

RESOLUTION NO. 23-242

RESOLUTION DECLARING THE UNINCORPORATED AREAS OF ERIE COUNTY, OHIO TO BE A RESTRICTED AREA PROHIBITING CONSTRUCTION OF ECONOMICALLY SIGNIFICANT WIND FARMS, LARGE WIND FARMS AND LARGE SOLAR FACILITIES.

The Board of County Commissioners of Erie County, Ohio, met this 26th day of July, 2023, in regular session with the following members present:

Patrick J. Shenigo, Mathew R. Old, and Stephen L. Shoffner.

Mr. Shoffner introduced the following resolution and moved its adoption.

WHEREAS, the Ohio General Assembly adopted Senate Bill 52 on June 28, 2021, which amended the process for siting certain wind-powered and solar-powered electric generation facilities in the State of Ohio; and

WHEREAS, Senate Bill 52 took effect October 11, 2021, and became ORC 303.57, *et seq*; and

WHEREAS, Senate Bill 52, now ORC 303.57 – 303.62, gives a board of county commissioners the authority to adopt a resolution designating all or part of the unincorporated areas of the county as a restricted area, prohibiting the construction of certain wind farms and solar facilities; and

WHEREAS, the Board of Commissioners of Erie County, Ohio (“Board”) has responsibility for preserving the general health, safety and welfare within the territory of Erie County, Ohio; and

WHEREAS, the development of “economically significant wind farms”, as defined in ORC 303.57(A) and ORC 4906.13, and “large wind farms” and “large solar facilities”, as defined in ORC 303.57(B) and ORC 4906.01, (collectively, “Utility Facilities”) has numerous potential impacts on users and property owners in the vicinity of such developments; and

WHEREAS, Board has considered the potential impacts of development as well as the interests of property owners in making their land available for development; and

WHEREAS, utilizing the above considerations, and considerations from all nine townships within the unincorporated areas of the County, Board prepared a map containing the proposed restricted areas within the unincorporated areas of Erie County, Ohio;

WHEREAS, pursuant to ORC 303.58(C)(2)(a), notice of the date and time of this meeting was given to the public by publication in the Sandusky Register on May 26, 2023 and May 27, 2023, which were at least thirty (30) days prior to discussion of this Resolution at the Board’s Regular Meeting on June 28, 2023; and

WHEREAS, pursuant to ORC 303.58(C)(2)(b), a map containing the proposed restricted areas within the unincorporated areas of Erie County, Ohio was posted at all public libraries within Erie County, Ohio for a period of at least thirty (30) days prior to discussion of this Resolution at the Board's Regular Meeting on June 28, 2023;

WHEREAS, pursuant to ORC 303.58(C)(2)(c), notice of this meeting was given to all school districts, municipal corporations, and boards of township trustees located in whole, or in part, within the boundaries of the proposed restricted areas, at least thirty (30) days prior to discussion of this Resolution at the Board's Regular Meeting on June 28, 2023; and

WHEREAS, in addition to the unincorporated areas of Erie County, Ohio, Board opposes the development of Utility Facilities within the portion of Lake Erie that is located in the boundaries of Erie County, Ohio.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ERIE COUNTY, OHIO THAT:

1. Pursuant to ORC 303.58(A), Board hereby designates all unincorporated areas of Erie County, Ohio as a restricted area prohibiting the construction of "economically significant wind farms", as defined in ORC 303.57(A) and ORC 4906.13, and "large wind farms" and "large solar facilities", as defined in ORC 303.57(B) and 4906.01.
2. Pursuant to ORC 303.58(D), a map showing boundaries of the restricted area within the unincorporated areas of Erie County, Ohio is attached as Exhibit A.
3. Pursuant to ORC 303.58(D), this Resolution, including the map attached as Exhibit A, shall be filed with the Office of the Erie County Recorder.
4. Pursuant to ORC 303.59, this Resolution shall be in full force and effect thirty (30) days after its adoption, unless it is timely petitioned for a referendum by the requisite number of registered electors in the county.
5. Board hereby finds and determines that all formal actions relative to the adoption of this resolution were taken in an open meeting of this Board; and that all deliberations of this Board and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including Section 121.22 of the Revised Code.

Mr. Old seconded the motion for the adoption of said resolution; and the roll being called upon its adoption, the vote resulted as follows:

Roll Call: Mr. Shoffner, Aye; Mr. Old, Aye; Mr. Shenigo, Aye

Adopted: July 26, 2023

CERTIFICATE

I, Erin M. Paolano, Clerk of the Board of County Commissioners of Erie County, Ohio, hereby do certify that the above is a true and correct copy of resolution adopted by said Board under said date, and as same appears in Commissioners' Journal Volume #234.

