

Wells County Area Plan Commission **Requirements for a Solar Energy System (SES) Development Plan**

Filing and Meeting dates are available at the Area Plan Commission Office and the Wells County Area Plan Commission Web Site (www.wellscounty.org)

Copies of the Wells County Zoning Ordinance and Wells County Subdivision Control Ordinance are available for purchase at the Wells County Area Plan Commission Office or may be viewed and printed online at the Wells County Area Plan Commission Web Site (www.wellscounty.org)

*****Contact Area Plan Office to customize petition based on
number of parcels*****

1) FEES

- a. Filing Fee: \$500.00 per parcel (Payable to Area Plan Commission)
(Filing fee set forth by the Wells County APC Fee Schedule)
- b. Sign Fee: \$15.00 per parcel (Payable to Area Plan Commission)
(Public advertisement sign required by APC Rules of Procedure)
- c. Legal Add: TBD based on number of parcels (Payable to Bluffton News Banner)
(Legal advertisement required by IC 5-3-1)

2) Filing

- a. Filled Out and Signed Petition (**this document**)
- b. Current Deeds for the Affected Properties
- c. Proof of Leased Ground
- d. Proof of Additional Public Notice (14-08 (3)(A))
- e. Copy of Proposed Liability Insurance Policy (14-08 (3)(P))
- f. Status and drafts of: Road Use/Repair Agreement, Economic Development Agreement, and Decommissioning Agreement (14-08 (3)(Q))
- g. Digital Copy & 3 copies of the Survey / Plat (**Must Be 11" x 17" and prepared by a licensed land surveyor**)
- h. Status of any applicable permits from other local, state or federal regulatory agencies
- i. Copy of Notice of Agriculture Activity Form (**if property is zoned A-1 or A-R**)
- j. If petition is not signed by legal owner(s) then applicable Power of Attorney, Trust documents, and/or death certificate(s) are required.

3) APPEAL PERIOD: 30 DAYS

(State required appeal period set forth in IC 36-7-4 and the Wells County Zoning Ordinance)

* All Fees Are Not Refundable

* As A Petitioner You Are Responsible For Reviewing The Wells County Zoning Ordinance And Subdivision Control Ordinance Requirements For Your Petition. The Area Plan Commission Office Staff Will Be Available To Answer Any Questions You May Have.

APC STAFF: Michael Lautzenheiser Jr. (Director); Suzie Gentis (Administrative Assistant); Tracey Ulmer (Part-Time Clerical)

SOLAR ENERGY SYSTEM (SES) DEVELOPMENT PLAN

* A COMPLETE FILING DOES NOT GUARANTEE APPROVAL. (THE FILING MUST MEET THE APPLICABLE REQUIREMENTS OF THE WELLS COUNTY ZONING AND SUBDIVISION CONTROL ORDINANCE TO BE APPROVED.)

*****Contact Area Plan Office to customize petition based on number of parcels*****

PETITION FOR DEVELOPMENT PLAN APPROVAL: ** _____

** This line is to be filled out by the APC Office.

Lessee or Owner of Real Estate (Petitioner): _____

Address: _____ City: _____ State: _____ Zip: _____

Phone #: _____ E-Mail: _____

Plans Prepared By: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone #: _____ E-Mail: _____

Location of Properties: _____

Proposed Development Plan: _____

Current Zoning Classification: _____

Comes now the Area Plan Commission and in support of granting "Petitioner's" Petition for Development Plan makes the following Findings of Fact, to wit:

"Petitioner" filed a Petition for a Development Plan as to the following described real estate located in _____ Township(s), Wells County, Indiana; more particularly described on Exhibit A attached hereto.

The sign as required by the Plan Commission has been duly posted in accordance with the Rules of Procedure of the Plan Commission more than fourteen days prior to the Plan Commission hearing.

On _____, the Area Plan Commission conducted a public hearing on the Petition in accordance with the Rules of Procedure of the Area Plan Commission and the following evidence was heard.

