

INDIANA RENEWABLE ENERGY

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Large Utility-scale Solar Ordinances in Indiana

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INTRODUCTION

Utility-scale solar facilities have been growing nationwide, in part, due to increasing energy demand and rising electricity costs. Following national trends, Indiana has seen a surge in utility-scale solar development in recent years, since the first project became operational in 2021 (SUFG, 2025). As of fall 2025, the Indiana State Utility Forecasting Group (SUFG) reported a total installed capacity for utility-scale solar projects of 2,968 megawatts (MW) with 13 additional projects (3,070 MW) under construction (2025). Even with the suspension of the Inflation Reduction Act (IRA) tax credit through the One Big Beautiful Bill Act (OBBBA) passed in 2025, solar generation is still expected to grow both in the Midwest and nationally as forecast by the Midcontinent Independent System Operator (MISO, 2026) and the U.S. Energy Information Administration (2026). Drivers of this projected growth include increasing electricity demand, low levelized cost¹ of solar relative to other types of energy generation, and battery deployment (EIA, 2026).

Many Indiana counties have grappled with how to regulate this land use. Large utility-scale solar developments can be several hundred acres and are often developed on farmland in unincorporated areas (Macquire et al., 2024). These trends prompt many county governments to develop policies for these areas that balance private property rights with the safety, health, and welfare of their communities. In Indiana, counties can set land use policy for unincorporated areas



Figure 1: Counties with utility-scale wind regulations in their planning and zoning

through the adoption of planning and zoning (IC 36-7-4-202). Eighty-two counties (89.1%) in Indiana have implemented planning and zoning. Planning and zoning are implemented by the planning department staff, plan commission, board of zoning appeals (BZA), and the local legislative body. The plan commission is primarily responsible for developing and amending the comprehensive plan and zoning and subdivision ordinances. The commission makes recommendations to the legislative body that adopts the plan, ordinances and any amendments (Reitz & Ternet, 2017).

¹ Levelized cost of energy (LCOE) is the total estimated lifetime costs of building, operating, and decommissioning an energy generator divided by the total expected energy output in today's dollars.

The county commissioners serve as the legislative body for county government with the exception of St. Joseph and Lake counties where the county council serves as the legislative body.² The BZA is a quasi-judicial body that hears special exceptions,³ variances and appeals from staff decisions (Burbrink, 2018). Planning department staff manage day-to-day operations of the planning such as reviewing petitions and preparing staff reports (Reitz & Ternet).

METHODOLOGY

The study team collected utility-scale solar ordinances as part of the 2025 Renewable Energy Ordinance Inventory and Community Needs Assessment project that also included a review of zoning regulations for utility-scale wind and battery storage energy storage systems. This inventory and assessment updates a similar study conducted in 2022 (Ogle & Salazar).

In the summer of 2025, an electronic survey was sent to Indiana county planning departments. Respondents were able to submit their ordinances using a link or by uploading the file. 45 of the 82 contacts responded, resulting in a survey response rate of 54.9%. Following the survey, the study team collected additional ordinances through direct contact with county officials and a review of local websites through the spring of 2026. The 76 ordinances that were collected through the survey, and subsequent contacts represent 81.7% of the 82 counties with planning and zoning. Ordinances were collected for all counties with planning and zoning, unless county officials verified, by survey or direct contact, that the county does not have renewable energy standards in its ordinance.

This study focuses on large utility-scale solar developments. There is no consensus on a definition for large utility-scale solar. The National Laboratory of the Rockies (NLR) defines utility-scale solar as projects that generate over 1 MW of electricity, while the Solar Energy Industries Association (SEIA) sets the threshold at over 5 MW. Neither of these definitions reflects typical developer-led projects, which are often 100 MW or greater (Kiella & Yost-Bremm, 2025). For the purposes of this analysis, the study team defines large utility-scale as developments with 100 MW or greater,

or 500 acres or greater. In the 2022 study, no ordinances established a maximum project size (Ogle & Salazar, 2022). This study found that seven counties set a maximum acreage per project, necessitating a clearer definition of the study's scope. According to the State Utility Forecasting Group, the smallest utility-scale solar development in operation or under construction in Indiana at the time of this study was the 100 MW Elkhart Solar.⁴ 100 MW solar developments typically need 500 to 1,000 acres (Augst et al., 2025). This study uses the lower limit of 500 acres to define large utility-scale solar development.

