

RESOLUTION ~~2016-018~~
021

WHEREAS, on July 26, 2016, the Warren County Area Plan Commission made a favorable recommendation on a proposal to amend the zoning ordinance of Warren County in the following particulars:

AMENDMENT ONE:

An amendment to Section 1.7.3 of the Wind Energy Conversion Systems (WECS) Siting Regulations entitled "Noise and Vibration" repealing the existing provision and stating as follows:

Noise Standards that apply to COMMERCIAL WECS:

At no point within two hundred (200) feet of a residential dwelling may the sound pressure levels from a wind turbine exceed the following sound levels. Sound levels shall be measured with an octave band analyzer or sound level meter and associated filter manufactured in compliance with standards prescribed by the American National Standards Institute (ANSI).

Octave Bands for Warren County in Hertz (Hz), per ANSI	Maximum Permitted Sound Level (in decibels) measured 200 feet from edge of any residential dwelling
63	75
125	70
250	65
500	59
1000	53
2000	48
4000	44
8000	41

AMENDMENT TWO:

An amendment deleting in its entirety Section 1.11.3.C of the Wind Energy Conversion Systems (WECS) Siting Regulations relating to the noise profile of a COMMERCIAL WECS.

AMENDMENT THREE:

An amendment to Section 1.19 of the Wind Energy Conversion Systems (WECS) Siting Regulations entitled "Right to Appeal", repealing the existing provision and stating as follows:

All persons aggrieved by a decision of the Zoning Office to revoke or fail to renew a WECS permit or certificate shall have the right to appeal the decision to the Board of Zoning Appeals within thirty (30) days after the decision. All persons aggrieved by a decision of the Board of Zoning Appeals to approve or deny a WECS Special Use permit application may directly bring an action in the Warren Circuit Court for review of the decision within thirty (30) days after the decision.

AMENDMENT FOUR:

An amendment to Section 1.11.5 of the Wind Energy Conversion Systems (WECS) Siting Regulations entitled "Fees", to add Exhibit A stating as follows:

COMMERCIAL WECS FEES:

WECS Application Fee	\$20,000.00
WECS Improvement Location Permit	\$1,750.00 per megawatt (MW) capacity, which will be prorated for fractional MW capacity

WHEREAS, August 1, 2016, is the first regularly scheduled meeting of the Warren County Commissioners, the legislative body of said county, after the recommendation of said Area Plan Commission was certified to it and there was sufficient time for notice to be given; and

WHEREAS, notice was given under IC 5-14-1.5-5 of the Warren County Commissioners' intention to consider said proposal at such meeting.

NOW, THEREFORE, IT IS RESOLVED by the Warren County Commissioners, Warren County, Indiana:

That the proposal to amend the zoning ordinances of Warren County in the following particulars:

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An amendment to Section 1.7.3 of the Wind Energy Conversion Systems (WECS) Siting Regulations entitled "Noise and Vibration" repealing the existing provision and stating as follows:

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WECS Application Fee	\$20,000.00
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be and is hereby approved.

Resolution adopted this 4th day of August, 2016.

ATTEST:


Robin Weston-Hubner, Auditor

WARREN COUNTY COMMISSIONERS:


Thomas A. Hetrick


Steven C. Eberly


Anton "Tony" Briles