APC STAFF: Michael Lautzenheiser Jr. (Director); Suzie Gentis (Administrative Assistant); Tracey Ulmer (Part-Time Clerical)

SOLAR ENERGY SYSTEM (SES) DEVELOPMENT PLAN

(1) The petitioner shall meet the additional public notice requirement.
(Section 14-08 (3) (A)) of the Wells County Zoning Ordinance on Pg. 74)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

(2) The affected project properties shall be zoned Power Plant Overlay District "P-1".
(Section 14-08 (3) (B)) of the Wells County Zoning Ordinance on Pg. 74)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

(3) The petitioned project shall meet the Property Line Setbacks as required.
(Section 14-08 (3) (C)) of the Wells County Zoning Ordinance on Pg. 74-75)

a. Does the Petition Meet the Requirement? (YES or NO)

Non-Participating Property Line Setbacks (200 ft) _____
Participating Property Line Setbacks (zoning district setback) _____
Non-Participating Preexisting Residence Setbacks (400 ft) _____
Participating Residence Setbacks (no requirement) _____
Noise Generating Equipment Setbacks (see table) _____
Noise Level at Equipment _____

(4) The petitioned project shall meet the height requirement.
(Section 14-08 (3) (D)) of the Wells County Zoning Ordinance on Pg. 75)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

(5) The petitioned project shall meet the maximum vibrations requirement.
(Section 14-08 (3) (E)) of the Wells County Zoning Ordinance on Pg. 75)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

SOLAR ENERGY SYSTEM (SES) DEVELOPMENT PLAN

(6) The petitioned project shall meet the interference with reception requirement.
(Section 14-08 (3) (F)) of the Wells County Zoning Ordinance on Pg. 75

- a. Does the Petition Meet the Requirement? (YES or NO)
- b. Explain: _____

(7) The petitioned project shall meet the glare requirement.
(Section 14-08 (3) (G)) of the Wells County Zoning Ordinance on Pg. 75

- a. Does the Petition Meet the Requirement? (YES or NO)
- b. Explain: _____

(8) The petitioned project shall meet the equipment requirements.
(Section 14-08 (3) (H)) of the Wells County Zoning Ordinance on Pg. 75

- a. Does the Petition Meet the Requirement? (YES or NO)
- b. Explain: _____

(9) The petitioned project shall meet the fencing requirements.
(Section 14-08 (3) (I)) of the Wells County Zoning Ordinance on Pg. 75

- a. Does the Petition Meet the Requirement? (YES or NO)
- b. Explain: _____

(10) The petitioned project shall meet the appearance requirements.
(Section 14-08 (3) (J)) of the Wells County Zoning Ordinance on Pg. 75

- a. Does the Petition Meet the Requirement? (YES or NO)
- b. Explain: _____

(11) The petitioned project shall meet the waste management requirements.
(Section 14-08 (3) (K)) of the Wells County Zoning Ordinance on Pg. 75

- a. Does the Petition Meet the Requirement? (YES or NO)
- b. Explain: _____

APC STAFF: Michael Lautzenheiser Jr. (Director); Suzie Gentis (Administrative Assistant);
Tracey Ulmer (Part-Time Clerical)

SOLAR ENERGY SYSTEM (SES) DEVELOPMENT PLAN

(12) The petitioned project shall meet the visual buffer requirements.
(Section 14-08 (3) (L)) of the Wells County Zoning Ordinance on Pg. 75-76)
a. Does the Petition Meet the Requirement? (YES of NO)
b. Explain: _____

(13) The petitioned project shall meet the emergency contact signage requirements.
(Section 14-08 (3) (M)) of the Wells County Zoning Ordinance on Pg. 76)
a. Does the Petition Meet the Requirement? (YES or NO)
b. Explain: _____

(14) The petitioned project shall meet the electric wires requirements.
(Section 14-08 (3) (N)) of the Wells County Zoning Ordinance on Pg. 76)
a. Does the Petition Meet the Requirement? (YES or NO)
b. Explain: _____

