

Wells County Zoning and Floodplain Management Ordinance and Subdivision Control Ordinance
Amendment

Date: December 4, 2025

Proposed Amendment(s):

A. Wells County Zoning Ordinance Amendments

- 1) Create new General Regulations for Small & Structure-Mounted Solar Energy Facilities
- 2) Remove Medium Solar Energy Facilities
- 3) Amend Non-Participating Pre-Existing residence and non-participating property setbacks for Large Solar Energy Facilities
- 4) Amend the visual buffer requirement for Large Solar Energy Facilities
- 5) Update Solar Energy Facility definitions to use acreage instead of nameplate power rating, which differs between classifications

The Proposed Amendment Must Pay Reasonable Regard to the Requirements State in IC 36-7-4-603

1. Comprehensive Plan: see attached findings
2. Current conditions and the character of current structures and uses in each district: see attached findings
3. The most desirable use for which the land in each district is adapted: see attached findings
4. The conservation of property values throughout the jurisdiction: see attached findings
5. Responsible Development and Growth: see attached findings

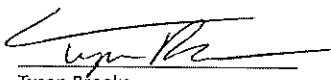
Date: December 4, 2025

Area Plan Commission Recommendation: Do Pass

Motion: Tim B. Seconded: Tyson B.

Andrews	<input checked="" type="checkbox"/>	in favor	<input type="checkbox"/>	opposed
Baumgartner	<input checked="" type="checkbox"/>	in favor	<input type="checkbox"/>	opposed
Brooks	<input checked="" type="checkbox"/>	in favor	<input type="checkbox"/>	opposed
Elwell	<input type="checkbox"/>	in favor	<input checked="" type="checkbox"/>	opposed
Hahn	<input type="checkbox"/>	in favor	<input checked="" type="checkbox"/>	opposed
Horan	<input type="checkbox"/>	in favor	<input checked="" type="checkbox"/>	opposed
Karabin	<u>ABSENT</u>	in favor	<u>ABSENT</u>	opposed
Lance	<input type="checkbox"/>	in favor	<input checked="" type="checkbox"/>	opposed
Rohr	<input checked="" type="checkbox"/>	in favor	<input type="checkbox"/>	opposed
Schuhmacher	<input checked="" type="checkbox"/>	in favor	<input type="checkbox"/>	opposed
Woodworth	<input checked="" type="checkbox"/>	in favor	<input type="checkbox"/>	opposed

Vote: 6 in favor 4 opposed


Tyson Brooks
Area Plan Commission President


Michael Lautzenheiser, Jr.
Area Plan Commission Secretary

Partial Text Amendment to the Wells County Zoning Ordinance
A25-12-27
Findings of Fact

The Wells County Area Plan Commission made a Do Pass Recommendation, with a motion by Tim Rohr and a second by Tyson Brooks, and a vote of 6 in favor and 4 opposed.

Therefore, here are the Findings of Fact in support of the Do Pass Recommendation

IC 36-7-4-603 Zoning ordinance; preparation and consideration of proposals Sec. 603. In preparing and considering proposals under the 600 series, the plan commission and the legislative body shall pay reasonable regard to:

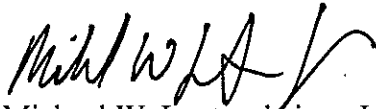
- (1) the comprehensive plan; The Wells County Vision 2035 Comprehensive Plan, in this case, looks at where solar development would make the most sense based on its scale. It also highlights that there is widespread concern among the general public about large-scale utility solar developments in the county. The proposed amendments would balance that sentiment with sound siting principles. The proposed amendment does make it easier for smaller-scale projects that support direct use from local users, as promoted in the comprehensive plan. The ordinance also works to strike a balance between competing private property rights and concerns.
- (2) current conditions and the character of current structures and uses in each district; The proposed ordinance amendments seek to strike a balance between the existing character and built environment of our community as it pertains to each type of solar development. Allowing more flexibility for smaller projects that would more likely occur in more densely developed urban areas. It also seeks to balance the contrasting uses of large-scale projects and rural agricultural land through setbacks and screening. Setbacks are used in this case to provide a visual and sound buffer, promote consistent development, provide space for required visual buffers, and to align with the Wells County Vision 2035 Comprehensive Plan.
- (3) the most desirable use for which the land in each district is adapted; The proposed ordinance amendment works to balance the fact that we need electric generation within our community and the existing conditions for which such projects would be developed. Smaller projects fit well within denser urban development areas or near existing building sites in rural areas. Larger projects require additional separations and considerations when siting to help balance the community's energy needs with the concerns raised in our public discussions on these amendments and those listed in the Wells County Vision 2035 Comprehensive Plan. With those balances in place, solar can be developed in a way that makes it desirable in each district when done in an ordinance-conforming manner.
- (4) the conservation of property values throughout the jurisdiction. Drawing on existing property value studies and testimony from local real estate professionals, additional considerations are needed before siting large-scale solar projects to protect property values. The increase in requirements for larger-scale solar projects will help conserve property values and enable necessary energy development in our community. The smaller-scale projects have been

streamlined because they are not seen as property-value issues within our community. Meeting basic requirements will ensure that they are developed in a manner that maintains that.

(5) responsible development and growth. In this case, responsible development entails a balancing act between the variety of potential solar projects that could occur in our community and the existing development patterns within our county. The proposed amendments strike a balance by allowing development in ordinance-compliant locations while being considerate of the concerns of the people who have spoken at our hearings and those raised in the Wells County Vision 2035 Comprehensive Plan.

In conformance with Indiana Code, we present the Do Pass Recommendation for the proposed partial text amendments to the Wells County Zoning Ordinance for your consideration as supported by these findings of fact.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael W. Lautzenheiser, Jr.", with a stylized flourish at the end.

Michael W. Lautzenheiser, Jr.
Wells County Area Plan Commission
Director
260-824-6407
wcapc@wellscounty.org

AREA PLAN COMMISSION

December 4, 2025 - MEETING

DIRECTOR'S OPINION

APPROVAL OF MINUTES

OLD ITEMS

NEW ITEMS

A 25-12-24 LANCASTER TWP. SW/4 17-27N-12E Trustees of the Murray Missionary Church request approval for a parking lot expansion. The property is located at 1117 N Washington, Bluffton, IN 46714, and is currently zoned R-2.

This project is using the former septic field area for the Murray Missionary Church for an additional parking lot and future playground. The church is now on the Regional Sewer District's sanitary sewer system. The Health Department has already approved the removal of the old septic system. The storm drainage from this project will go into a dry detention basin that will outlet into an existing tile system that was recently improved. There will be no changes to the driveway exits onto SR 116 or CR 350 N. The Plat Committee reviewed this petition and found no issues with the proposed plan. **The Plan Commission should approve this development plan as presented.**

A 25-12-25 LIBERTY TWP. SE/4 36-26N-11E Poneto Baptist Church requests approval for a new church facility. The property is located at 5819 S Grape St., Poneto, IN 46781, and is currently zoned R-1.

