

**Shelby County Plan Commission  
Meeting Minutes  
Tuesday  
September 22, 2020**

**Members Present:**

Doug Warnecke  
Chris Ross  
Terry Smith  
Charity Mohr  
Mike McCain  
Kevin Carson  
Scott Gabbard  
Steve Mathies

**Members Absent:**

Taylor Sumerford

**Staff Present:**

Desiree Calderella – Planning Director  
Mark McNeely – Plan Commission Attorney

**Call to Order and Roll Call:**

Doug Warnecke called the September 22, 2020 meeting to order at 7:00 pm in Room 208 A at the Court House Annex.

**Approval of Minutes:**

Kevin Carson made a motion to approve the minutes from August 25, 2020. Charity Mohr seconded the motion. The minutes were approved 8-0.

**Public Hearings:**

**Old Business**

None.

**New Business**

None.

**Discussion**

**Shelbyville Extraterritorial Jurisdiction**

Desiree Calderella explained that the City of Shelbyville plans to seek extraterritorial zoning jurisdiction of properties mostly or entirely surrounded by property within the

City limits. She stated that the City Planning Director plans to give a presentation at the October County Plan Commission meeting.

### **Commercial Solar Energy System (CSES) Ordinance**

Desiree Calderella provided the following information regarding the technical aspects of a possible amendment to the CSES Ordinance:

- CSES ordinance regulations should address land use impacts of solar energy, such as environment, aesthetic character of the area, etc.
- CSES ordinance regulations should not address economic impacts. Additional property taxes generated by a development are intended to address costs of that development to the County. The County Council can take this into consideration when considering tax abatements or other incentives.
- CSES ordinance regulations can address the unique aspects of solar development, however, cannot place additional restrictions on solar development not applicable to other development.
- The CSES ordinance should be consistent with Comprehensive Plan and overall regulations of the Unified Development Ordinance.
- State Code prohibits local governments from adopting an ordinance which has the effect of unreasonably restricting the use of solar energy systems.

Desiree Calderella provided the Board with a meeting packet (see case file).

Kevin Carson read a statement. In summary his statement included:

- The Plan Commission should recommend to the County Commissioners that they place a moratorium on new solar development to give the Plan Commission ample time to review and rewrite the solar ordinance.
- The Plan Commission should consider input from community members while reviewing the ordinance.
- Comments submitted by the concerned citizens to the Planning Director do not recommend prohibiting solar development, but rather implementing additional definitions and regulations to address new concerns regarding solar development.
- The Plan Commission should review the ordinance due to the possibility of additional solar development in the County.
- Like a business plan, the solar ordinance should evolve as new information becomes available.

Charity Mohr read a statement. In summary her statement included:

- The Plan Commission should review the solar ordinance because the community has provided the County with additional knowledge and research regarding solar development.
- The Comprehensive Plan conflicts with the solar ordinance.
- The current solar ordinance tends to benefit individual property owners rather than the community as a whole.

- Referenced an article by Ron Heiniger titled *Solar Farming: Not a Good Use of Agricultural Land*. (see case file).
- Referenced a chart provided by the Planning Director comparing Shelby County's ordinance to the APA recommendations and Indiana Model Solar Ordinance Draft (see case file). She explained that these sources include additional standards not included in Shelby County's solar ordinance.
- Solar development would likely negatively impact surrounding property values.
- The ordinance should address safety issues related to solar development, specifically the potential for fire.
- Requested a 6-month moratorium on solar development.

Scott Gabbard gave a summary of his email communications with professionals within the Purdue education system having expertise in soil science, planning, and sustainability (see emails in case file).

Terry Smith discussed the impacts a solar farm with a high assessed value would have on the County tax system as a whole.

Chris Ross explained that a residential property within the Ranger Power project had sold within a week, even though the owner had disclosed that solar panels would surround the property.

Kevin Carson recommended that the ordinance limit the size of solar projects and the proximity of solar fields to other solar fields.

Charity Mohr expressed concern that people would choose to not live in the County if the County included several large-scale solar farms.

Steve Mathies spoke about the economic factors related to solar farms.

Charity Mohr indicated that new residential lots would also contribute to the tax base and bring new residents to the County.

Chris Ross spoke about how large companies, such as POET, have worked with local fire departments.

Doug Warnecke provided a brief explanation of the roles of the Plan Commission and Board of Zoning Appeals in the writing of and enforcement of ordinances. He suggested that the Board review the ordinance in an executive session within a couple of weeks.

Desiree Calderella and Mark McNeely provided a brief explanation of State law prohibiting local governments from imposing restrictive regulations on solar development and the legal implications of the law.

Doug Warnecke made a motion to hold an executive session on October 6, 2020 at 5:00PM and Kevin Carson seconded that motion. **The motion PASSED.**

**Adjournment:**

With no further business to come before the Board, Chris Ross made a motion to adjourn. Charity Mohr seconded that motion. The meeting was adjourned.

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**Doug Warnecke**  
**President**

**Date**

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**Scott Gabbard**  
**Secretary**

**Date**