Ordinances were categorized using a methodology similar to Ebner (2015) and Ogle & Salazar (2022). The findings were organized into six categories common in zoning ordinances:

- Definitions
- Districts and approval process
- Acreage caps
- Setbacks
- Other use standards, and
- Plans and studies required

SOLAR REGULATIONS

This study evaluates the 67 counties that regulate utility-scale solar projects as a primary use (Figure 1). Nineteen counties adopted utility-scale solar regulations in their zoning ordinance since the 2022 study (Ogle & Salazar, 2022). Using the year of first adoption or amendment when available, the study team determined that at least 21 counties with an existing solar ordinance had amended it since the previous study.

Of the counties that regulate utility-scale solar, Henry, Marshall and Steuben counties explicitly do not permit solar in any district. Additionally, eight counties do not permit large-scale solar. These counties limit the maximum project size to below 500 acres, ranging from a limit of 30 acres in Hancock County to 400 acres in Boone, Grant and Madison counties. Grant, Hancock, Madison and Rush counties include the acreage limit in their definitions. Some of these counties split solar project size into tiers with no tier covering 500 acres or more.

² Marion County has a consolidated city-county government and is not included in this report.

³ Special exceptions may also be called conditional uses or special uses.

⁴ According to the project's website, the 100 MW Elkhart Solar facility site is 850 acres (Savion, 2026).

Other counties prohibit solar projects above the maximum size, and some list the maximum size in their standards. For the purposes of this study, these 11 counties were omitted from further analysis. The tools and regulations in the remaining 56 county ordinances are outlined below.

USE DEFINITIONS

Each county defines the large-scale utility solar land use within its zoning ordinance. Many of the counties used one or more of the following elements, including whether the project is connected to the grid, the size of the project, and whether the power is primarily used off-site (Table 1). Commonly used measurements for size included rated megawatt capacity, acreage of project, surface area of panels, and number of panels.

Table 1: Elements in zoning ordinance use definitions for solar	
Elements	Number of Counties
Connected to grid/utility use	36
Size of project	29
Off-site use	21

ZONING DISTRICTS AND APPROVAL METHODS

In Indiana, solar developments can be permitted by right, permitted by special exception, or not permitted in a specific zoning district. Zoning districts are specific geographic areas defined by the zoning ordinance with land use regulations and development standards that establish where and how different types of development occur.

Table 2: Process requirements for locating large-scale utility solar in a general agricultural zone					
	Permitted by right	Special exception	Overlay district-permitted use	Rezoning to another district-permitted use	Rezoning with special exception
Number of counties^	7	32	11	4	1
Approving body	Staff*	Board of Zoning Appeals (includes public hearing)	Plan Commission holds public hearing and vote on recommendation Legislative body has final approval		

When a use is not permitted in the specific zoning district that applies to the project site but is allowed in another district, the applicant can petition for an amendment to the zoning map, commonly referred to as a rezoning. In this process, the plan commission holds a public hearing and votes on whether or not to recommend the amendment to the zoning map. The legislative body makes the final decision on the amendment. Overlay districts are also commonly used to regulate large-scale utility solar. An overlay district for solar can be placed over the existing (or base) district, allowing solar development with additional standards. Uses that are permitted in the base district would continue to be permitted under the base district standards. This process also requires an amendment to the zoning map. Additionally, in counties with an advisory plan commission, an applicant can file for a use variance with the BZA, which can allow a land use that is not permitted, and would include a public hearing (IC 36-7-4-918.4).

