

Wells County Zoning Ordinance Revision *Reference*

Wells County Area Plan Commission Meeting October 6 @ 7:30 PM

#69-546

The following revision has been requested by the Wells County Commissioners upon review by their legal counsel in regards to the approving agencies of the Decommissioning Plan, Agreement for Use, Repair, and Improvements of Roads and Repair of Drainage Facilities, and Economic Development Agreement for Large WECS, a.k.a. Commercial Wind Farms. The legal counsel stated that the standard approval agencies for this petition are the County Commissioners, Local Legislative Body, and County Council, Local Fiscal Body.

(Bold = Added Strikethrough = Removed)

Amendment # 1

15-05 (5) PG 64 Decommissioning Plan (LARGE WECS ONLY): prior to receiving an improvement location permit under this Ordinance, the **affected** Local Legislative Body ~~and~~, **Local Fiscal Body**, and Owner and Operator shall agree upon a decommissioning plan outlining the anticipated means and costs of removing a Large WECS at the end of its serviceable life or upon becoming a discontinued or abandoned use to ensure that the Large WECS is properly decommissioned.

Amendment # 2

15-05 (7) PG 65

(7) Agreement for Use, Repair, and Improvements of Roads and Repair of Drainage Facilities and Economic Development Agreement and (LARGE WECS ONLY):

(A) Prior to the issuance of an improvement location permit for a Large WECS, the following shall be submitted to and reviewed by the staff of the Area Planning Department for review:

- a) An agreement for the use, repair, and improvement of roads and repair of drainage facilities approved by the affected **Local Legislative and Local Fiscal Bodies** and the Wells County Drainage Board. This agreement must prescribe or reference provisions to address crop and field tile damage.
 - (i) The agreement shall include a map showing county, city, and town facilities that will be used during the WECS Project. The map shall be drawn in the same scale as the other required plans in this Article. The plan shall be filed both in printed form and digitally (PDF or ESRI shp file format projected in the NAD_1983_StatePlane_Indiana_East_FIPS_1301_Feet coordinate system.)
 - (ii) Accompanying the map shall be video and written evidence of the facilities current condition.
 - (iii) As part of the agreement a liability insurance policy naming the county will be required for an amount agreeable to the parties.
- b) An Economic Development Agreement approved by the affected Local Legislative and **Local Fiscal bodies** ~~and local Economic Development Office~~.

Amendment # 3

Article 18: Definitions

<(REVISED DEFINITION)>

LOCAL LEGISLATIVE BODY: The ~~governing body~~ **legislative body** of an incorporated town, city, or county of Wells County

<(NEW DEFINITION)>

LOCAL FISCAL BODY: The fiscal body of an incorporated town, city, or county of Wells County

Amendment # 4:

Capitalized the above listed terms were they appear in the zoning ordinance showing that they are defined terms through our ordinance.

ZONING ORDINANCE

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF WELLS COUNTY, INDIANA

Date Adopted: Oct 17, 2011 Effective Date: _____, 201__ Ordinance Number: 2011-14th

Signature Paul I Bonham
Print Paul I Bonham Vice - PRESIDENT

ATTEST: Signature Beth Davis
Print Beth Davis - WELLS COUNTY AUDITOR

SUBDIVISION CONTROL ORDINANCE

NOW THEREFORE, BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF WELLS COUNTY, INDIANA

Date Adopted: Oct 17, 2011 Effective Date: _____, 201__ Ordinance Number: 2011-15

Signature Paul I Bonham
Print Paul I Bonham Vice - PRESIDENT

ATTEST: Signature Beth Davis
Print Beth Davis - WELLS COUNTY AUDITOR

"I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law" Beth Davis