

PLAN COMMISSION

To: Cass County Plan Commission
From: Planning Department
Date: June 1, 2021
Re: Amendments to Section 523

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

Zoning Ordinance:
 523 Wind Energy Conversion System Standards

Proposed Language Change:

	AG	RR	R1	B1	B4	AB	I1	I2	CG
Com. WECS	P-S	X	x	x	x	x	x	x	X

1. Minimum setback distances for Commercial WECS Towers

Distance from a...	Minimum Setback Distance
Property line, measured from the center of the WECS Tower to the property line	2.5 3 times the total height of the WECS Tower (where the blade tip is at its highest point) provided that the distance is no less than one thousand five hundred (1,500) <u>one thousand eight hundred (1,800)</u> . ² (i) A WECS Tower may be placed up to the property line, if a fully executed and recorded written waiver agreement is secured from the affected adjoining Landowner. ³
Residential dwellings, measured from the center of the WECS Tower to the nearest corner of the structure	2.5 3 times the total height of the WECS Tower, (where the blade tip is at its highest point), provided that the distance is no less than one thousand five hundred (1,500) <u>one thousand eight hundred (1,800)</u> feet ^{1,3}
Public road right-of-way, measured from the center of the WECS Tower to the edge of the right-of-way	1.5 3 times the total height of the WECS Tower, (where the blade tip is at its highest point), provided that the distance is no less than nine hundred (900) <u>one thousand eight hundred (1,800)</u> feet ²
Other rights-of-way, such as railroads and public utility easements, measured from the center of the WECS Tower to the edge of the right-of-way	1.5 3 times the total height of the WECS Tower (where the blade tip is at its highest point)
State and Federally owned public conservation lands, measured from the center of the WECS	2.5 3 times the total height of the WECS Tower, (where the blade tip is at its highest point), provided that the distance is no less than one

Tower to the nearest point of the public conservation land in question	thousand five hundred (1,500) <u>one thousand eight hundred (1,800)</u> feet
Wetlands, as defined by the U.S. Army Corps of Engineers, measured from the center of the WECS Tower to the nearest point of the wetland in question	As determined by a permit obtained from the Army Corps of Engineers
Wabash or Eel River measured from the center of the WECS Tower to the shoreline	One-half (1/2) mile
Incorporated limits of a municipality, measured from the center of the WECS Tower to the corporate limits	One-half (1/2) mile
Above-ground electric transmission line, measured from the center of the WECS Tower	1.5 <u>3</u> times the total height (where the blade tip is at its highest point)

1 The setback for residential dwellings shall be no less than 1.5 times the total height of the WECS Tower provided that the distance is no less than one thousand (1,000) feet of a COMMERCIAL WECS Tower, measured from the center of the WECS Tower to the nearest corner of the structure, if on a participating property.

2 The setback shall be measured from future public rights-of-way width if a planned public road improvement or expansion is known at the time of application.

3 If future residential dwellings or buildable land splits occur near a WECS Tower, they shall keep the ~~2.5~~ 3 times the total height of the WECS or no less than ~~1,500~~ 1800 feet setback or a Memorandum of Understanding (MOU) must be signed, notarized and recorded with the Deed.

a. Commercial WECS Power Collection and Transmission System

1. WECS Substation: for all Substations, setbacks from property lines are waived if the affected adjoining landowners sharing the common property line are all Participating Landowners.

2. Poles: for all poles carrying overhead wiring connecting Commercial WECS Towers to a Substation for connection to a utility's electric transmission line, there are no setback requirements from property lines as long as the poles are located within a recorded easement for such purpose.

Justification:

The County looked at the proposed HB 1381 to determine areas that may need changed to our current ordinance before a bill such as that would be adopted in to law.

Staff Recommendation:

Staff recommends that the proposed addition be approved by the Logansport Plan Commission.

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