(15) The petitioned project shall meet the drainage infrastructure requirements.
(Section 14-08 (3) (O)) of the Wells County Zoning Ordinance on Pg. 76)
a. Does the Petition Meet the Requirement? (YES or NO)
b. Explain: _____

(16) The petitioned project shall meet the liability insurance requirements.
(Section 14-08 (3) (P)) of the Wells County Zoning Ordinance on Pg. 76)
a. Does the Petition Meet the Requirement? (YES or NO)
b. Explain: _____

(17) The petitioned project shall meet the agreements regarding road usage/repair, economic development, and decommissioning.
(Section 14-08 (3) (Q)) of the Wells County Zoning Ordinance on Pg. 76)
a. Does the Petition Meet the Requirement? (YES or NO)
b. Explain: _____

APC STAFF: Michael Lautzenheiser Jr. (Director); Suzie Gentis (Administrative Assistant); Tracey Ulmer (Part-Time Clerical)

(18) Any publicly maintained utilities shall be installed in compliance with the adopted standards of the affected community. Written proof shall be obtained from the affected community that the plans meet their minimum standards.

(Section 14-08 (3) (R) a) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (B) a) of the Wells County Zoning Ordinance on Pg. 65)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

c. If **YES** Please attach a copy of the written proof of compliance.

(19) Any publicly maintained utilities shall be located in a recorded utility easement in favor of the affected community which meets the easement standards set forth in Zoning Ordinance and Subdivision Control Ordinance.

(Section 14-08 (3) (R) a) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (B) b) of the Wells County Zoning Ordinance on Pg. 65)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

(20) All taps made to any publicly maintained utilities shall be done in compliance with the adopted standards of the affected community. Written proof shall be obtained from the affected community that the plans meet their minimum standards.

(Section 14-08 (3) (R) a) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (B) c) of the Wells County Zoning Ordinance on Pg. 65)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

c. If **YES** Please attach a copy of the written proof of compliance.

(21) The proposed development shall meet the Storm Water Standards of the Subdivision Control Ordinance and any adopted standards of the affected community. Written proof shall be obtained from the affected community that the plans meet their minimum standards.

(Section 14-08 (3) (R) a) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (B) d) of the Wells County Zoning Ordinance on Pg. 65)

(Article 7 of the Wells County Subdivision Control Ordinance on Pg. 122)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

c. If **YES** Please attach a copy of the written proof of compliance.

SOLAR ENERGY SYSTEM (SES) DEVELOPMENT PLAN

(22) Any publicly maintained storm water drainage facilities shall be located in a recorded storm water easement in favor of the affected community which meets the easement standards set forth in Zoning Ordinance and Subdivision Control Ordinance.

(Section 14-08 (3) (R) a) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (B) e) of the Wells County Zoning Ordinance on Pg. 65)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

(23) Any driveway access point made to a publicly maintained street shall be constructed in conformance with the adopted standards of the affected community. Written proof shall be obtained from the affected community that the plans meet their minimum standards.

(Section 14-08 (3) (S) (a) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (C) a) 1) of the Wells County Zoning Ordinance on Pg. 65)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

c. If **YES** Please attach a copy of the written proof of compliance.

(24) Driveway accesses should be located directly across from other driveway accesses on the other side of the street from the driveway accesses, unless the Approval Agency finds it not to be feasible.

(Section 14-08 (3) (S) (a) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (C) a) 2) of the Wells County Zoning Ordinance on Pg. 66)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

(25) Anytime driveway access is required on an arterial street the use of one (1) of the following access reduction methods shall be installed.

(Section 14-08 (3) (S) (a) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (C) a) 3) of the Wells County Zoning Ordinance on Pg. 66)

(See definition of arterial public way in the Wells County Zoning Ordinance on Pg. 86)

a. Does the Petition require access to an arterial street (YES or NO)

b. If **YES**, what access reduction method will be utilized?

