

# *WABASH COUNTY PLAN COMMISSION*

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## **WABASH COUNTY PLAN COMMISSION** **BOARD MEETING MINUTES** **APRIL 7, 2016**

**Wabash County Plan Commission Board  
Wabash County Court House  
Wabash IN 46992**

**PC Board Members: Curtis Campbell, Randy Curless, Scott Givens, Doug Rice, Sue Ridenour, Lowell Rosen, David Schuler, Cheri Slee, Joe Vogel, Attorney Larry Thrush**

Members present:, Curtis Campbell, Randy Curless, Scott Givens, Doug Rice, Sue Ridenour, , Cheri Slee, Joe Vogel and Attorney Larry Thrush.

Chairman Givens opened the meeting at 7:00 p.m.

Mr. Curless motioned to approve the March 3, 2016 minutes as written.  
Sue Ridenour second.  
Motion Carried.

Mr. Givens noted that there currently is no representation present for discussion of agenda items one (1) and two (2) and requested approval by the board to proceed to agenda item three (3).  
Board members agreed.

Present this evening to discuss the proposed ordinance draft are some of the members of the staff of Indiana Farm Bureau, (IFB). From the IFB public policy team we have we have Greg Slipher and Amy Cornell, IFB Regional Manager Casie Conley, and from Indiana Pork, Ben Wicker.

Mr. Slipher began by giving a brief introduction of the group. Ben, Amy and myself are members of the IFB Livestock Team. Casie, Amy , Ben and I also work with local groups in areas related to Agriculture issues.

Howard, a conference call was held this past Monday afternoon with this group in preparation for tonight's discussion. One area I want to elaborate on for this group is how we determined whether a section or square mile would be zoned AG1 or AG2. It is important to have documentation to back the determination of how a section is zoned.

I have reviewed numerous other ordinances of counties located close to us and counties with similar area and population that have multiple AG zones. There is no set standard across the State for establishing zoning and therefore you have a virtual smorgasbord of ways to regulate zones.

Howard went on to explain some of the ways other counties are limiting residential development in AG Zones.

Those present received a copy of a residential zoning outline and the development standards which would apply. Many ideas, thoughts and considerations were discussed by everyone present regarding the outline and additional information provided.

Silpher, One question we commonly see come up is why is acreage a part of the proposal. What do you see as the benefit of acreage being a portion of the development plan?

Howard, Acreage is the one common denominator. You can use acreage to meet density as well as location of structures in a zone.

Cornell, Feels the ideas are good and thinks the draft is heading in the right direction but reminded all we don't want to be intrusive with the policies. The "Right to Farm" clause is good. I would like to see it used as a notice for the activity that will be occurring in the area. Perhaps as a document included with every land transfer in an AG zone.

Doug Rice. So the recommendation would be to provide those purchasing land in an AG Zone notice of possible Ag activities in the area instead of requiring someone purchasing ground for residential purposes to sign a document. It doesn't restrict them from complaining or anything like that. It just puts them on notice what to expect.

Rice, Have other counties been successful in moving to this type of zoning?

Silpher. We have been watching this for the last 15 years plus. More and more counties are coming to the realization what a natural resource our AG land is. Don't have very many counties pushing forward, in fact I don't recall any counties that are being as actively aggressive as this yet, but I certainly commend you for drawing a line in the sand and saying we are going to protect the counties prime farm land. This is where we need to go for the future. Other counties are talking about it but have not gone this far because they think building homes in Ag land builds economic base and that is just not the case.

Cornell, At the state level we have advocated for a long time that a residence in an Ag Zone should be a S.E. permit. We see situations where all sorts of things are being done in Ag Land and all of a sudden they have conflicting land uses and don't know how to deal with it so they turn to us for input.

The group discussed requiring different minimal acreages for a residence in an AG1 zone. What are the drawbacks what are the pluses for different acreages.

Randy, in your work and travels have you seen any particular county that really stands out.

