



BOONE
INDIANA
C O U N T Y

BOONE COUNTY AREA PLAN COMMISSION

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Lebanon, Indiana, 46052
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April 17, 2024

To Whom It May Concern:

On April 15, 2024, the Boone County Board of Commissioners, after a unanimous vote of support from the Boone County Area Plan Commission, voted unanimously to place a development moratorium on large-scale solar and wind alternative energy generation and storage projects, system, or facilities.

This development moratorium is in full force and effect for unincorporated Boone County (outside of the Towns of Zionsville, Thorntown, Advance, Jamestown, Whitestown and the City of Lebanon) so that the Boone County Comprehensive Plan and Boone County Zoning Ordinance can be revised to consider impacts and regulatory updates regarding these facilities.

Either until April 15, 2026, or whenever a new or updated Boone County Comprehensive Plan and updated Boone County Zoning Ordinance are adopted (whichever comes first pursuant to the attached ordinance), this development moratorium shall be in effect.

Pursuant to the attached ordinance, the Boone County Area Plan Commission office is **prohibited** from accepting for filing, processing, review, or acceptance of any application related to commercial or large-scale solar or wind alternative energy generation, in which electricity is generated for use or distribution off-site from the property wherein it is generated, or storage system or facilities not including residential or agricultural use.

While the Boone County Area Plan Commission office and its staff can discuss these projects with any interested party, no application—either for zoning or building review—shall be accepted for these facilities. Since no application can be accepted, no meetings of the Technical Advisory Committee (TAC) or public hearings before the Boone County Area Plan Commission or Boone County Board of Zoning Appeals shall be scheduled for these facilities in compliance with the attached ordinance.

Questions regarding this development moratorium should be directed to the Boone County Area Plan Commission office.

Sincerely,

Stephen Elkins
Executive Director
Boone County Area Plan Commission

ORDINANCE NO. 2024-06
BOONE COUNTY BOARD OF COMMISSIONERS

AN ORDINANCE ESTABLISHING A DEVELOPMENT MORATORIUM ON
COMMERCIAL OR LARGE-SCALE SOLAR AND WIND ALTERNATIVE ENERGY
GENERATION AND STORAGE PROJECTS, SYSTEMS, OR FACILITIES

WHEREAS, the Area Planning Law of the State of Indiana (I.C. 36-7-4, *et seq.*) empowers the Boone County Area Plan Commission (“APC”) to make recommendations to the Board of Commissioners of Boone County, Indiana concerning the land use, zoning, or districting of lands within the unincorporated areas of Boone County, Indiana; and

WHEREAS, the majority of unincorporated Boone County is zoned AG (Agricultural), and Boone County’s Comprehensive Plan, which serves as a guide for future growth and development, aspires to, “strike [] a balance between future growth and economic development with a plan that focuses on agriculture and economic development, industry, and maintains the rural character and quality of life that so many Boone County residents enjoy and cherish.”; and

WHEREAS, Neither the Boone County Comprehensive Plan, as adopted in 2009, nor the Boone County Zoning Ordinance, as adopted in 1998, contemplated or considered commercial or large scale solar, wind or alternative energy generation and storage projects and their impacts on unincorporated Boone County; and

WHEREAS, on March 18, 2024, the Board of Commissioners of Boone County, as part of its regular meeting, received comments from the public regarding a moratorium on the development of commercial or large-scale solar and wind alternative energy projects, systems, or facilities; the majority of those who spoke were in support of it; and

WHEREAS, the APC has received numerous emails from citizens regarding a moratorium on the development of commercial or large-scale solar and wind alternative energy projects, systems, or facilities; the vast majority were in support of a moratorium; and

WHEREAS, on April 3, 2024, the APC, as part of its regular meeting, voted unanimously to affirm a letter as its position to request the Board of Commissioners adopt a development moratorium on new large-scale solar and wind facilities in unincorporated Boone County for a period of two (2) years. In its letter, the APC acknowledged its continued work towards a revised and updated Comprehensive Plan and recognized that the Board of Commissioners recently approved the Overlay Amendment to the Comprehensive Plan, which will regulate growth along primary highways in unincorporated Boone County. Moreover, the APC noted that, while crafting the Overlay Amendment to the Comprehensive Plan, it conducted multiple public hearings during which numerous attendees resoundingly and repeatedly emphasized the desire to retain as much rural character and agricultural land as possible; and

WHEREAS, at an April 4, 2024 a joint public meeting of the Board of Commissioners and the County Council and attended by the APC, and Boone County Area Board of Zoning Appeals (“BZA”), in excess of two hundred (200) citizens attended and were invited to voice their opinions

regarding commercial or large-scale solar and wind alternative energy projects, systems, or facilities. The overwhelming majority of those who spoke supported a moratorium on such developments and cited various concerns, including economic viability of alternative energy projects, soil degradation and contamination, potential undesirable effects on the economy, electricity rates, grid stability, and property values, and the desire to retain Boone County's biodiversity, community aesthetics, and prime farmland; and

WHEREAS, the Board of Commissioners believe that a moratorium on the filing, processing, review, and acceptance of any applications for commercial or large-scale solar or wind alternative energy projects, systems, or facilities, for a period of two (2) years is in the best interests of the citizens of Boone County, is necessary to ensure the public health, safety, and general welfare, and will provide sufficient time for the analysis and careful consideration of various complex issues concerning such developments and their potential impacts on our community and will provide sufficient time for such considerations to be incorporated into revisions to the Comprehensive Plan and Zoning Ordinance.


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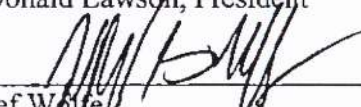
NOW, THEREFORE, BE IT ORDAINED that, pursuant to I.C. 36-7-4, *et seq.*,
The Board of Commissioners of Boone County, Indiana, hereby state as follows:

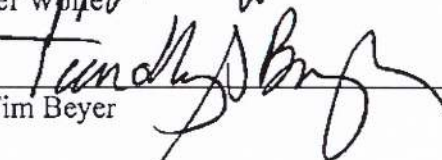
1. A moratorium shall be enacted within Boone County, commencing April 15, 2024 for the filing, processing, review, or acceptance of all applications related to commercial or large-scale solar or wind alternative energy generation, in which electricity is generated for use or distribution off-site from the property wherein it is generated, or storage systems or facilities not including residential or agricultural uses; and
2. Said strategic moratorium shall remain in place for two (2) years, until April 15, 2026 or until the Boone County Comprehensive Plan and Zoning Ordinance are amended and adopted to reflect the aforementioned considerations, whichever occurs first; and
3. Any prior Ordinances that conflict with this Ordinance and its incorporated Exhibits are hereby repealed and replaced; and
4. If any portion of this Ordinance determined to be unconstitutional or in violation of state law by a court of competent jurisdiction, the remaining portions of the Ordinance shall continue in full force and effect; and
5. This Ordinance shall become effective in accordance with state law.

All of which is Ordained and Adopted this 15th day of April, 2024.

BOARD OF COMMISSIONERS OF BOONE
COUNTY, INDIANA

By: 
Donald Lawson, President

By: 
Jef Wolfe

By: 
Tim Beyer

ATTEST:


Debbie Crum, Boone County Auditor

This document was prepared by Robert Clutter, Boone County Attorney, 117 W. Main Street, Lebanon, IN 46052

I, Robert Clutter, swear and affirm, under penalties of perjury, that I have taken care to redact social security numbers from this document, in accordance with Indiana law.

(s)Robert Clutter