

**FINAL DEVELOPMENT PLAN APPROVAL
FINDINGS OF FACT**

Petitioner: POSEY SOLAR, LLC
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Plan Commission hearing date of July 28, 2022
Posey County – Final Development Plan

The Posey County Plan Commission must review a development plan and determine that the following criteria have been met in order to approve an application for a final development plan approval. In accordance with Indiana Code 36-7-4-1405, the Plan Commission shall make a determination that the following Findings of Fact have been met.

1. The final development plan is consistent with the comprehensive plan.

The final development plan proposes to place a Solar Energy Conversion System (“SECS”) - Tier 1 facility, as defined by the Posey County Zoning Ordinance, within the combined Agricultural/Forest and M-2 Manufacturing Medium land use designations of the Posey County Comprehensive Plan. SECS facilities are compatible with, and typically found within, agricultural and manufacturing areas. Further, the Posey County Comprehensive Plan states that approximately 90% of Posey County has been set aside for the combined Agricultural/Forest land use recommendation. Solar power facilities naturally reserve agricultural land for an easy transition back to a future agricultural re-use of the properties involved following the life-cycle of the SECS facility.

2. The final development plan satisfies the development requirements specified in the zoning ordinance.

The proposed SECS is compliant with the solar energy and agricultural district standards of the Posey County Zoning Ordinance.

The proposed use is consistent with the spirit, purpose and intent of the zoning ordinance regulations, will not substantially and permanently injure the appropriate use of the neighboring property and will serve the public convenience and welfare because the project will not be detrimental to the public welfare. The proposed facility will comply with all operational safety and setback requirements. The project will also provide significant economic benefits to participating property owners, local businesses during construction, and Posey County as a whole. The proposed project will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district because the project is located in a rural, predominantly agricultural area of Posey County with some land in a manufacturing area. Adequate access roads, drainage and other necessary facilities have been or are being provided for the project. Adequate utilities exist to support the project. A Road Use Agreement together with a detailed Transportation Plan have been approved by the County Commissioners- these documents together with a Decommissioning Agreement are included in the application record. Additionally, the project will help to achieve agricultural preservation by providing economic benefits to farm owners and families, without permanently displacing the agricultural uses and activities in the vicinity.