The project will demolish the existing church and rebuild a slightly larger church on the site. The project will utilize the 1 time stormwater exemption. There will be minor improvements to the sidewalk connection to the new building. The Plat Committee reviewed this petition and found no issues with the proposed plan. **The Plan Commission should approve this development plan as presented.**

A 25-12-26 HARRISON TWP. NW/4 5-26N-12E Wells County Area Plan Commission and City of Bluffton request approval for a rezoning to B-3. The property is located at 1613 W Cherry, Bluffton, IN 46714, and is currently zoned I-1.

The Wells County Area Plan Commission is acting as the petitioner for this rezoning. This is to rezone the property that includes the Animal Shelter, municipal water tower, and a parking lot/electric department storage lot from B-3 to I-1.

IC 36-7-4-603 Zoning ordinance; preparation and consideration of proposals Sec. 603. In preparing and considering proposals under the 600 series, the plan commission and the legislative body shall pay reasonable regard to:

(1) the comprehensive plan; The Wells County Vision 2035 Comprehensive Plan would support the rezoning of this property based on the proposed land use map and the land use compatibility spectrum. Both support this property being zoned B-3 "General Business" acting as a buffer between the residential zoned property and the industrial zoned properties in the area.

(2) current conditions and the character of current structures and uses in each district; Creating a visual and usage buffer between the residential and industrial uses in the area both existing and future would be to the benefit of the neighboring districts and the surrounding built environment.

(3) the most desirable use for which the land in each district is adapted; In this case, the most desirable land use is the one that matches the existing uses on the property today, and that follows the goals and aspirations of the Wells County Vision 2035 Comprehensive Plan. This rezoning would continue to promote sound zoning principles in that area.

(4) the conservation of property values throughout the jurisdiction; Property values will be preserved by fully developing the buffer between the existing and proposed residential and industrial uses that come together in this area. The buffer being part of the long-term plan for the area further qualifies this as the correct use and development pattern for the area, which would conserve property values.

(5) responsible development and growth. Rezoning a property to comply with the City of Bluffton's long-term vision will ensure it is considered responsible development. Having the buffer in this area helps to accomplish its goal alongside the neighboring property directly to the east of it.

The Plan Commission should give a do-pass recommendation to the Common Council of the City of Bluffton.

A 25-12-27 Wells County Ordinance Amendments

A. Wells County Zoning Ordinance Amendments

1) Create new General Regulations for Small & Structure-Mounted Solar Energy Facilities

2) Remove Medium Solar Energy Facilities

3) Amend Non-Participating Pre-Existing residence and non-participating property setbacks

for Large Solar Energy Facilities

4) Amend the visual buffer requirement for Large Solar Energy Facilities

5) Update Solar Energy Facility definitions to use acreage instead of nameplate power rating, which differs between classifications

We will hold a public hearing on the proposed amendments to the Wells County Zoning Ordinance's solar requirements. At the end of the public hearing, it would be time for the Plan Commission to consider the following proposed findings of fact, along with anything it would wish to add, in the formation of recommendations to the affected legislative bodies.

We have heard several people speak on these items and have heard significant items on both sides of this issue.

IC 36-7-4-603 Zoning ordinance; preparation and consideration of proposals Sec. 603. In preparing and considering proposals under the 600 series, the plan commission and the legislative body shall pay reasonable regard to:

(1) the comprehensive plan; The comprehensive plan in this case looks at where solar development would make the most sense based on its scale. It also highlights that there is an abundance of concern from the general public regarding large-scale utility solar developments within the county. The proposed amendments would balance that sentiment with sound siting principles. The proposed amendment does make it easier for smaller scale projects that support direct use from local users as promoted in the comprehensive plan. The ordinance also works to strike a balance between competing private property rights.

(2) current conditions and the character of current structures and uses in each district; The proposed ordinance amendments seek to strike a balance between the existing character and built environment of our community as it pertains to each type of solar development. Allowing more flexibility for smaller projects that would more likely occur in more densely developed urban areas. It also seeks to balance the contrasting uses of large-scale projects and rural agricultural land uses through the use of setbacks and screening.

(3) the most desirable use for which the land in each district is adapted; The proposed ordinance amendment work to balance the fact that we need electric generation within our community and the existing conditions for which such projects would be developed in. Smaller projects fit well within denser urban development areas, or near existing building sites in rural areas. Larger projects require additional separations and considerations when siting to help balance the community's energy needs with the concerns raised in our public discussions on these amendments and those listed in the comprehensive plan. With those being balanced, solar can be developed in a way that makes it desirable in each district when developed in an ordinance-conforming manner.

(4) the conservation of property values throughout the jurisdiction. Looking at existing property value studies and local real estate professionals, additional considerations are needed prior to siting large-scale solar projects when it comes to the conservation of property values. The increase in requirements for larger-scale solar projects will accomplish the goal of conserving property values and allowing for necessary energy development in our community. The smaller-scale projects have been streamlined as they are not seen as property value issues within our community. Meeting basic requirements will ensure that they are developed in a manner that maintains that.

(5) responsible development and growth. In this case, responsible development entails a balancing act between the variety of potential solar projects that could occur in our community and the existing development patterns within our county. The proposed amendments strike that balance of allowing for development in ordinance compliance locations, while being considerate of the concerns of the people who have spoken at our hearings and those that have been brought forth in the comprehensive plan.

With this being said, I believe that we should give a do-pass recommendation for the proposed ordinance amendment, with additional discussion needed to be had regarding the proper setback for preexisting residential structures near large-scale solar projects. This item should be considered in the context of striking a balance between the known need for energy development and the need to buffer large-scale solar projects in rural areas. We should be aware that developing an ordinance amendment that amounts to a regulatory ban should not be the goal of the Wells County Zoning Ordinance.

OTHER BUSINESS

- **2026 Meeting Calendar** Please review the 2026 meeting calendar. We have adjusted the format to fully separate the Plan Commission and Plat Committee schedules for clarity purposes. The highlighted dates are those that do not fall on the expected dates.

WELLS COUNTY VISION 2035 COMPREHENSIVE PLAN PROGRESS The Wells County Master Plan process is moving along we have been working with the City of Bluffton and the Town of Poneto to supply them with the information needed to help finalize their sections of the plan so we can move it closer to adoption early next year.

REVITALIZATION & TRAILS UPDATE These items have been a big part of the discussion within the Wells Count Master Plan process. A new goal to put together a plan for the next 10 years. The Poka-Bache Task Force is working on re-applying for the build grant for engineering and planning.

