

**WHITLEY COUNTY ADVISORY PLAN COMMISSION
STAFF REPORT**

ORDER
2022-01 &
2022-02

ORDER DETERMINING CONFORMANCE TO COMP. PLAN
Whitley County Redevelopment Commission
Amendment of Economic Development Plan

NOVEMBER 16, 2022
AGENDA ITEM: 1

BACKGROUND AND PROCESS

On November 15th, the Whitley County Redevelopment Commission (RDC) is expected to adopt an Amending Declaratory Resolution that proposes to amend the Economic Development Plans (EDP) for the Economic Development Area #1 Tax Increment Financing (TIF) district and the Economic Development Area #2 TIF, also known as the Union TIF and Rail Connect TIF, respectively. The amendment would add a new section to the EDP of each district to state more specifically which capital improvements TIF funds can support.

This proposed amendment is coming to the Plan Commission in draft form since the RDC will not have acted upon it until the day before the Plan Commission meeting. If the RDC does not adopt it on the 15th, the item will be automatically continued.

Per the state code, after the RDC has adopted a plan and resolution for a TIF, or for any subsequent amendments such as the proposed, they must be forwarded to the Plan Commission having jurisdiction over the TIF area for review and determination of whether they conform to the “plan of development.” The Commission then may approve or disapprove the proposal. If disapproving, the Commission should send back requirements to the RDC so that the plan and resolution may be modified accordingly.

Typically, the “plan of development” is assumed to be the Comprehensive Plan, but it may include other plans as well, such as a detailed area plan, infrastructure plan, thoroughfare plan, and so forth. For the TIF areas in question, the 2022 Comprehensive Plan is the only adopted plan that staff is aware of that applies.

If the Plan Commission approves the proposed changes, they will be forwarded to the County Commissioners for their review, then back to the RDC for a public hearing and final approval.

PROPOSED AMENDMENT

The proposed amendment adds a new section to the existing Economic Development Plans, to be called the Plan Supplement. This lists seven types of projects and improvements that can be undertaken by the RDC to benefit the TIF areas. Doing so gives additional clarity as to which projects may be funded with TIF funds in the future. Previously, the authorized projects were less clearly stated within the EDP and state statutes.

By clarifying the types of projects the RDC can undertake, this should open opportunities for construction of improvements that may have been previously in a legal gray area. For example, it is now clearly stated that the use of TIF funds may be used for public safety that benefit the TIF area, even if the improvements are not located within the TIF. So, funds could be applied to capital expenditure projects of the fire department, sheriff, EMS, or other services, such as new buildings or equipment designed to serve the TIF area. Additionally, quality of life improvements, such as park improvements or broadband infrastructure, and government efficiency projects could also be funded.

DETERMINATION OF CONFORMANCE WITH PLAN

The proposed amendments will allow TIF expenditures on a wider range of projects, many of which can overlap with recommendations of the Comprehensive Plan. Staff suggests that the following recommendations could benefit from the funds made available with this proposed amendment: 1.13, 2.2, 4.1, 4.4, 4.7, 4.8, 4.10, 5.1, 5.6, and 5.12.

Under the state code, the Plan Commission is to also consider any transitional and permanent provisions for adequate housing for residents who may be displaced by redevelopment projects. It is not expected that there will be any residents displaced with this amendment.

In the staff’s opinion that the proposed amendments to the Declaratory Resolutions do conform to recommendations of the existing plans for development in the area.

Date report completed: 11/9/22

PLAN COMMISSION RECORD OF ACTION

Motion:

By: _____

Second by: _____

Approve _____

Deny _____

Continue _____

<i>Vote:</i>	Drew	Emerick	Green	Hodges	Johnson	Kurtz-Seslar	Schrumpf	Wolf	Wright
<i>Yes</i>									
<i>No</i>									
<i>Abstain</i>									