Solar projects must meet the zoning district standards of the zoning district in which they are proposed and any additional use standards specific to utility-scale solar. Some common development standards include setbacks and height restrictions. If a project cannot meet the established standards, they can petition the BZA for a variance from development standards. The BZA would hold a public hearing and then approve or deny the variance petition based on whether it meets the criteria set by IC 36-7-4-918.5

Table 2 describes the approval methods counties use for large-scale utility solar in a general agricultural district. Seven counties (12.5%) permit this use by right in a general agricultural district. The project would still need to follow the use and development standards for the zoning district and secure a permit from the planning office, but does not require any additional review of zoning by the plan commission, BZA, or legislative body.

^Vigo County does specify the permitting process.
*Must follow district and use standards to be approved. Staff decisions can be appealed to the BZA.

Special exceptions are the most common approval method in the general agricultural districts, occurring in 32 counties (57.4%). In these counties, solar projects must appear before the BZA. Solar projects in the remaining 15 counties (26.8%) require an amendment to the zoning map. Among these counties, 11 counties (19.6%) require the use of a solar or renewable energy overlay district, three counties (5.4%) require a rezoning to a different zoning district where large-scale solar is permitted, and a single county (Kosciusko) requires a rezoning process followed by a special exception. Vigo County has adopted the voluntary local regulations established for solar-friendly communities in IC 8-1-42 (2022) but does not specify what zoning districts, or the process for permitting solar development.

25 counties (44.6%) also require the approval of a development plan. Indiana Code (IC 36-7-4-1402) specifies how counties can use this process to ensure that the permit standards are met.

Some counties include additional requirements or exceptions to their permitting process. For example, Shelby County limits the number of Commercial Solar Energy Systems (CSES) permitted to one in a ten-year period. It is unclear whether a project was permitted if this would be considered a moratorium since it has a time limit. Indiana Code (IC 36-7-4-1109.5) limits local land use moratoria on energy generation to one year. Randolph County requires the project to be approved by the board of commissioners prior to applying for a permit, and LaPorte County encourages brownfield development by making solar a permitted use on any brownfield, superfund, or former landfill site, instead of the special exception process they usually require.

ACREAGE CAPS

To address concerns about loss of farmland, some counties have instituted cumulative caps on the amount of acreage that can be used for large-scale utility solar since the last inventory (Ogle & Salazar, 2022). These caps focus on the total acreage of land used in the county rather than a single project. Table 3 lists the nine counties (16.1%) that employ an acreage cap in Indiana. Some counties use a simple number of acres, like Jefferson County, which sets the cap at 4,700 acres. Other counties use a percentage of land. For example,

Shelby County specifies the limit as 1% of total cropland calculated from the latest available Census of Agriculture, which currently is 1,990 acres (United States Department of Agriculture, National Agricultural Statistics Service [USDA NASS], 2022). Starke County recently instituted an acreage cap on the maximum percentage of land covered by CSES to 6% in any individual township and/or 6% of total acreage in the county, whichever occurs first. Counties vary in what part of the project is used to establish the acreage cap, such as fenced area, project area, or overlay district.

Table 3: Large-scale solar acreage caps in Indiana counties

County	Acreage cap	Area capped
Clark	4,000 acres	Fenced area
Dekalb	6,000 acres	Overlay district
Delaware	5,000 acres	Under panels
Fulton	1% of total acreage (2,362 acres)	Use
Jefferson	4,000 acres	Project area not farmed
Noble	4,700 acres	Fenced area or overlay district
Shelby	1% of total acres of cropland (1,990) ⁵	Overlay district
Starke	6% in any individual township (varies) and/or 6% of total acreage in county whichever occurs first (11,869 acres) ⁶	CSES systems
Wabash	2,000 acres	Total project area

DEVELOPMENT STANDARDS

Setbacks

Setbacks are the most commonly used development standard used to regulate large-scale solar, with 53 of the 56 counties (94.6%) requiring at least one setback. Setbacks typically are a minimum required distance between a use and a right-of-way (ROW), property line, or another use or district that often are used to mitigate land use conflict. Setbacks can be established for specific land uses or for the zoning district generally.

⁵ Calculated using the amount of farmland reported in the 2022 Census of Agriculture using NASS Quick Stats.