HOUSING STUDY UPDATE Further discussion have been being had regarding future housing growth and striking a balance between rental and owner occupied housing.

ADVISORY Discussion regarding the live streaming requirements that have been clarified by the state.

Wells County Zoning Ordinance Amendment 2025_2_3
Regarding Solar Energy Facilities

ARTICLE 9: ZONING DISTRICTS

TABLE 9-15 (Part 5 of 5) Permitted Uses in Zoning Districts Development Plan Required = Highlighted Text SE = Special Exception _x = Multiple On One Lot																
USES	A-R	A-1	B-1	B-2	B-3	C-1	I-1	I-2	L-1	M-1	M-2	R-1	R-2	R-3	S-1	P-1
Solar Energy Facility, Medium	SE	X	X	X	X	X	X	X	X					SE	SE	

ARTICLE 11: GENERAL REGULATIONS

11-15 SMALL AND STRUCTURE MOUNTED SOLAR ENERGY FACILITIES:

(1) Small Solar Energy Facility:

(A) Setbacks and Height Limitations: A Small Solar Energy Facility must meet all Setback and Height requirements for an Accessory Structure.

(B) Use: A Small Solar Energy Facility shall be located on the same Parcel or contiguous property as the primary user of the generated energy. Projects are allowed to be interconnected with the grid.

(2) Structure-Mounted Solar Energy Facility:

(A) Setbacks and Height Limitations: A Structure-Mounted Solar Energy Facility must meet all Setback and Height requirements for the Structure to which it is mounted.

(B) Use: A Structure-Mounted Solar Energy Facility shall be located on the same Parcel or contiguous property as the primary user of the generated energy. Projects are allowed to be interconnected with the grid.

ARTICLE 14: DEVELOPMENT PLAN

14-08 (3) (C) a) Non-Participating Property Line Setbacks: An SES Facility shall ~~be at least two hundred (200) feet~~ meet the required setbacks for that Zoning District, except for A-1 zoned property which the setback shall be sixty (60) feet from a non-participating property line.

14-08 (3) (C) c) Non-Participating Pre-existing Residence Setbacks: An SES Facility shall be at least ~~one thousand five hundred (1,500) four hundred (400)~~ feet from a non-participating pre-existing residence.

14-08 (3) (L) Visual Buffers: A visual buffer shall be installed ~~and maintained for the life of the project~~ between a non-participating pre-existing residence ~~that is within one thousand three hundred twenty (1,320) feet from a participating property in~~ and the SES Facility. This includes non-participating pre-existing residences located across a public Right-Of-Way. The visual buffer can be comprised of natural vegetation or plantings to provide a reasonable opaque visual buffer and lighting buffer for the non-participating preexisting residences. The buffer shall cover the entire viewshed from the non-participating preexisting residence to the SES Facility. The buffer must be a minimum of six (6) feet in Height when installed and must be designed to grow to a minimum of twenty (20) feet in Height. ~~The buffer cannot be located within a public Right-Of-Way (existing or proposed by this Zoning Ordinance). The buffer cannot be located within an Easement without compliance with section 11-12 of this Zoning Ordinance.~~

ARTICLE 18: DEFINITIONS:

SOLAR ENERGY FACILITY, LARGE: Any free-standing solar array or solar arrays that occupy an area of greater than twenty (20) acres, as measured from the outer perimeter of the solar array or solar arrays. have a combined nameplate power-rated capacity of more than 10 MW (megawatts) of peak generating capacity. **AKA LARGE SOLAR ENERGY SYSTEM or LARGE SOLAR ENERGY FACILITY**

SOLAR ENERGY FACILITY, MEDIUM: Any free-standing solar array or solar arrays that have a combined nameplate power-rated capacity of greater than 10 KW (kilowatts) or less than or equal to 10 five (5) MW (megawatts) of peak generating capacity.

SOLAR ENERGY FACILITY, SMALL: Any free-standing solar array or solar arrays that occupy an area up to twenty (20) acre, as measured from the outer perimeter of the solar array or solar arrays. have a combined nameplate power-rated capacity of less than or equal to ten (10) KW (kilowatts) of peak generating capacity. A permit is not required for a solar array or solar arrays that occupy an area up to thirty (30) square feet, as measured from the outer perimeter of the solar array or solar arrays. array or arrays with a nameplate capacity of less than or equal to 1KW (kilowatts). **AKA SMALL SOLAR ENERGY FACILITY**

SOLAR ENERGY FACILITY, STRUCTURE-MOUNTED: Any solar array or solar arrays that are mounted directly to the roof of a pre-existing or new Structure. This would be considered an expansion of the pre-existing structure and would be permitted and/or approved as this ordinance directs. A permit is not required for a solar array or solar arrays that occupy an area up to thirty (30) square feet, as measured from the outer perimeter of the solar array or solar arrays. for an array or arrays with a nameplate capacity of less than or equal to 1 KW (kilowatts). **AKA STRUCTURE MOUNTED SOLAR ENERGY FACILITY**

Mock Solar Project Recommended Large Requirements 1500 Ft Setbacks (Res) 60 Ft Setbacks (PL)

Stats
Total Acres: 2,896 Acres
Developable: 994 Acres - 34%
Setbacks: 1902 Acres - 66%