(Circle the one that applies)

- i. Frontage road
- ii. Rear collector road
- iii. Shared driveway system

c. If **YES**, explain _____

SOLAR ENERGY SYSTEM (SES) DEVELOPMENT PLAN

(26) The installation of driveway access improvements (deceleration lanes, acceleration lanes, passing blisters, and center turn lanes) shall be required if qualifications found within the most recent version of the Indiana Department of Transportation’s Driveway Permit Manual or Indiana Department of Transportation’s Indiana Design Manual have been met for the specific form of driveway access improvement.

(Section 14-08 (3) (S) (a) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (C) b) 1) of the Wells County Zoning Ordinance on Pg. 66)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

(27) All setback requirements shall be met as required by this Zoning Ordinance.

(Section 14-08 (3) (T) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (D) of the Wells County Zoning Ordinance on Pg. 66)

(Section 9-16 of the Wells County Zoning Ordinance on Pg. 52)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

(28) All height requirements shall be met as required by this Zoning Ordinance.

(Section 14-08 (3) (T) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (E) of the Wells County Zoning Ordinance on Pg. 66)

(Section 9-16 of the Wells County Zoning Ordinance on Pg. 52)

c. Does the Petition Meet the Requirement? (YES or NO)

d. Explain: _____

e. What is the overall height? _____

(29) All accessory structure requirements shall be met as required by this Zoning Ordinance.

(Section 14-08 (3) (T) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (F) of the Wells County Zoning Ordinance on Pg. 66)

(Section 11-01 of the Wells County Zoning Ordinance on Pg. 54)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

SOLAR ENERGY SYSTEM (SES) DEVELOPMENT PLAN

(30) All fence requirements shall be met as required by this Zoning Ordinance.

(Section 14-08 (3) (T) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (G) of the Wells County Zoning Ordinance on Pg. 66)

(Section 11-02 of the Wells County Zoning Ordinance on Pg. 54)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

(31) All off street loading requirements shall be met as required by this Zoning Ordinance.

(Section 14-08 (3) (T) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (H) of the Wells County Zoning Ordinance on Pg. 66)

(Section 11-05 of the Wells County Zoning Ordinance on Pg. 55)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

(32) All off street parking requirements shall be met as required by this Zoning Ordinance.

(Section 14-08 (3) (T) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (I) of the Wells County Zoning Ordinance on Pg. 66)

(Section 11-06 of the Wells County Zoning Ordinance on Pg. 55)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

(33) All pond requirements shall be met as required by this Zoning Ordinance.

(Section 14-08 (3) (T) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (J) of the Wells County Zoning Ordinance on Pg. 66)

(Section 11-07 of the Wells County Zoning Ordinance on Pg. 55-56)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

SOLAR ENERGY SYSTEM (SES) DEVELOPMENT PLAN

(34) All sign requirements shall be met as required by this Zoning Ordinance.
(Section 14-08 (3) (T) of the Wells County Zoning Ordinance on Pg. 76)
(Section 14-04 (4) (K) of the Wells County Zoning Ordinance on Pg. 66)
(Section 11-08 of the Wells County Zoning Ordinance on Pg. 56)
a. Does the Petition Meet the Requirement? (YES or NO)
b. Explain: _____

(35) All easement requirements shall be met as required by this Zoning Ordinance.
(Section 14-08 (3) (T) of the Wells County Zoning Ordinance on Pg. 76)
(Section 14-04 (4) (L) of the Wells County Zoning Ordinance on Pg. 66)
(Section 11-12 of the Wells County Zoning Ordinance on Pg. 58)
a. Does the Petition Meet the Requirement? (YES or NO)
b. Explain: _____

(36) All lighting requirements shall be met as required by this Zoning Ordinance.
(Section 14-08 (3) (T) of the Wells County Zoning Ordinance on Pg. 76)
(Section 14-04 (4) (M) of the Wells County Zoning Ordinance on Pg. 66)
(Section 11-10 of the Wells County Zoning Ordinance on Pg. 57)
a. Does the Petition Meet the Requirement? (YES or NO)
b. Explain: _____