Cornell, they are successful for different things. Some counties may have one part they are really awesome with but other parts are problems. They have different Ag Zones but fail in defining how the zones are established. I like seeing how you have established a way to define AG1 and AG2 Zones. Some have preservation or conservation zones, but you have to rezone the tract, and complete a S.E. and then maybe a Variance and then a hearing and the farmer goes through the ringer before ever being approved.

Slipher, another thing you end up with in a process like that is spot zone. This causes conflict of the uses in the area which only leads to more issues. Spot zoning is not a practice we would ever recommend.

One county that comes to mind that seems to work pretty well is Rush County.

Ben, I feel what makes you successful is the data you have created to determine the AG1 and AG2 zones. This is the first county I have seen that has this extensive of a data source to determine what is AG1 and AG2 Zoning.

Cornell, overall what your doing is really good. This is really exciting to us and we are here to help however we can.

Givens, requested to show a map of the county on the screen that shows the proposed zoning

Howard, after our conference call I calculated the total acres for the zones. Using a set acreage for each section the county would be approx. 50% A1, 32% A2 and the remaining 17% would cover the rest of the zones.

Another consideration would be to have Zoning Variances under this process reviewed by a hearing committee instead of having to go before the PC Board or BZA.

Doug, Under the current draft we are looking at tonight would a S.E. be required for a single family dwelling in AG1 or AG2 Zone?

Howard, as currently stated, if an applicant did not fall under one of the residential uses listed for the AG 1 or AG 2 Zone they could not build a residential structure in an those zones.

Rice, If it doesn't fit into this criteria can they apply for a S. E.?

Howard, Yes, they have the right to apply. I would prefer it be done as a Variance though.

Rice, If we approve one then doesn't it become very hard to deny another.

Thrush, as a board or committee, you have to be consistent in your decision making.

Slipher, development standards make up what they must meet to apply.

Thrush case law for a S. E. says if they meet the requirements then the request has to be granted. If you do it through the Variance process, the board has more discretion.

Campbell, how old is the Rush County Ordinance?

Ben, I would say about Ten (10) years old.

Rice, if we were to go with this proposal, how would you define an agriculture engaged owner/worker?

Howard, it would be challenging to define these things and that alone would make this method a huge challenge. It is being used for some counties but may not work for us.

Cornell, just taking a quick look at the information Mike has here tonight for other counties there are 5 counties that have ordinances for residential development in AG zones based on employment. Elkhart, Miami, Howard, Jay and Whitley. If interested in following that avenue, I recommend digging deeper into those counties.

Vogel, if we were to have to go through a S.E. or Variances for every residence in an Ag Zone, that is all we would ever get through doing.

Group discussion followed and expanded into the current County CFO Ordinance and what changes, if any, might be made in the proposed draft.

Silpher, Many times concerns associated with CFOs are from fear of the unknown.

Cornell, can you describe the IFB "help before you build" program?

Silpher, It is a program used to acclimate a CFO applicant on what they can expect to go through within a community as they apply, build and operate a CFO.

Board members voiced their appreciation to IFB for their input and discussion.

Ridenour, Base on earlier discussion I feel we need to focus on acreage and take applicant occupation out of the equation. That would help to keep it simplified.

Rice, I think based on earlier comments and the way it is listed on the outline we are looking at tonight that just using acreage and setting the development standard at 40 acres for AG1 and 10 Acres for AG2 would be a good place to start.

Givens, could we have an outline for next meeting that would show 40 acres for AG1, 10 for AG2 and then one for 20 acres for AG1 and 10 acres for AG2?

Howard, I will prepare documentation for both ways.

In other business, Mr. Dyson did not appear for review of the Unsafe Premise Order.

Doug Rice motioned for Mr. Thrush to proceed with the next step of the process.

Curt Campbell, second the motion.

All voted in favor of the motion.

Mr. Howard noted that no response was received from the 240 Adams Street, Roann, IN deeded owner regarding the conditions of the property. Mr. Thrush will prepare the unsafe premise order for the property.

Hearing no further business Mr. Givens called for a motion to adjourn.

Mr. Rice motioned to adjourn.

Mr. Campbell second.

Meeting adjourned. 9:20PM

Also present were: Greg Slipher, Ben Wicker, Amy Cornell, and Casie Conley.