Legend

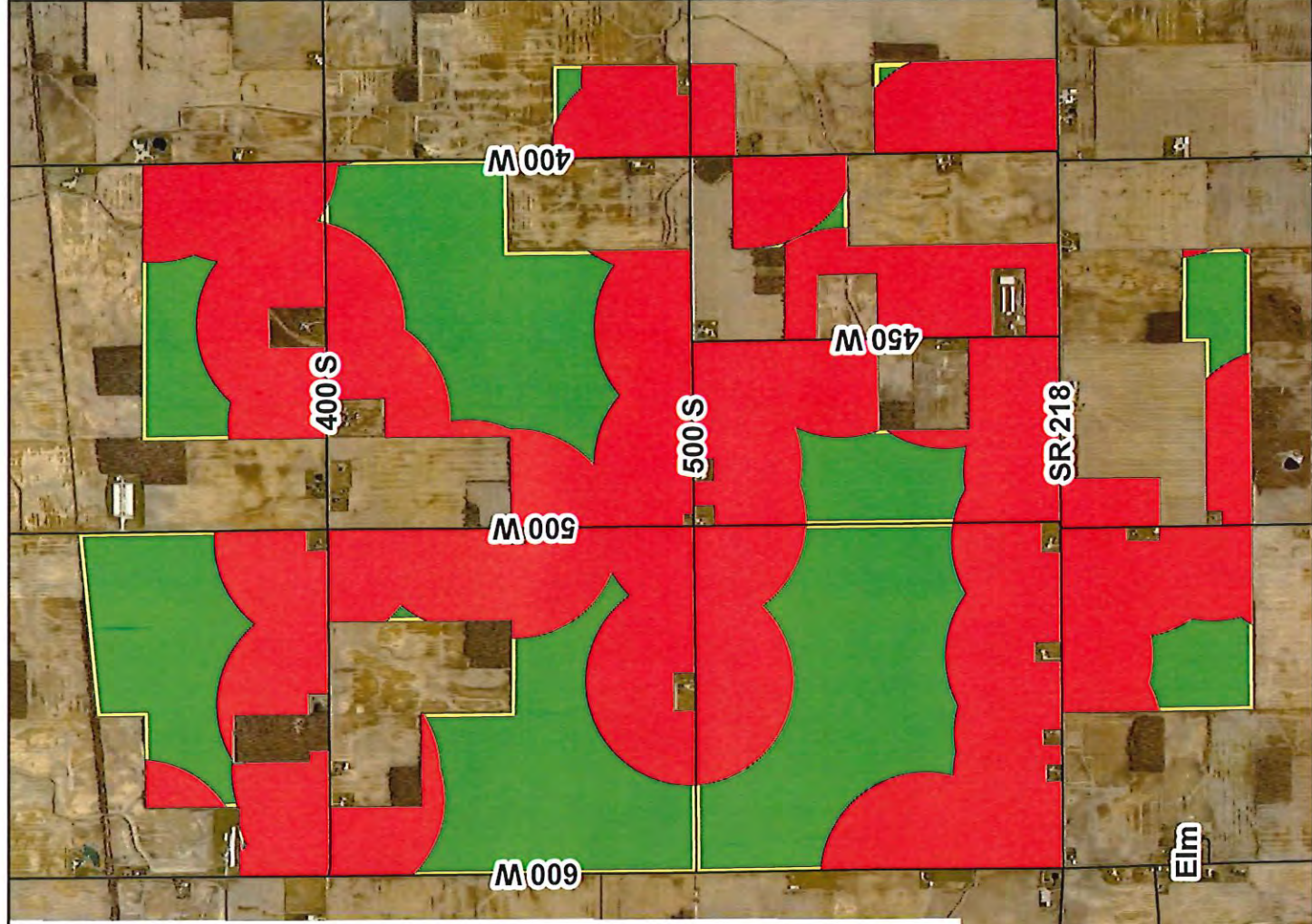
Mock Solar Project Boundary 1500FT

TYPE

- 1500 FT SETBACK
- 60 FT SETBACK
- DEVELOPABLE



625 S
 700 W
1 inch = 2,500 feet



Items Received
for
A25-12-25
Solar Ordinance
Amendments

Suzie Gentis

From: WCAPC
Sent: Wednesday, October 15, 2025 8:26 AM
To: Brian Flory; WCAPC
Cc: Lillian Floutsis
Subject: RE: Public comments regarding Wells solar discussion

Unfortunately, this was sent after we closed yesterday at 4:30.

It has now been printed and will be presented to the board when we have the next meeting regarding solar.

Thanks,

Suzie Gentis
Administrative Assistant
Wells County Area Plan Commission
260-824-6407
wcapc@wellscounty.org

From: Brian Flory <bflory@solarunitedneighbors.org>
Sent: Tuesday, October 14, 2025 4:37 PM
To: WCAPC <wcapc@wellscounty.org>
Cc: Lillian Floutsis <lfloutsis@landandlibertycoalition.com>
Subject: Public comments regarding Wells solar discussion

Dear Wells County Area Plan Commission members,

Warm greetings to you all. My name is Brian Flory. I'm the Indiana Program Associate Director for Solar United Neighbors, a national non-profit organization focusing on solar education and advocacy.

Please find attached some public comments that were co-authored by Lillian Floutsis (cc'd here) of the Indiana Land and Liberty Coalition and me. We are both Allen County residents who were actively involved in the recent ordinance process here. It is our understanding the solar opposition will bring remarks to encourage the Wells APC to adopt a similar setback framework.

Lillian and I seek to offer some Allen County context for the Wells APC about why that suggestion is a mistake. Unfortunately, we each have prior plans and are unable to attend the hearing tonight.

Please be in touch if you have any questions for either of us.

Best,

--

Brian Flory, Indiana Associate Program Director, Solar United Neighbors
bflory@solarunitedneighbors.org

260-321-7644, ext. 583

Pronouns: he/him/his

October 14, 2025

To the Wells County Area Planning Commission members,

Thank you for your hard work. We know that being on the planning commission is a thankless, but very important job.

It is our understanding that the solar opposition will encourage the Wells APC this evening to adopt the same setbacks that Allen County recently adopted. As two residents of Allen County who were engaged in that process, we feel there are some important details for you to understand about what transpired in your neighbor to the north.

First, it was mentioned that the 1,000ft setbacks were proposed by the opposition to remain congruent with Allen County, but we'd like to point out why that would be a tremendous mistake. For starters, in the words of Allen County Commissioner Ron Turpin, every county needs to determine its own ordinances based on its unique County Comprehensive plan. A regional approach would be a mistake as your land usage makeup and economic development strategy is far different than Allen County's.

Second, the Allen County ordinance setbacks were based on a flawed premise. The Director of Plan Services admitted their setback numbers were intended to be an average of what other NE Indiana counties had adopted, without understanding that several of these counties were using the setbacks to be a de facto solar ban. If you adopt the same 1,000ft setbacks as Allen County, you will not only 'de facto ban' solar in the county, but will be violating the property rights of landowners in Wells County, just like Allen County, making it clear to future industry that Wells County is closed for business.

Third, Allen County's Area Plan Commission unanimously rejected the 1000ft setbacks adopted by the Allen County Commissioners, instead adopting a setback approach similar to Wells County. At a September hearing where the Area Plan Commission reviewed Commissioner's preferred 1000ft setback distances, conservative Republican County Councilman (and Allen County APC member) Paul Lagemann called these setbacks, "**woke government at its worst**" and "**exactly what local government should not do.**"

Therefore, we would respectfully recommend that you keep the current Wells County ordinance setbacks. With these setbacks, protections for non-participating landowners can still be put in place, while participating landowners still hold their property rights in place.

Thank you for your consideration,

Lillian Floutsis
The Indiana Land & Liberty Coalition

Brian Flory
Solar United Neighbors

Suzie Gentis

From: WCAPC <wcapc@wellscounty.org>
Sent: Friday, November 21, 2025 1:11 PM
To: cribbittt@proton.me
Subject: RE: Vote NO on the solar ordinance amendment

Received and printed for board review.