(37) All site triangle requirements shall be met as required by this Zoning Ordinance.
(Section 14-08 (3) (T) of the Wells County Zoning Ordinance on Pg. 76)
(Section 14-04 (4) (N) of the Wells County Zoning Ordinance on Pg. 66)
(Section 11-11 of the Wells County Zoning Ordinance on Pg. 57)
a. Does the Petition Meet the Requirement? (YES or NO)
b. Explain: _____

(38) All temporary structures shall be met as required by this Zoning Ordinance.
(Section 14-08 (3) (T) of the Wells County Zoning Ordinance on Pg. 76)
(Section 14-04 (4) (O) of the Wells County Zoning Ordinance on Pg. 66)
(Section 11-09 of the Wells County Zoning Ordinance on Pg. 56)
a. Does the Petition Meet the Requirement? (YES or NO)
b. Explain: _____

APC STAFF: Michael Lautzenheiser Jr. (Director); Suzie Gentis (Administrative Assistant);
Tracey Ulmer (Part-Time Clerical)

SOLAR ENERGY SYSTEM (SES) DEVELOPMENT PLAN

(39) All sidewalks shall meet the minimum requirements set forth by the Americans with Disabilities Act (ADA). If a sidewalk is located in a public right-of-way it shall be installed to the affected communities standards. Written proof shall be obtained from the affected community that the plans meet their minimum standards.

(Section 14-08 (3) (T) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (P) of the Wells County Zoning Ordinance on Pg. 66)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

(40) All development shall be in compliance with all local and state floodplain regulations.

(Section 14-08 (3) (T) of the Wells County Zoning Ordinance on Pg. 76)

(Section 14-04 (4) (Q) of the Wells County Zoning Ordinance on Pg. 66)

(See Wells County Ordinance for Flood Hazard Areas on Pg. 129)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

c. What flood zones are located on the property? (AE – Floodway, AE, A, or X)
(Circle all that apply)

(41) Firefighting equipment and prevention measures acceptable to the local Fire Department shall be readily available and apparent when any activity involving the handling of storage of flammable or explosive materials is conducted. All development plans, PUD(s), and major subdivisions shall meet fire code standards established by the state of Indiana and the local fire department.

(Section 11-13 of the Wells County Zoning Ordinance on Pg. 58)

a. Does the Petition Meet the Requirement? (YES or NO)

b. Explain: _____

NOTICE OF AGRICULTURAL ACTIVITY

TO: ALL PETITIONERS IN AGRICULTURAL ZONED AREAS OF **WELLS** COUNTY, INDIANA
This notice is given to you because of your petition to move into an area of **Wells** County that is zoned for Agriculture.
The purpose of this notice is to assure you are aware that all agricultural operations are allowed in this area.
Agricultural activity may include, but is not limited to, grazing of livestock, confined feeding of livestock, application of animal manure to land, application of herbicides and pesticides to fields and growing crops, creation of dust from field operations and noise from livestock and machinery operations which includes the drying and transportation of grain, sometimes with machinery that has a "Slow Moving Vehicle" emblem on it, meaning it is traveling at 25 mph or less.
People who choose to live in these areas must understand that agricultural operations may be occurring nearby.
You must also understand that Indiana has a "RIGHT TO FARM" law that protects farm operations from unwarranted nuisance suits by neighbors who move next to an existing farm operation. Farm operations do not constitute a nuisance so long as they are not negligently maintained, do not endanger human health and do not cause bodily injury to third parties.
By signing this notice form you verify that you have received it, read it and understand it. You are not giving up the right to seek redress for negligence by individuals associated with a farm operation or by other residents of the area.

I, _____ CERTIFY THAT I HAVE RECEIVED THIS NOTICE. I HAVE READ IT AND I UNDERSTAND IT.

Printed Name

Date