It is difficult to compare setbacks between zoning ordinances as jurisdictions create different specific measures. Some counties use recorded right-of-way while others use right-of-way apparent. Some establish setbacks from a residential use, using distance from the property line, outside wall of dwelling, or any accessory use. Similarly, when measuring the setback from the solar development, measurement may start at the solar panels, the fenceline, or a landscape buffer yard. The analysis below examines common setbacks for large-scale utility solar employed by counties and should be considered with these differences in mind.

The most common setbacks in Indiana are summarized in Table 4. Forty-five counties (80.4%) require a setback from non-participating owners' property lines. These setbacks range from 10 to 2,500 feet, with an average of 269 feet and a median of 100 feet. 37 counties (66.1%) require setbacks from rights-of-way. These setbacks from the right-of-way range from 30 to 1,650 feet, with an average of 220 feet and a median of 75 feet.

Table 4: Utility-scale solar setbacks from residences, property lines and rights-of-way				
Description	Number of ordinances	Range (ft)	Median (ft)	Mean (ft)
Residences	37	65-1,500	300	413
Setback (property line)	45	10-2,500	100	269
Setback (ROW)	37	30-1,650	75	220

Setbacks from residences are the most common setback from another use, found in 32 counties (57.4%). These requirements range from 65 to 1,500 feet, with an average of 413 feet and a median of 300 feet. Setbacks from residences vary in three counties (Jasper, DeKalb, and Randolph) based on the number of sides of the residence that are surrounded by the solar project.⁶ Delaware County's ordinance specifies a house cannot be surrounded on more than two sides by the solar project. Counties also commonly establish setbacks from churches and schools (nine counties, 16.1%) and from outdoor recreation or park land (seven counties, 12.5%). Seven counties also have setbacks from incorporated municipalities. Four of these counties require a setback from municipalities of one mile, while the other three require half a

mile. Counties also require setbacks from particular areas or equipment within the solar project. 10 counties (17.9%) specifically regulate the distance between inverters, which convert the electricity captured from direct current to alternating current, and nearby dwellings. Some of these standards are not absolute setbacks. For example, Fulton County requires the inverters to be centrally located, while Wells County bases the setback size on the inverter's sound level. In some cases, setbacks are required from access roads, substations, or fences. Three counties (Cass, DeKalb and Noble) require a setback for the temporary laydown yard used during construction of the project. This could help address specific or heightened conflict with nearby land uses during the construction phase (USDA NRCS, 2024).

Panel Height

Many counties regulate the maximum height of solar panels at full tilt. Typically, ground-mounted solar panels are no more than 15 feet but can be higher if raised to accommodate agrivoltaics or other dual uses (Augst, 2025). In Indiana, 44 counties (78.6%) set a maximum height standard for utility-scale solar. These range from 12 to 35 feet, with an average of 21 feet and a median of 20 feet.

Noise Limit

Noise is another common concern with solar development, particularly from inverters. Setbacks from inverters can help to mitigate noise for surrounding properties; however, the most direct way to mitigate noise is with a noise limit. Noise regulations typically have three parts: the decibel limit, time measurement (i.e., hourly average, absolute), and the place of measurement. Because of these nuances, it is difficult to compare this standard across the 32 counties (57.1%) that regulate noise in large-scale solar. Decibel limits in the range of 45 to 50 dBA are common, occurring in 21 of 32 counties. Two counties (Montgomery and Wabash) have decibel limits of 32 dBA, which may be below the ambient noise level in some rural areas (Kaliski, 2023).

6 For the analysis, the study team used the setback from a house surrounded on two sides.

Screening and Fencing

Screening can help to mitigate the visual impact of a solar project from public roadways or neighboring land uses. This can be accomplished through earthen berms, opaque fencing, or landscaping. Screening also can help dissipate noise from a land use and provide some security with the idea of “out of sight, out of mind.” Most of the counties that require screening have standards for landscape buffer yards. In Indiana, 52 counties require some sort of screening for large-scale solar developments. Some of these require widespread screening, including road frontage. 21 counties limit the requirement for screening to only residences or similar uses. Counties often include detailed specifications of the height, spacing, and species required in buffer yards, as well as maintenance and replacement of dead plants.