-----Original Message-----

From: cribbittt@everyactioncustom.com <cribbittt@everyactioncustom.com>
Sent: Friday, November 21, 2025 1:08 PM
To: WCAPC <wcapc@wellscounty.org>
Subject: Vote NO on the solar ordinance amendment

Dear Secretary/Director (non-voting) Michael Lautzenheiser, Jr.,

I urge you to vote against the solar ordinance amendment. The amendment would essentially ban solar over 10 acres, which strips landowners of their rights, closes the door to economic development, and keeps our state in an energy production deficit.

If passed, setbacks of 1320 feet would essentially ban both community solar and utility-scale solar arrays over 10 acres.

Solar arrays usually require around 4-8 acres/MW. This amendment would make it difficult for future independently owned community solar projects to save Wells County residents money by producing their own solar energy. Under this ordinance, community solar arrays over 10 acres (around 1-2 MW) would be banned. A community solar array of 10 MW could power over 1200 homes in our community on as little as 40 acres, all while saving the subscribers 5-20% on their electricity costs.

It is also unwise to ban utility-scale solar, which can power thousands of homes with clean energy sorely needed in our state, contribute millions in taxes to county budgets in the face of revenue declines from recent state tax changes, support farmers who want to diversify their income in a challenging market environment, and create new short-term labor jobs and long-term electrician jobs.

Right now, Wells County has an opportunity to play a crucial role in strengthening America's energy independence while upholding private property rights.

Please vote no on the solar ordinance amendment and keep solar energy options open for the future of Wells County.

Sincerely,
Isa Robinson
835 Kimberly St Bluffton, IN 46714-4022 cribbittt@proton.me

Suzie Gentis

From: WCAPC <wcapc@wellscounty.org>
Sent: Monday, November 24, 2025 8:27 AM
To: Michael Karafin
Subject: RE: Letter to APC re: Dec. 4th Solar Amendment

This has been received and printed to be included in the packet that will be emailed, as well as printed for the board to review.

Thanks,

Suzie Gentis
Administrative Assistant
Wells County Area Plan Commission
260-824-6407
wcapc@wellscounty.org

From: Michael Karafin <michael.karafin@gmail.com>
Sent: Sunday, November 23, 2025 11:40 PM
To: Suzie Gentis <suzie.gentis@wellscounty.org>
Cc: WCAPC <wcapc@wellscounty.org>
Subject: Letter to APC re: Dec. 4th Solar Amendment

Good evening Suzie,

As mentioned previously, I won't be able to be at the Dec. 4th meeting due to an event for my daughter. Instead, I put together a letter, in the hopes that it would be included in the packet for the other members. I've included the text below. Please let me know if you have any questions or concerns.

Thank you!

Due to family obligations, I am unable to be present in-person for our December 4th meeting. However, given the attention the meeting will receive because of the subject-matter, I wanted to take an opportunity to make my views known to the other members of this body.

In the time that this body has been discussing proposed revisions to the existing ordinances, we have seen multiple different reasons presented as reasons why this body should either leave the current ordinance alone, encourage the ability of Wells County residents to use solar technology, or to restrict its use to the point of non-viability.

In short, I believe our current proposal misses the mark, and would respectfully request that this body return to a more balanced weighing of interests that does not reflect the maximalist demands of a vocal

opposition that demands the ability to stifle the rights of landowners to manage their own interests if the opposition does not approve of the landowner's purpose.

At our October meeting, after it was suggested that Wells County mirror the setback requirements established in other regional counties, I then asked if there was any understanding as to why those counties arrived at the figure they did. Some figures cited were, I believe, 1000 feet, 1200 feet, and 1500 feet. After not understanding why any regional counties reached the figure they did, we quickly moved forward with an entirely new figure of 1320 feet.

While I do not represent this body in a legal capacity, my legal antenna is alerted at the seemingly completely arbitrary figure proposed in this latest draft. Is there any reason to impose such a restrictive and arbitrary requirement, if for no other purpose than to undermine the economic development agreement already committed to by the Commissioners? I understand that the idea is to push this proposal to the Commissioners and let them take possession of the proverbial grenade. Yet doing so feels like an abdication of the responsibility this body has to put forward a proposal that makes sense for the county going forward.

There has been one argument I have heard from those opposed that consistently makes sense – the argument that Wells County has a certain history as an agricultural county, and that as a result, solar should be prevented so as to preserve its traditionally agricultural character. This argument mostly makes sense and is easy to understand.

We have also heard many arguments that, frankly, have combined inflamed passions with varying layers of absurdity.

The first of these is that those opposed to its use have property rights equal to that of desired participants, and that the use of solar infringes upon their own property rights because they find it offensive. I live in a small community myself, with many agricultural uses all around. If I were to present to this body the idea that the use of manure by agricultural operations, or that the sounds of cows from a nearby barn, were violations of my property rights because I shouldn't have to smell it or hear it, everyone would brush off the idea as ridiculous and unserious. Yet it's the same argument – those who are not impacted any further than their five senses are demanding that their personal preference be granted more weight than the actual owner and user of the land. This idea takes the concept of private property rights and completely flips it on its head.

The second point of opposition that I have noticed being commonly raised is the idea that allowing its use would involve selling our farm ground to foreign-owned companies, or that the electricity generated may not stay in Wells County but be used to power other localities. Whether this complaint regarding the recipients of the electricity is true or not, the revenue generated remains in Wells County, with Wells County landowners. The property taxes from the land would continue to fund Wells County schools and municipalities, to the benefit of Wells County residents. Whether the use of the land is by a France-based energy company or the Italian-based agricultural machinery company located on SR 1, the local property tax revenue from the use stays here in Wells County.

Other continued points of opposition are addressed themselves by the actual ordinance. For those that raise objections because they don't want to see solar panels, there's already language that would add a continuous screening requirement that must grow to a minimum of 20 feet into the air. For those that have complained or questioned what happens when the panels are exhausted of its use, my understanding is that there's already been requirements added as to the eventual decommissioning of any project once its use is discontinued. For those that have complained about how they were not personally notified, consulted, and courted by Paddlefish, there's no reason why Paddlefish, or any other company in any industry, should feel as if they're required to solicit their personal approval for a project that doesn't affect them. For those who have suggested we should eliminate solar and, instead, debate the merits of nuclear energy, the idea of such a facility is both not in front of us and irrelevant to the matter at hand.

Amid normal market demands and trends plus the market disruption over the continued application and removal of tariffs that have disrupted commodity prices, I can't personally say whether it's a good time to be a farmer or not. However, if a local producer wishes to protect against market volatility by diversifying their income stream and utilize their own property in a different manner, why should anyone unrelated or unaffected by its use have any measure of veto power over such a use of privately-owned property?

We entered October with, in my opinion, a middle ground that attempted to balance good-faith concerns with the rights of farmers and landowners to manage their assets in a way that provides them greater freedom and economic security. We departed from our proposal of an 800-foot setback to mirror the setback used for other controversial or "objectionable" uses, in favor of a new requirement that had seemingly no basis other than simply testing the waters to see what the Commissioners would be willing to pass or not pass.

