

# Memo

Date: February 17, 2026  
To: Michael Lautzenheser, Jr. AICP & CFM  
Wells County Area Plan Commission Executive Director  
GIS Manager / Floodplain Administrator  
From: Ted Storer, Wells County Attorney  
Re: Wells County Zoning Ordinance Amendment 2025\_2\_3  
Regarding Solar Energy Facilities

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Mr. Lautzenheiser;

The purpose of this memorandum is to set forth requested modifications to the proposed Wells County Zoning Ordinance Amendment 2025\_2\_3 regarding Solar Energy Facilities. We thank the Area Plan Commission for its work in regard to the requested modifications.

The Board of Commissioners of the County of Wells agrees with the underlying discussion and position of the APC concerning the modification. The Board of Commissioners is supportive of the APC's efforts to support and to implement the Wells County Vision 2035 – Comprehensive Plan. The Board of Commissioners are guided by the obligations under existing development agreements, citizen concerns related to large-scale industrial solar development and the intention to preserve the inherent nature of agricultural and rural areas that constitute the bulk of the geographic area of Wells County. The Board of Commissioners are also guided by the freedom and right of a landowner to use their property consistent with community expectations. As a result, the Board of Commissioners has reviewed and supports the requests of the City of Bluffton and the Town of Ossian to further amend the proposed changes based on their representation of some of the urban areas of Wells County, and the needs of those areas for additional services.

First, in regard to the proposed modifications to **ARTICLE 14: DEVELOPMENT PLAN**, the Board of Commissioners seeks the following modification of the amendment, highlighted in blue intending to make the language consistent with paragraph 14-08(3)(C)a):

**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 **residential property line**.

Second, in regard to the proposed modifications to **Article 18: Definitions**, the Board of Commissioners supports the requests of the Town of Ossia and the City of Bluffton to permit a solar energy facility by a municipal utility, rural electric membership corporation or regulated public utility (“Utility Development”). Similarly, the Board of Commissioners supports the

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comments from the City of Bluffton in its point 2 and point 4 related to any proposed Utility Development.

Third, in regard to in regard to the proposed modifications to **Article 18: Definitions**, the Board of Commissioners supports the comments from the Town of Ossian and the City of Bluffton, but suggests the following modification of the amendment, highlighted in blue:

**SOLAR ENERGY FACILITY, SMALL:** Any free-standing solar array or solar arrays that occupy an area up to twenty (20) acres, as measured from the outer perimeter of the solar array or solar arrays, with a total panel surface area of up to ten (10) acres. ~~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**

Respectfully submitted,

Ted Storer, Wells County Attorney