Fencing can provide some screening but is more likely to be used by solar developers to provide security. These requirements often establish the height and material of fencing to ensure it is compatible with the district’s surroundings. They may also consider adequate protection and movement of wildlife.

In Indiana, fencing requirements vary widely across the 50 counties (89.3%) that have some form of fencing regulations, with 45 counties (80.4%) regulating height and 32 (57.1%) with material or other fencing standards. All but two of the counties regulating fencing height set a minimum height between five and eight feet. The remaining two counties (Warren and Hendricks) set a maximum height of eight feet. Twenty-one county ordinances (37.5%) prohibit either barbed wire or razor wire. Wildlife-friendly fencing or wildlife corridors are required in 12 counties, with three additional counties including it as a preferred treatment. Other requirements include woven wire, wooden posts or opaque material. These fencing requirements vary widely across counties, indicating varied objectives or concerns regarding solar project fencing.

Ground Cover Standards

Ground cover standards can be used to manage stormwater, limit impermeable surfaces, maintain soil health, and provide environmental benefits. In Indiana, 38 counties (67.9%) set specific ground cover standards for large-scale solar

development. Some of these counties specify that ground cover must be perennial and vegetative, while other counties set more specific requirements. Seventeen counties (30.4%) require ground cover to be pollinator-friendly, and five additional counties encourage pollinator-friendly ground cover. Three additional counties waive other requirements, such as landscaping, if pollinator-friendly ground cover is planted. The use of native or naturalized species is required in 24 counties (42.9%).

Topsoil and Prime Farmlands Standards

As solar production has increased, the loss of farmland has been a growing concern among communities (Chen et al., 2026). To address this concern, counties may adopt restrictions of solar development on prime farmland and topsoil, or grading requirements. In Indiana, Hamilton and Huntington counties do not permit any large-scale solar development on prime farmland, while Delaware County requires no more than 20% of a project to be located on prime farmland. Howard County requires mitigation for the use of prime soils, although the use of agrivoltaics is the only mitigation defined.

Six counties (Adams, Delaware, Fulton, LaGrange, Lake, and LaPorte) have standards regulating the grading or removal of topsoil. Some of these counties expressly prohibit grading, while others require topsoil to be stored onsite and redistributed at decommissioning.

Agrivoltaics

Agrivoltaics combine solar energy generation and livestock grazing or crop production. While none of the counties in Indiana establish separate standards for agrivoltaics, some counties include exceptions or alternatives within their utility-scale solar use standards. Agrivoltaics is mentioned in 13 county ordinances (23.2%). Some of the exceptions or alternative standards include ground cover (9 counties, 16.1%), fencing (4 counties, 7.1%), and landscaping buffers (2 counties, 3.6%). Shelby County requires agrivoltaics or pollinator-friendly ground cover on prime farmland for approval. Daviess County gives agrivoltaics preference in the special exception review. Fayette County states that dual-use⁷ is encouraged, and Howard County accepts agrivoltaics as mitigation for use of prime farmland.

8 Dual-use encompasses more than agrivoltaics. In unincorporated areas, another common dual-use is wildlife habitat or biodiversity enhancement.

Other Standards

In Indiana, other common standards include limitations on glare (34 counties, 60.7%) and signal interference (23 counties, 41.1%). Forty-three counties (76.8%) also require some sort of emergency management standards, which range from warning and emergency contact signage to Knox boxes⁸ for emergency personnel access. Cabling or wiring shows up in 47 county ordinances (83.9%).⁹

Other standards less commonly used are ingress/egress, driveway, and color and material requirements. Two counties (Posey and Ripley) require the project to be dark-sky friendly; and two counties (Tippecanoe and Whitley) have a minimum ground clearance of three feet. Huntington County requires panels to be three feet above Base Flood Elevation (BFE) if located in a 100-year floodplain.

REQUIRED PLANS, AGREEMENTS AND STUDIES

Oftentimes, land use regulations for utility-scale solar development require various plans, agreements or studies. These documents can help ensure zoning standards are met, provide critical information to decision-makers, increase coordination between government departments and regulatory processes, and ensure public infrastructure and services are not negatively impacted. In Indiana, 55 counties (98.2%) require at least one plan, agreement or study. Wayne County is the only county that does not.