I would urge this body to stay away from such arbitrary actions, and either pass this ordinance under the previous 800-foot setback requirement, or to consider a no-pass recommendation on the entire proposal.

Thank you for your consideration.

NEW ITEMS

A25-12-27

Ordinance Amendment

Additional Items Received

(not included in the packet)

Michael Lautzenheiser

From: J BAKER <jlbaker721@comcast.net>
Sent: Monday, December 1, 2025 6:06 PM
To: WCAPC
Cc: Jeff Stringer; Michael Vanover; Blake Gerber; Ted Storer
Subject: Countywide Solar Ordinance Revision Considerations...12/4/2025 Meeting

Members of the Wells County Area Plan Commission--

During the two previous APC meetings relating to changes being considered to the county's solar ordinances, I have spoken about personal property rights, financial considerations for Wells County landowners like myself and my family, the energy needs of Wells County and the wider northeast Indiana region, the advantages of solar energy to meeting those needs, and the understandable wariness of folks resistant to change, which inevitably comes as one of the constants we live with our entire lives.

At the last meeting, I encouraged you to establish reasonable requirements for the landowners and their neighbors, as well as the solar developers. According to your current proposed development plan for large solar projects, the setback requirement is 1,320 feet from a non-participating pre-existing residence. I think this an excessive setback requirement and perhaps could be considered a workaround relating to the recently passed IC 36-7-4-1109.5 that went into effect in July and prevents the banning of energy generation projects for more than a year. If I were a committee member, I'd be concerned about the legality of such an approach, and how the state may view it in the context of recent comments by officials, such as the Indiana Energy Secretary, about this very topic.

Indiana state setback standards are 50 feet for non-participating property lines and 250 feet for non-participating dwellings, unless a landscape buffer is installed. The current set requirement in Wells County is 400 feet to homes and 200 feet to property lines, with landscape buffers required regardless of setbacks. These standards are already well above what the state recommends, but even then I thought the residential for property line setback approach (800 ft residential and regular lot line setbacks for property lines) that was presented at the October 14, 2025 meeting seemed a reasonable compromise that solar companies and landowners like myself could live with. I maintain that position and encourage you to stand firm on this, and the logic that lead to that approach being suggested in the first place, which I believe remains valid.

If you insist on proceeding with ordinance changes with 1/4 mile setbacks, I would encourage you to recommend that solar projects which have existing agreements with the county (such as Paddlefish) be exempted from these changes, to avoid any potential liability the county might incur from changing the rules of the game mid-stream in a way that prevents such projects from moving forward.

Thank you for your consideration.

Jerry Baker
Grover Farms Trust
Baker and Baker Farms, LLC

Suzie Gentis

From: jjp@everyactioncustom.com on behalf of Jennifer Plummer
<jjp@everyactioncustom.com>
Sent: Tuesday, December 2, 2025 4:53 PM
To: WCAPC
Subject: Vote NO on the solar ordinance amendment

Dear Secretary/Director (non-voting) Michael Lautzenheiser, Jr.,

I urge you to vote against the solar ordinance amendment. The amendment would essentially ban solar over 10 acres, which strips landowners of their rights, closes the door to economic development, and keeps our state in an energy production deficit.

If passed, setbacks of 1320 feet would essentially ban both community solar and utility-scale solar arrays over 10 acres.

Solar arrays usually require around 4-8 acres/MW. This amendment would make it difficult for future independently owned community solar projects to save Wells County residents money by producing their own solar energy. Under this ordinance, community solar arrays over 10 acres (around 1-2 MW) would be banned. A community solar array of 10 MW could power over 1200 homes in our community on as little as 40 acres, all while saving the subscribers 5-20% on their electricity costs.

It is also unwise to ban utility-scale solar, which can power thousands of homes with clean energy sorely needed in our state, contribute millions in taxes to county budgets in the face of revenue declines from recent state tax changes, support farmers who want to diversify their income in a challenging market environment, and create new short-term labor jobs and long-term electrician jobs.

Right now, Wells County has an opportunity to play a crucial role in strengthening America's energy independence while upholding private property rights.

Please vote no on the solar ordinance amendment and keep solar energy options open for the future of Wells County.

Sincerely,
Jennifer Plummer
2141 S State Road 301 Bluffton, IN 46714-9359 jjp@adamswells.com

Suzie Gentis

From: ritalmusante@everyactioncustom.com on behalf of Rita Musante
<ritalmusante@everyactioncustom.com>
Sent: Wednesday, December 3, 2025 10:35 AM
To: WCAPC
Subject: Vote NO on the solar ordinance amendment

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Secretary/Director (non-voting) Michael Lautzenheiser, Jr.,

As a citizen of your neighboring county, Huntington, I am concerned about indiana's energy future and the renewable energy future of our planet.

Therefore I urge you to vote against the solar ordinance amendment. The amendment would essentially ban solar over 10 acres, which strips landowners of their RIGHTS, closes the door to ECONOMIC DEVELOPMENT, and keeps our state in an ENERGY production DEFICIT.

If passed, setbacks of 1320 feet would essentially ban both COMMUNITY SOLAR and UTILITY-SCALE solar arrays over 10 acres.

Solar arrays usually require around 4-8 acres/MW. This amendment would make it difficult for future independently owned community solar projects to SAVE Wells County residents MONEY by producing THEIR OWN SOLAR ENERGY. Under this ordinance, community solar arrays over 10 acres (around 1-2 MW) would be banned. A community solar array of 10 MW could power OVER 1200 HOMES Win our community on as little as 40 acres, all while SAVING the subscribers 5-20% on their ELECTRICITY COSTS.

It is also UNWISE to ban UTILITY-SCALE solar, which can power THOUSANDS of HOMES with CLEAN ENERGY sorely needed in our state, contribute MILLIONS in TAXES to COUNTY BUDGETS in the face of revenue declines from recent state tax changes, SUPPORT FARMERS who want to DIVERSIFY their INCOME in a CHALLENGING MARKET environment, and create NEW SHORT-TERM LABOR JOBS and LONG-TERM ELECTRICIAN jobs.

Right now, Wells County has an OPPORTUNITY to play a crucial role in STRENGTHENING AMERICA 's ENERGY INDEPENDENCE while UPHOLDING PRIVATE PROPERTY RIGHTS.

PLEASE vote NO on the solar ordinance amendment and keep solar energy options OPEN for the future of Wells County.

