

# Guidelines for Commercial Solar Projects in Brown County, KS

Planning Commission 1.7.2026

## A. Determine Eligibility and Mandatory Location Restrictions

1. Total project size: Confirm the project will occupy no more than 12 acres.
2. Project separation: Ensure the site is at least 15 miles from any other Solar Energy Conversion Project (existing or approved).
3. Airstrip setback: Ensure the project site is at least 1 mile from any public or private airstrip.
4. Roads & property lines: Ensure all facilities are 300 feet or more from any public road right-of-way and any adjacent property line.
5. Residences: Ensure all facilities are 1 mile or more from any inhabited dwelling unless written consent is obtained.
6. Confirm the project qualifies as a *Solar Energy Conversion Project* (for off-site commercial electricity generation, not personal or agricultural use).
7. Verify land use is not prohibited: Solar projects are generally prohibited unless they meet the Conditional Use Exception requirements.

## B. Prepare Required Plans

1. Stormwater Drainage Plan: Prepared by a licensed professional engineer.
2. Disaster Response Plan: Fire suppression, emergency shutdown, and emergency responder coordination.
3. Decommissioning Plan: Removal of all above-ground equipment and site restoration.
4. Decommissioning Funding Mechanism: Financial assurance sufficient to cover full decommissioning costs.

## C. Ensure Project Perimeter Security

1. Design and submit fencing plans consistent with County-approved fencing type and design.

## D. Apply for a Conditional Use Permit

1. Prepare a complete conditional use application under **K.S.A. 12-757**.
2. Submit the application to the **Brown County Planning Commission**.
3. Participate in the **public hearing** held by the Planning Commission.
4. Receive the Planning Commission's **recommendation**.
5. Obtain **final approval** from the Board of County Commissioners.

## E. Comply With Zoning and Police-Power Regulations

1. Ensure compliance with all applicable Brown County zoning and police-power regulations.

## F. Ongoing Obligations

1. Maintain compliance with all approved plans during the life of the project.
2. Understand that violations may result in injunction, abatement, or other legal remedies.
3. Note that if any section of the Resolution is determined to be invalid, the remainder stays in effect.

*Legal disclaimer of some type... This is merely a guideline document..... Legal counsel will likely need to add their approval/verbiage/fingerprint to this document.*