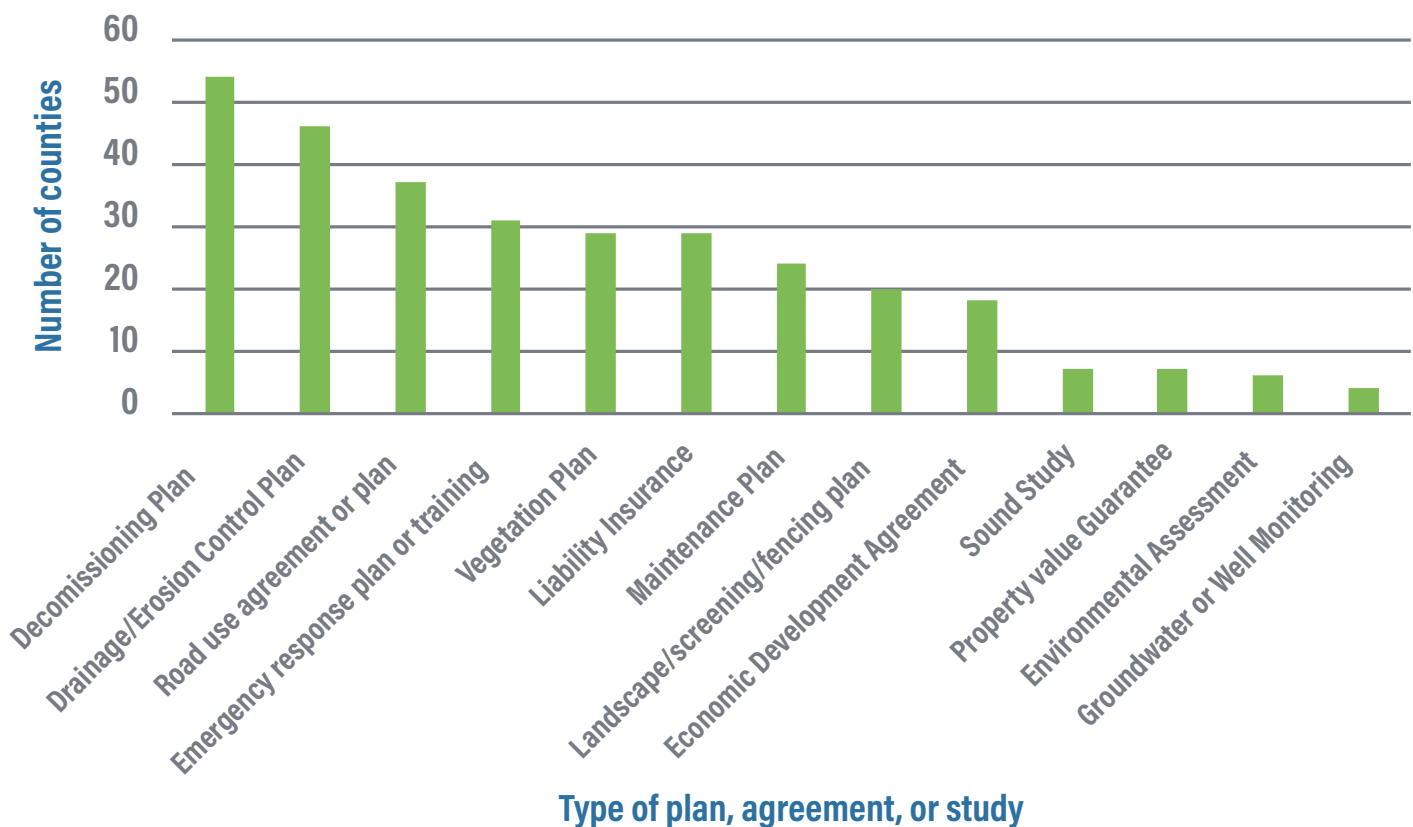


Figure 2: Plans, agreements and studies commonly required for large-scale solar in the zoning ordinance

⁸ Knox boxes are a secure lockbox that contains keys to provide emergency responders with access to the facility.