Sincerely,
Sister Rita Musante
1900 W Park Dr Huntington Huntington, IN 46750-8957 ritalmusante@gmail.com

Suzie Gentis

From: spetersrn001@everyactioncustom.com on behalf of Sheryl Peters <spetersrn001@everyactioncustom.com>
Sent: Wednesday, December 3, 2025 2:25 PM
To: WCAPC
Subject: Vote NO on the solar ordinance amendment

Dear Secretary/Director (non-voting) Michael Lautzenheiser, Jr.,

I urge you to vote against the solar ordinance amendment. The amendment would essentially ban solar over 10 acres, which strips landowners of their rights, closes the door to economic development, and keeps our state in an energy production deficit.

If passed, setbacks of 1320 feet would essentially ban both community solar and utility-scale solar arrays over 10 acres.

Solar arrays usually require around 4-8 acres/MW. This amendment would make it difficult for future independently owned community solar projects to save Wells County residents money by producing their own solar energy. Under this ordinance, community solar arrays over 10 acres (around 1-2 MW) would be banned. A community solar array of 10 MW could power over 1200 homes in our community on as little as 40 acres, all while saving the subscribers 5-20% on their electricity costs.

It is also unwise to ban utility-scale solar, which can power thousands of homes with clean energy sorely needed in our state, contribute millions in taxes to county budgets in the face of revenue declines from recent state tax changes, support farmers who want to diversify their income in a challenging market environment, and create new short-term labor jobs and long-term electrician jobs.

Right now, Wells County has an opportunity to play a crucial role in strengthening America's energy independence while upholding private property rights.

Please vote no on the solar ordinance amendment and keep solar energy options open for the future of Wells County.

Sincerely,
Sheryl Peters
1577 N William Wells Cir Bluffton, IN 46714-9356 spetersrn001@gmail.com

Suzie Gentis

From: Darin Johnson <djohnson31671@gmail.com>
Sent: Wednesday, December 3, 2025 6:53 PM
To: WCAPC; Jacob Brunell
Subject: Paddle Fish Solar

Board members,

Over the last couple of years, there have been numerous discussions about the proposed solar farm(s).

To be transparent, my company (Midstates Energy Solutions) installs commercial solar systems throughout Indiana, Illinois, Ohio, and Texas. We have been installing solar since 2018 and I have seen the positives and the negatives of the technology. Solar has its place and its uses. Solar is not dangerous and does not poison the soils or contaminate the surrounding environment. Solar is not the answer to our energy problems but it is defiantly part of the solution.

My main purpose in writing is not to support solar but rather to support fellow business owners. Farming is a business. It's not community owned, it is privately owned and operated.

The strength of farming has an enormous impact on the economic health of our communities. Not allowing farmers to best decide how to run their business is dangerous and weakens their ability to have long term success.

The only constant is change. Agg economy is changing, farmers must be able to adapt their business to meet new challenges.

Thank you,

Darin Johnson

Darin Johnson Midstates Energy Solutions (260)249-4446 Sent from Gmail Mobile

Suzie Gentis

From: teriortizrto@everyactioncustom.com on behalf of Teresa Ortiz
<teriortizrto@everyactioncustom.com>
Sent: Wednesday, December 3, 2025 8:10 PM
To: WCAPC
Subject: Vote NO on the solar ordinance amendment

Dear Secretary/Director (non-voting) Michael Lautzenheiser, Jr.,

I urge you to vote against the solar ordinance amendment. The amendment would essentially ban solar over 10 acres, which strips landowners of their rights, closes the door to economic development, and keeps our state in an energy production deficit.

If passed, setbacks of 1320 feet would essentially ban both community solar and utility-scale solar arrays over 10 acres.

Solar arrays usually require around 4-8 acres/MW. This amendment would make it difficult for future independently owned community solar projects to save Wells County residents money by producing their own solar energy. Under this ordinance, community solar arrays over 10 acres (around 1-2 MW) would be banned. A community solar array of 10 MW could power over 1200 homes in our community on as little as 40 acres, all while saving the subscribers 5-20% on their electricity costs.

It is also unwise to ban utility-scale solar, which can power thousands of homes with clean energy sorely needed in our state, contribute millions in taxes to county budgets in the face of revenue declines from recent state tax changes, support farmers who want to diversify their income in a challenging market environment, and create new short-term labor jobs and long-term electrician jobs.

Right now, Wells County has an opportunity to play a crucial role in strengthening America's energy independence while upholding private property rights.

Please vote no on the solar ordinance amendment and keep solar energy options open for the future of Wells County.

Sincerely,
Teresa Ortiz
612 Blakewood Ct Ossian, IN 46777-8965
teriortizrto@gmail.com

Suzie Gentis

From: mashaw2@everyactioncustom.com on behalf of Mary Shaw <mashaw2@everyactioncustom.com>
Sent: Thursday, December 4, 2025 3:09 AM
To: WCAPC
Subject: Vote NO on the solar ordinance amendment

Dear Secretary/Director (non-voting) Michael Lautzenheiser, Jr.,

I urge you to vote against the solar ordinance amendment. The amendment would essentially ban solar over 10 acres, which strips landowners of their rights, closes the door to economic development, and keeps our state in an energy production deficit.

If passed, setbacks of 1320 feet would essentially ban both community solar and utility-scale solar arrays over 10 acres.

Solar arrays usually require around 4-8 acres/MW. This amendment would make it difficult for future independently owned community solar projects to save Wells County residents money by producing their own solar energy. Under this ordinance, community solar arrays over 10 acres (around 1-2 MW) would be banned. A community solar array of 10 MW could power over 1200 homes in our community on as little as 40 acres, all while saving the subscribers 5-20% on their electricity costs.

It is also unwise to ban utility-scale solar, which can power thousands of homes with clean energy sorely needed in our state, contribute millions in taxes to county budgets in the face of revenue declines from recent state tax changes, support farmers who want to diversify their income in a challenging market environment, and create new short-term labor jobs and long-term electrician jobs.

Right now, Wells County has an opportunity to play a crucial role in strengthening America's energy independence while upholding private property rights.

Please vote no on the solar ordinance amendment and keep solar energy options open for the future of Wells County.

Sincerely,
Mary Shaw
9890 N Meridian Rd Ossian, IN 46777-9357 mashaw2@gmail.com

Suzie Gentis

From: lori4baskets@everyactioncustom.com on behalf of Lori Bender
<lori4baskets@everyactioncustom.com>
Sent: Thursday, December 4, 2025 9:09 AM
To: WCAPC
Subject: Vote NO on the solar ordinance amendment

Dear Secretary/Director (non-voting) Michael Lautzenheiser, Jr.,

I urge you to vote against the solar ordinance amendment. The amendment would essentially ban solar over 10 acres, which strips landowners of their rights, closes the door to economic development, and keeps our state in an energy production deficit.

If passed, setbacks of 1320 feet would essentially ban both community solar and utility-scale solar arrays over 10 acres.