Erin M. Paolano Clerk
Board of County Commissioners
of Erie County, Ohio

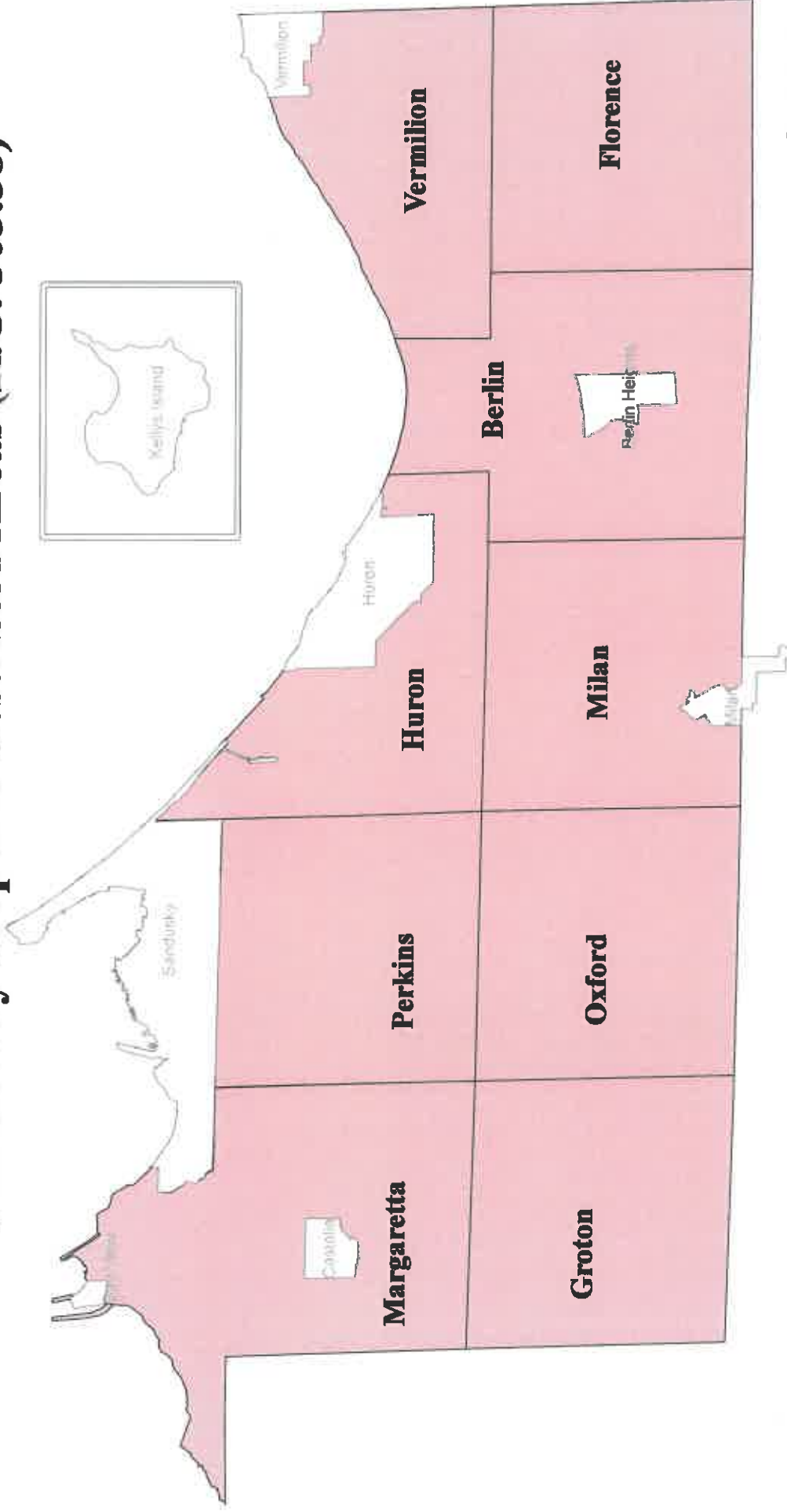
Approved by County Administrator

Hank S. Solowiej, CPA

Wind and solar restrictions final 23-242

Exhibit A

Erie County Proposed Restricted Areas (R.C. 303.58)



1. Berlin Township - All areas of the township designated as a restricted area.
2. Florence Township - All areas of the township designated as a restricted area.
3. Groton Township - All areas of the township designated as a restricted area.
4. Huron Township - All areas of the township designated as a restricted area.
5. Margaretta Township - All areas of the township designated as a restricted area.
6. Milan Township - All areas of the township designated as a restricted area.
7. Oxford Township - All areas of the township designated as a restricted area.
8. Perkins Township - All areas of the township designated as a restricted area.
9. Vermilion Township - All areas of the township designated as a restricted area.

Legend



Map to be used for illustrative purposes only.
Created by Erie County Department of Regional
Planning and Development, Erie County, Ohio
assumes no responsibility or liability for any
errors or omissions contained here in.

Source: Erie County Auditor
GIS Map
Created: November 2022