

**STATE OF INDIANA
BEFORE THE KNOX COUNTY AREA PLAN COMMISSION
RESOLUTION NO. 2026-1**

**INFORMAL RECOMMENDATIONS
OF THE KNOX COUNTY AREA PLAN COMMISSION REGARDING
POTENTIAL AMENDMENTS TO THE SOLAR ENERGY SYSTEMS ORDINANCE
WITHIN THE KNOX COUNTY, INDIANA ZONING ORDINANCE**

A RESOLUTION memorializing the informal recommendations of the Knox County Area Plan Commission regarding potential amendment considerations to Section 152.264 of the Knox County, Indiana Zoning Ordinance, prepared at the request of the Knox County Board of Commissioners, acknowledging that these recommendations do not constitute a “proposal” as defined under Ind. Code § 36-7-4 *et seq.*, and are submitted solely for the Commissioners’ consideration.

WHEREAS, the Knox County Board of Commissioners (“Commissioners”) requested that the Knox County Area Plan Commission (“APC”), as the body possessing expertise in general zoning administration but not in technical solar-industry matters, undertake a review and offer informal recommendations concerning potential amendments to the Knox County Solar Energy Systems provisions in Section 152.264 of the Knox County Zoning Ordinance (consisting of Section 152.001 through and including Section 152.265) after hearing public comment on the same; and

WHEREAS, the APC’s review and the resulting recommendations are not intended to constitute a “proposal,” “certified proposal,” or any other filing or action governed by Ind. Code § 36-7-4 *et seq.*, and are instead being issued solely in response to a request from the Commissioners for non-binding and unofficial input; and

WHEREAS, the APC conducted a publicly noticed Public Hearing with public comment on December 2, 2025, to receive community input relating to potential suggested revisions to the Solar Energy Systems subsection of the Knox County Zoning Ordinance; and

WHEREAS, the APC held a subsequent publicly noticed Public Hearing on January 6, 2026, at which the APC engaged in its own internal (but public) discussions of potential suggested revisions to the Solar Energy Systems subsection of the Knox County Zoning Ordinance, but did not accept or receive further public comment; and

WHEREAS, the APC now desires to formally articulate and transmit its Informal Recommendations to the Commissioners, with this Resolution proposed for adoption on February 3, 2026; and

WHEREAS, even under § 36-7-4 *et seq.*, which again, is not being used here, the APC only ever makes recommendations to the Knox County Commissioners and cannot on its own (at least without Commissioner notice and acquiescence) amend any part of the Zoning Ordinance, including but not limited to the Solar Energy Systems subsection of the Zoning Ordinance.

WHEREAS, the APC further notes that its review was limited to solar energy development matters only, and that the APC did not evaluate or take any position on wind energy development, due to the absence of sufficient information or materials regarding such facilities being presented to the APC as of the date of this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Knox County Area Plan Commission that the following Informal Recommendations be transmitted to the Knox County Board of Commissioners for their independent consideration:

1. Increase in Setback Requirement to Three-Hundred (300) Feet.

The APC recommends amending Section 152.264(A)(2) of the Knox County Zoning Ordinance to increase the current setback requirement applicable to Solar Energy Systems from two-hundred (200) feet to three-hundred (300) feet. It should also be clarified where this setback increase should apply as to the location of any foundation of any existing residence or Principal Structure, the Fencing required by the Solar Energy Systems subsection part of the Zoning Ordinance (152.264(A)(6)), the Screening required by the Solar Energy Systems subsection part of the Zoning Ordinance (152.264(A)(7)), and the SES structure itself.

This change is intended to enhance buffering, mitigate visual impact, and align with ~~setback requests made by the public while not also constituting a de facto prohibition of Solar Energy Systems in Knox County, Indiana.~~

2. Vegetative Screening Requirements.

The APC recommends that Section 152.264(A)(7) be clarified or amended such that screening must consist of reasonable and appropriate vegetation that is sufficient to reasonably obstruct the view of the required perimeter fence under (Section 152.264(A)(6)) rather than allowing only opaque fencing as currently permitted under Section 152.264(A)(7). Said appropriate and reasonable screening via vegetation should be a requirement for the entire lifespan of any potential Solar Energy System. Vegetative screening should be a requirement when there is a ~~non-participating residence bordering the Solar Energy System.~~

Reasonable and appropriate vegetative screening should remain the baseline expectation, with fencing serving as a secondary or internal component rather than a standalone visual mitigation measure. Considerations for reasonable and appropriate vegetative screening should

include, but not be limited to, the following considerations: (a) using native vegetation; (b) the impact on the local ecosystem of the vegetation; (c) the lifespan of said vegetation, especially in conjunction with the typical lifespan of Solar Energy Systems; (d) the growth rate of said vegetation; (e) the potential minimum and maximum size of said vegetation; and (f) considerations of conservancy from an appropriate authoritative body.

3. *Battery Energy Storage Systems (BESS).*

The APC recommends that the Commissioners defer to Ind. Code § 22-14-8 *et seq.*

4. *No Recommendation Regarding Wind Energy Development.*

The APC notes for the record that it has not evaluated wind energy development issues. No position is being taken regarding the permissibility, regulation, or advisability of wind energy projects. This is due solely to insufficient information submitted to the APC to date.

BE IT FURTHER RESOLVED that these Informal Recommendations are transmitted without certification, without statutory effect, and without prejudice to any future formal action that may be undertaken pursuant to Ind. Code § 36-7-4 should the Commissioners request the preparation of a certified proposal.

ADOPTED AND APPROVED this 3rd day of February, 2026, by the Knox County Area Plan Commission with a vote of 8 in favor and 0 opposed to the same.

KNOX COUNTY AREA PLAN COMMISSION

By: Stephen A. Dolling
President

Attest: Colt Mihard
Secretary and Executive Director