

PLAN COMMISSION

To: Cass County Plan Commission
From: Planning Department
Date: May 5, 2026
Re: Amendments to Carbon Capture and Sequestration

Source of Proposed Amendment:
 Logansport/Cass County/Walton Planning Department

Zoning Ordinance:
 Definitions
 Table A District Use Standards
 Section 526

Proposed Language Change:
Definitions:

Carbon Capture and Sequestration (CCS)

The process of capturing carbon dioxide from emission sources, compressing and transporting it; and injecting it into deep geologic formations for permanent storage.

<u>TRANSPORTATION, COMMUNICATIONS, UTILITIES</u>	<u>AG</u>	<u>RR</u>	<u>R1</u>	<u>B1</u>	<u>B4</u>	<u>AB</u>	<u>I1</u>	<u>I2</u>	<u>CG</u>	<u>Buffer Class</u>	<u>Parking Class</u>
<u>25. Carbon Capture and Sequestration (CCS) (see section 526)</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>N/A</u>	<u>N/A</u>

Section 526:

For the purpose of this ordinance carbon capture and sequestration (CCS) can only be piped and injected on the property that is capturing the carbon dioxide for the CCS purposes.

Documents including but not limited to all state and federal permits, submittals, studies and reporting must be met and made available to the Planning Department or the County Commissioners upon request. There must be updated contact information on file with the Planning Department at all times.

Hours of Operation during construction and seismic testing will be limited to 7am-7pm.

Before Seismic Testing can start for the project, a road use agreement must be approved by the commissioners. The developer must also notify all residences within the area that seismic testing will be done. If any properties in the defined area have damages due to seismic testing activity the developer must pay for the remediation.

An operations and maintenance plan must be provided. No permit is required for the implementation of the operation and maintenance plan, but these plans must be approved by the County Commissioners before the issuance of a building permit.

An emergency response plan and training plan for the district fire department(s) is required and must meet any State and/or Federal codes. In addition, any emergency equipment needed must

be provided to emergency personnel at the expense of the developer. These plans must be approved by the County Commissioners before the issuance of a building permit.

An Economic Development Agreement, which may include but not limited to drainage and road agreements, must be approved by the County Commissioners. The agreement shall be developed in conjunction with the Cass County Economic Development Department and signed copies provided to the Planning Department. These agreements must be signed before any Building Permit is issued.

A noise potential study shall be performed by a 3rd party and included in the application. Noise from a CCS shall be no greater than sixty (60) decibels measured from nearest property line or forty-five (45) decibels from a residence, whichever is more restrictive. A post construction noise study shall be performed by a 3rd party and shall be provided before the Certificate of Occupancy is issued, to make sure the required decibels are being met.

Any CCS injection site, excluding any security fencing necessary shall be two hundred and fifty (250') from property lines, water sources, incorporated communities, unincorporated communities as defined by zoning districts, residences, and roads. They must also be 75' off the centerline of any legal tile ditch or 75 feet off the existing top edge of a legal open ditch or tile, unless either are approved by the drainage board for a lesser setback.

All monitoring wells shall be totally on the property that the well will be located. Before a building permit can be issued a consent of owner must be provided to the Planning Department for the intended monitoring well property.

The developer must record a document on each property that will be within the Plume, and provide the recorded version to the Planning Department.

No portion of the CCS or fencing shall contain or be used to display advertisement. The CCS shall comply with the prevailing sign regulations for that zoning district. Signage at the gate(s) must include warning signs and contact information for emergencies. The Planning Department must receive notification within 60 days of ownership change or management change and their contact information.

Although lighting is not required, any lighting used at an CCS shall be full-cutoff and directed down.

CCS shall not exceed 35' in height. The height is determined from the ground to the top of the equipment.

Justification:

This is a newer technology that businesses not just utilities are looking into. By doing carbon capture and sequestration there will be less carbon put into the atmosphere. Although a lot of regulations are required and reviewed by EPA, the committee felt that there should be some local regulations to be reviewed as well.

Staff Recommendation:

Staff recommends that the proposed amendment be approved by the Cass County Plan Commission.

ADDED LANGUAGE IS UNDERLINED ~~DELETED LANGUAGE IS STRUCK THROUGH~~