

FULTON COUNTY
AREA PLAN COMMISSION
FULTON COUNTY OFFICE BUILDING
COMMISSIONERS/COUNCIL ROOM
MARCH 28, 2022
7:00 P.M.

CALL TO ORDER

ELECTION OF OFFICERS

ADOPTION OF MEETING RESOLUTION

AREA PLAN COMMISSION MINUTES FOR:

October 25, 2021

PUBLIC COMMENT (Not to pertain to Agenda Items)

OLD BUSINESS

NEW BUSINESS:

PLAN DIRECTOR REPORT:

Ordinance and Comprehensive Plan discussion

PUBLIC COMMENTS

BOARD COMMENTS

FULTON COUNTY AREA PLAN COMMISSION
October 25, 2021

**FULTON COUNTY
AREA PLAN COMMISSION
MEETING**

MONDAY, OCTOBER 25, 2021

**7:00 P.M.
COMMISSIONERS/COUNCIL ROOM**

CALL TO ORDER

**AREA PLAN COMMISSION MINUTES FOR:
September 27, 2021**

**PUBLIC COMMENT
(Not to pertain to Agenda Items)**

OLD BUSINESS

NEW BUSINESS:
Rochester IN BTS Retail, LLC (#210775)
Nickel Plate Trail
Ferndale Replat

PLAN DIRECTOR REPORT:

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

FULTON COUNTY AREA PLAN COMMISSION
October 25, 2021

The Fulton County Area Plan Commission met on Monday the 25th of October 2021, at 7:00 P.M. in the Commissioners/Council Room located within the Fulton County Office Building. Chairperson Duane Border called the meeting to order at 7:00 P.M. The following members were present: David Roe, Crystal Weida, Phil Miller, Debbie Barts, Seth White, Kathy Hobbs, Rachael Moore, Cathy Miller and Duane Border. Also in attendance were: Plan Director, Heather Redinger; Board Attorney, Andy Perkins and Administrative Secretary, Kim Gard

It is duly noted Randy Sutton and Ruth Gunter were absent.

IN RE: MINUTES

September 27, 2021

Duane asked for any additions, deletions or corrections to be made to the September 27, 2021 minutes. David Roe moved to approve the September 27, 2021 minutes as written. Phil Miller seconded the motion. Motion carried as follows: Crystal Weida, Rachael Moore, Phil Miller, Rick Ranstead, Seth White, Kathy Hobbs, David Roe, Debbie Barts and Cathy Miller being in favor and no one opposing.

It is duly noted Ruth Gunter arrived at 7:05pm

IN RE: NEW BUSINESS

Rochester IN BTS Retail, LLC

Rochester IN BTS Retail, LLC is requesting a zone map amendment of property located at (009-102075-00), N Old US 31, Rochester, 1.49 acres to be changed from Industrial (IN) to Suburban Residential (SR). The Industrial District does not allow a retail store. In the Suburban Residential District a retail store is a special exception. Rochester BTS was granted a special exception for a retail store in the Suburban Residential District, contingent on a zone map amendment.

Heather stated Rochester IN BTS Retail, LLC went before the County BZA earlier this month to be approved for the special exception to have a retail store in the SR District. The current owner did not want to have the property rezoned to SR unless Rochester IN BTS Retail was approved for the special exception to have a retail store.

Rick Ranstead asked if there were any issues with being approved for the special exception.

Debbie Barts stated the BZA had to vote on whether a retail store would be a good fit in the SR district. She also stated there was conversation about the semi traffic on Lucas St. and the proposed location of the store entrance.

Rick Ranstead asked if they have plans to go off of Lucas St. Could the entrance go off of old 31.

Heather stated that was a very lengthy discussion at the BZA but reminded the Board that they had to vote on what was being presented.

Phil Miller stated what they presented at the BZA was approved and that there would be many different meetings to go through before building plans are approved.

Debbie stated the BZA also discussed the entrance would be much safer coming off of old 31.

Rick stated you never want to turn down business. He agrees Lucas St is not a good idea.

FULTON COUNTY AREA PLAN COMMISSION
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Heather stated tonight you are looking at recommending or not recommending to the Commissioners to rezone this parcel from IN to SR. If this is approved then it would have to go before the TRC with proposed plans, prior to any permits being issued.

Whitney P, Civil Engineer, stated she has been in contact with John Geier, he has put out traffic count strips on both Lucas and Old US 31 so we can get an accurate traffic count.

Tom Callen stated we did bring in a site plan to be very open about the project.

Duane asked for any Board comments. Being none, he entertained a motion. Rick Ranstead moved to make a favorable recommendation to the Fulton County Commissioners that the proposed zone map amendment as stated above be approved. Crystal Weida seconded the motion. Motion carried as follows: David Roe, Kathy Hobbs, Seth White, Rachael Moore, Rick Ranstead, Crystal Weida, Ruth Gunther, Debbie Barts, Cathy Miller, and Phil Miller being in favor and no one opposing.

