virtually. Members of the public may watch the livestream of the meeting at <https://www.facebook.com/TippecanoeCountyIndiana> or <https://www.youtube.com/channel/UCJleeA9ZQo9E11GdZTdjurQ/featured>*

**MEMBERS PRESENT**

Jerry Reynolds  
 Jackson Bogan  
 Greg Jones  
 Carl Griffin  
 Larry Leverenz  
 Gary Schroeder

**MEMBERS ABSENT**

Vicki Pearl  
 Tom Murtaugh

**STAFF PRESENT**

Sallie Fahey  
 Ryan O’Gara  
 Rabita Foley  
 Chyna Lynch  
 Larry Aukerman  
 Zach Williams, Atty.

**I. APPROVAL OF MINUTES**

Gary Schroeder moved to approve the minutes from the November 4, 2020 Joint Committee meeting. Carl Griffin seconded and the minutes, as submitted, were approved by unanimous voice vote.

**II. SOLAR ENERGY SYSTEMS AMENDMENT:**

Continued discussion regarding adding requirements and standards for accessory solar energy systems; community-scale and large-scale solar energy systems to the Unified Zoning Ordinance.

Larry Leverenz mentioned the changes made to the amendment as well as a memo regarding the ad hoc committee that was held on November 4<sup>th</sup>. The memo says the committee met to discuss an equitable surety for removing solar energy systems. Rabita will follow up on this.

Rabita Foley said as a result of the discussion at the ad hoc meeting, staff has prepared a few changes to the proposed solar energy system ordinance. There are 8 additions and changes to the ordinance amendment. The surety must be in a form acceptable to APC staff, legal counsel and Administrative Officers. A pre-submission meeting involving the applicant and the property owner is required prior to the submission of the special exception request or ILP application. A cost estimate must be certified by a professional engineer and a decommissioning plan must be recorded once approved. Both the property owner and applicant will be added as the responsible party to fulfill the requirements of the recorded decommissioning plan. We have removed the decommissioning requirement for community scale solar energy systems when utilized by institutional uses. We added an example of a cost estimate table with the minimum required items for decommissioning. Staff is working on adding surety templates which have been borrowed from the Unified Subdivision Ordinance and have revised it to fit the decommissioning plan. The only new item is section 8 which is the appendix section of USO that will include all the decommissioning documents. Staff received additional community feedback which has been included in the proposed ordinance.

Larry Leverenz thanked Rabita for her work on this ordinance amendment and for summarizing the points discussed at the ad hoc meeting. He asked if this was ready to be sent to the full APC meeting.

Greg Jones said in Section 5, ground mounted solar energy systems have a maximum height of 15 feet. There are residential systems that will use a tracking array which is mounted on a single pole. The array might be 9 to 12 panels at the largest. They will follow the sun from east to west. These may reach higher than 15 feet and up to 20 feet.

Rabita Foley asked if this is an accessory system or a large-scale system where the energy will be sold.

Greg Jones said this is typically a residential level.

Rabita Foley said she would research these systems because she has not found a system that would go higher than 15 feet. That number came from the model ordinance that Indiana was working on at that time. We were comfortable with the 15 feet requirement but staff can take a second look for that type of system.

Greg Jones said he would share the resources he has on this with Rabita.

Gary Schroeder asked if someone could get a variance for a 20-foot system if the 15 feet height maximum is the standard.

Rabita said someone could get a variance on that because it is in Section 4.

Gary Schroeder asked if we send this to the full APC and there is evidence that a 20-foot height limit is more appropriate, if this can be changed at the full APC.

Zach Williams said this can be easily changed at the full APC meeting. The best idea is to send it on to the full APC while staff does research. If there is a need for additional time, this can be postponed.

Gary Schroeder asked Greg Jones if he is seeing that solar systems are trending to be bigger and taller or if they are getting shorter,

Greg Jones said the panels are getting much larger. They used to be 120 watts a panel 10 years ago and have since gone up to 200 watts. These tracking arrays will get popular. There is a maximum of 9 to 12 panels. He said he has not seen the tracking arrays with larger panels and that he would do more research before the next meeting.

Sallie Fahey asked if the panels are getting larger in size or wattage.

Greg Jones said they are getting larger in both size and wattage. They are getting more out of less but the panels are still getting slightly larger.

Larry Leverenz asked if any of the measurements in the requirements of this ordinance seem to be out of line with the near future of solar.

Greg Jones said he is not sure but he will do more research before the next meeting.

Larry Leverenz said he would like to see this go to the January full APC meeting. If major changes need to be made, they can be made at the meeting or this can be continued.

Gary Schroeder moved to send the solar energy systems ordinance to the January 2021 full APC meeting. Jackson Bogan seconded and the motion carried by unanimous voice vote.

Larry Leverenz asked Rabita if she will have the forms at the APC meeting.

Rabita Foley said she hopes to have the forms by then. She said she will be emailing Commission members with expertise in the field to help give guidelines to revise the forms. She asked if anyone would like to see the forms before the meeting.

Larry Leverenz said he did not need them.

Rabita Foley thanked everyone for their patience while this ordinance amendment has been developed. There has been a lot of input from the community as well as members from the APC.

Larry Leverenz thanked Rabita for her time and effort on this amendment.

### **III. CITIZEN COMMENT**

Larry Leverenz said there will be a one-minute pause for citizen comment. There was none.

### **IV. ADJOURNMENT**

Gary Schroeder moved to adjourn.

The meeting adjourned at 5:21 p.m.

Respectfully Submitted,

Chyna R. Lynch  
Recording Secretary

Reviewed By,

A handwritten signature in cursive script that reads "Sallie Fahey". The signature is written in black ink on a light-colored background.

Sallie Fahey  
Executive Director