⁹ Further study is needed to understand if specific ordinance language would conflict with industry standards of low-voltage direct current wiring between panels and inverters commonly located above ground, and medium-voltage collection lines typically buried (DOE, 2023; ACP, n.d.).

The most commonly required plan is a decommissioning plan (54 counties, 96.4%). Decommissioning plans often contain requirements for financial assurance of decommissioning activities, timelines for decommissioning, and standards for remediation of the land. Counties often include requirements for updating these agreements periodically during the life of the solar project. The next most common requirements are drainage or erosion control plans (46 counties, 82.1%), road use agreements or plans (37 counties, 66.1%), and emergency response plans (31 counties, 55.4%). Each of these addresses the protection of public infrastructure and services as well as the reduction of land use conflict. Road use agreements may specify construction routes with public safety and neighboring uses in mind, as well as assurances of road repair after construction, repowering, and decommissioning. Drainage, erosion control, and emergency response all serve similar functions.

Counties also use vegetation plans (29 counties, 51.8%), landscape/screening/fencing plans (20 counties, 35.7%), and sound studies (seven counties, 12.5%) to ensure ordinance standards are met. For example, a county might require a vegetation plan to ensure the seed mix, planting method and maintenance will adequately meet its standard of pollinator-friendly ground cover. Liability insurance is required in 29 counties (51.8%) and include only general liability insurance in some cases and more specific liability insurance policies in others.

Economic development agreements (EDAs) are required by 18 counties (32.1%). These agreements are legal contracts between the legislative body and developer or utility. Planning staff, plan commissions or BZAs typically do not make decisions about what is in the EDA but can require an agreement as a condition for permitting. Other less common agreements or studies required include property value guarantees (seven counties, 12.5%), environmental assessments (six counties, 10.7%), and groundwater or well monitoring (four counties, 7.1%).

2022 STUDY COMPARISONS

This study did not directly compare utility-scale solar regulations by county to those found in the 2022 study (Ogle & Salazar, 2022). While some counties may have amended

regulations to be less restrictive, of the general trend for utility-scale solar regulations in county zoning ordinances in Indiana toward more restrictive requirements. This study identified three counties that explicitly do not permit utility-scale solar compared to no counties in the 2022 study. An additional eight counties limit utility-scale solar below the 500-acre threshold set by this study. No counties set maximum project size limits in the previous study. Acreage caps are also a new tool used by nine counties. Currently, no counties with acreage caps have reached their cap. Three counties greatly restrict solar development on prime farmland in this study compared to no counties in 2022.

Requirements for setbacks from property lines and residences also increased overall among counties since 2022, as shown in Table 5. The median setback from the property line increased 100% from 50 to 100 feet, and the median setback from a residence increased 50% from 200 to 300 feet. This suggests that counties with first-time utility-scale solar regulations may have adopted larger setbacks than the median in 2022, or some counties with ordinances in the previous study may have chosen to increase setbacks.

Table 5: Required setbacks from property line and residences, 2022 and 2026 comparison

	2022 study	2026 study	% change
Property line			
Number of counties	31	45	45%
Median	50	100	100%
Mean	88	269	206%
Residences			
Number of counties	28	37	32%
Median	200	300	50%
Mean	257	413	61%

SUMMARY

Indiana counties use a variety of permitting processes and standards when setting land-use regulations for large utility-scale solar. This study found a trend towards stricter regulations in ordinances, including three counties that do not permit large utility-scale solar explicitly and eight more that severely limit the size of a solar project. Setbacks, screening and fencing, topsoil and prime farmlands standards, agrivoltaics, and height and noise restrictions are among the many development standards adopted by the remaining 56 counties to regulate solar development.

In addition to these standards, communities often require various plans like decommissioning, transportation, economic development, and emergency response. As solar generation in the United States continues to grow, Indiana counties will need to continue to evaluate how they want to regulate large utility-scale solar in unincorporated areas.

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