IN RE: NEW BUSINESS Nickel Plate Trail (NPT)

The Nickel Plate Trail are requesting a modification to the existing commitments to be allowed to remove the bollards from the trail in Fulton County. They went before the TRC on October 13, 2021, the members present agreed to recommend the modification to be allowed. They are now before the Plan Commission to have the commitments modified to remove the bollards.

Duane ask for any Board discussion.

Heather stated there was discussion on reflective tape at each intersection.

Maintenance for the NPT stated there would be larger signs that states no motorized vehicles.

Being no further discussion Debbie Barts made a motion to accept the recommendation from the TRC to modify the commitments. David Roe seconded the motion. Motion carried as follows: David Roe, Kathy Hobbs, Seth White, Rachael Moore, Rick Ranstead, Crystal Weida, Ruth Gunther, Debbie Barts, Cathy Miller, and Phil Miller being in favor and no one opposing.

At this time Seth White recused himself due to being the surveyor and representative of the Ferndale Replat.

IN RE: NEW BUSINESS Ferndale Replat

Ferndale Park is located south of 1773 E SR 14, currently consists of 4 lots. They would like to replat lots 61-64 into lots 1 & 2. These lots do meet all our requirements.

Duane asked for any Board discussion. Being none, he entertained a motion. Rick Ranstead made a motion to approve the Ferndale replat. Ruth Gunter seconded. Motion carried as follows: David Roe, Kathy Hobbs, Rachael Moore, Rick Ranstead, Crystal Weida, Ruth Gunther, Debbie Barts, Cathy Miller, and Phil Miller being in favor and no one opposing.

IN RE: BOARD COMMENT

IN RE: PLAN DIRECTOR REPORT

FULTON COUNTY AREA PLAN COMMISSION
October 25, 2021

Heather brought before the Board, 730 Indiana Ave. in the IN district. A potential buyer asked if he could store rental trailers on this parcel with no office. The ordinance is not clear if this is a permitted use or special exception. The board agreed that this would be a permitted use.

Heather then asked about the GC district if a YMCA would be a permitted use or special exception. The Board agreed that it would be a special exception in the GC district.

Heather also talked to the Board about the comprehensive plan. She stated DLZ had contacted her regarding to the Comprehensive Plan. DLZ told her they had grants available to hire out the completion of the Comprehensive Plan. Heather then stated Casi had most of the Comprehensive Plan done. The office would need to have all the public meetings and add the input into the plan. She then asked the Board if they wanted the office to finish it or hire it out.

After Board discussion they agreed that Heather and Kim would finish the Comprehensive Plan. Heather stated due to winter coming we will wait until spring to start public hearings.