Solar arrays usually require around 4-8 acres/MW. This amendment would make it difficult for future independently owned community solar projects to save Wells County residents money by producing their own solar energy. Under this ordinance, community solar arrays over 10 acres (around 1-2 MW) would be banned. A community solar array of 10 MW could power over 1200 homes in our community on as little as 40 acres, all while saving the subscribers 5-20% on their electricity costs.

It is also unwise to ban utility-scale solar, which can power thousands of homes with clean energy sorely needed in our state, contribute millions in taxes to county budgets in the face of revenue declines from recent state tax changes, support farmers who want to diversify their income in a challenging market environment, and create new short-term labor jobs and long-term electrician jobs.

Right now, Wells County has an opportunity to play a crucial role in strengthening America's energy independence while upholding private property rights.

Please vote no on the solar ordinance amendment and keep solar energy options open for the future of Wells County.

Sincerely,
Lori Bender
130 Stoney Creek Ct Bluffton, IN 46714-9396 lori4baskets@gmail.com

Suzie Gentis

From: Abby Burnett <aburnett@solarunitedneighbors.org>
Sent: Thursday, December 4, 2025 12:59 PM
To: WCAPC
Cc: Brian Flory
Subject: Pro-Solar Petition Delivery
Attachments: 12.4.25 Wells Co Pro-Solar petition delivery.pdf

Dear Wells County Area Plan Commission,

Attached is a petition asking that you vote "NO" on the proposed amendment to the Wells County Solar Ordinance. The 1320-ft setbacks are a de facto ban on solar. Please take this into consideration at your meeting tonight, and when you cast your vote.

We appreciate your hard work as members of the Plan Commission. Thank you for taking the time to hear from many of your neighbors in support of homegrown Hoosier power.

Best,

Abby Burnett

Indiana Rural Associate
Solar United Neighbors
(812) 909-9245

Stop the Solar Ban in Wells County

If passed, the current draft of the solar ordinance amendment would impact future community solar installations as well as utility-scale solar.

Utility-scale solar projects-- which can power thousands of homes with clean energy sorely needed in our state, contribute millions in taxes to county budgets in the face of revenue declines from recent state tax changes, and support farmers who want to diversify their income in a challenging market environment-- would be essentially banned due to extreme setbacks.

Community solar arrays over 10 acres, which would provide direct bill savings to Wells County residents, would also be subject to this de facto ban.

This amendment strips Wells County farmers and landowners of the choice to use their land for community solar or utility scale solar projects, closes the door to economic development in Wells County, and keeps our state in an energy production deficit.

Please sign the petition to show Wells County leaders that you oppose this amendment and support solar energy.

Petition to the Wells County Area Plan Commission

We, the undersigned, respectfully request that you support solar energy projects in Wells County by rejecting amendments that ban or unnecessarily restrict solar installations. Instead, we urge you to adopt zoning and ordinances that encourage the responsible growth of this much-needed energy source.

Signatures

1. Dorothy Baker, La Porte 46350 (Wells Co landowner and business owner)
2. Jerry Baker, La Porte 46350 (Wells Co landowner and business owner)
3. Anthony Baker, Bluffton 46714
4. Brendan Baumgartner, Bluffton 46714
5. Lori Bender, Bluffton 46714
6. Bradley Bernhardt, Bluffton 46714
7. James Burk, Bluffton 46714
8. Sophia Cady, Bluffton 46714
9. Lois Cannon, Bluffton 46714
10. Mike Chamberlain, Bluffton 46714
11. Patricia Clark, Bluffton 46714
12. Zara Eisenhut, Bluffton 46714
13. Kerry Gagen, Bluffton 46714
14. Sam Habegger, Bluffton 46714
15. Cheryl Habegger, Bluffton 46714
16. Connor Hamilton, Bluffton 46714
17. Emily Henderson, Bluffton 46714
18. Mellanie Hollingsworth, Bluffton 46714
19. Connor Hutton, Bluffton 46714
20. Jo Jackson, Bluffton 46714
21. Richard Johnloz, Bluffton 46714
22. James King, Bluffton 46714
23. Lilly King, Bluffton 46714
24. Jennifer Kirnec, Bluffton 46714
25. Topher Kirnec, Bluffton 46714
26. Cameron Masterson, Bluffton 46714

27. Beverly McCartney, Bluffton 46714
28. Sheryl Peters, Bluffton 46714
29. Nick Pierce, Bluffton 46714
30. Jennifer Plummer, Bluffton 46714
31. James Reynolds, Bluffton 46714
32. Isa Robinson, Bluffton 46714
33. Sandra Shelly, Bluffton 46714
34. Brett Shorb, Bluffton 46714
35. Brenda Thompson, Bluffton 46714
36. Brandon Trout, Bluffton 46714
37. Robert Vanover, Bluffton 46714
38. Angie Arnold, Craigville 46731
39. Kellie Geisel, Geneva 46740
40. Scott Johnson, Geneva 46740
41. Beatrice Haines, Huntington 46750
42. Rita Musante, Huntington 46750
43. Nicholas Smart, Huntington 46750
44. Jonathan Bender, Markle 46770
45. Brant Caley, Markle 46770
46. Jess Decker, Markle 46770
47. Jennie Haiflich, Markle 46770
48. Teresa Pacific, Markle 46770
49. Megan Smith, Markle 46770

50. Kimberly Carpenter, Ossian 46777
51. Bernard Galic, Ossian 46777
52. Zoe Greer, Ossian 46777
53. William Hammbrick, Ossian 46777
54. Alexis Hathaway, Ossian 46777
55. David Heinkel, Ossian 46777
56. Michelle Hubble, Ossian 46777
57. Connie Jackson, Ossian 46777
58. Beth Kleber, Ossian 46777
59. Amy Kreigh, Ossian 46777
60. Natasha Lupkin, Ossian 46777
61. Robert McComas, Ossian 46777
62. Teresa Ortiz, Ossian 46777
63. Terry Rhodus, Ossian 46777
64. Sandra Ridgeway, Ossian 46777
65. Mary Shaw, Ossian 46777
66. Zach Tschannen, Ossian 46777
67. Lisa Weikel, Ossian 46777
68. Leslie Wyss, Ossian 46777
69. Alyssa Courtney, Petroleum 46778
70. Case Boxell, Poneto 46781
71. Kevin Jackson, Poneto 46781
72. Leslie Sperry, Roanoke 46783

- 73. Victor Biberstine, Uniondale 46791
- 74. Shannon Mygrant, Uniondale 46791
- 75. Jay Tucker, Warren 46792
- 76. Robert Sommer, Zanesville 46799
- 77. Ken Jones, Converse 46919
- 78. Keelan Roush, Marion 46952
- 79. Terry Oswalt, Wabash 46992 (Wells Co landowner)