IN RE: ADJOURNMENT

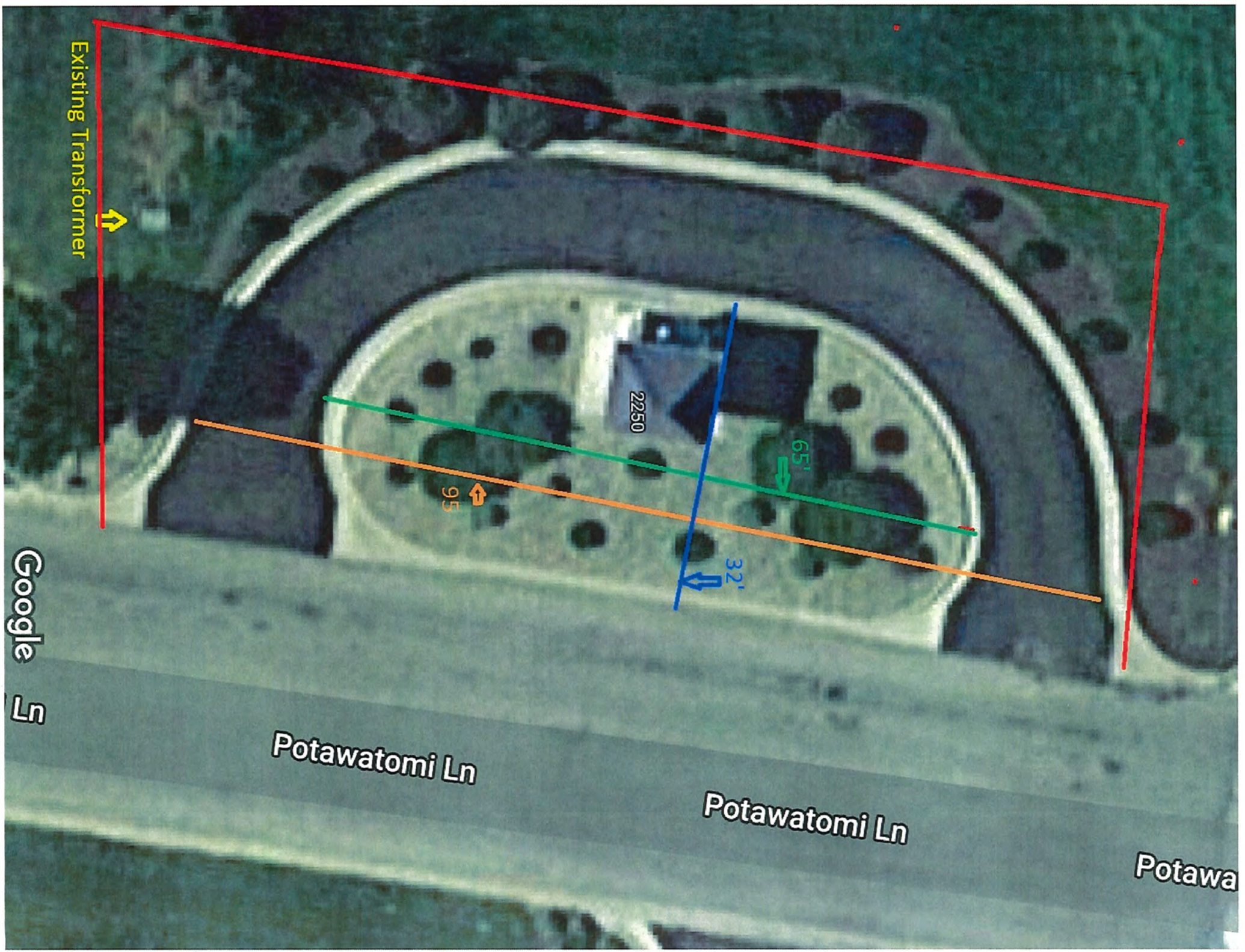
With no further business to come before the Board, Duane entertained a motion to adjourn the October 25, 2021 meeting. David Roe moved to adjourn the October 25, 2021 Fulton County Area Plan Commission meeting at 8:10 P.M. Seth White seconded the motion. Motion carried as follows: : David Roe, Kathy Hobbs, Seth White, Rachael Moore, Rick Ranstead, Crystal Weida, Ruth Gunther, Debbie Barts, Cathy Miller, and Phil Miller being in favor and no one opposing.

Kim Gard, Administrative Secretary

With Comprehensive Plan amendments coming up, below are a few things in the Ordinance I wanted to discuss, as well.

District	Permitted uses, Special Exception, Standards	Suggested changes/additions/deletions
GC District	Permitted- Single family homes Special Exception- Single family, two-family and multi-family dwellings all upper floor only Special Exception-Apartments	There are no size requirements for living space. Suggestion: Minimum Main Floor Area: • 980 square feet for one story Primary Structures; or 850 square feet for multiple story Primary Structures, provided that the total Finished Floor Area is 1,200 square feet or more. Minimum Floor Area Per Unit: • 720 square feet average per dwelling unit in a multiple-unit Primary Structure. 500 square feet minimum per dwelling unit in a multiple-unit Primary Structure.
	Day care facility, fitness center/gym, health spa, sign painting/fabrication, school	These are all listed in permitted uses and special exception. need to determine which list to keep them in.
HC District	Permitted-Apartment complexes, condominiums	There are no size requirements for living space. Suggestion: Minimum Floor Area Per Unit: • 720 square feet average per dwelling unit in a multiple-unit Primary Structure. 500 square feet minimum per dwelling unit in a multiple-unit Primary Structure.
	Schools	Listed in both permitted and special exception. need to determine which list to keep it in.
DC district	14' x 70' mobile homes	Mobile homes are only allowed in the AG and MP districts. Needs removed from the list
IN District	Special Exception- single family homes	There are no size requirements for living space. Suggestion: Minimum Main Floor Area: • 980 square feet for one story Primary Structures; or 850 square feet for multiple story Primary Structures, provided that the total Finished Floor Area is 1,200 square feet or more.
	Public wells, storage tank-non-hazardous, telephone exchange, research center	These are all listed in permitted uses and special exception. need to determine which list to keep them in.
AG District	Maximum lot depth 3 times the lot width Minimum Lot width 200' Why one split for 80 acres?	Questions brought to me about possible changes? The Plan Commission and Boards of Zoning Appeals should also strive to promote less than 1 dwelling unit per 10 acres communitywide in the "AG" district.
IR District		It was recently in the paper, there's interest in making the old jail, into office space. Office space is not listed in permitted or special exception uses.

RR, SR, R1, R2, R3 AG,KW, IR, IN, IU	<p>The minimum lot width and frontage are different required amounts (ie. AG 200' lot width and 80' frontage)??</p> <p>Lot Width: The distance as measured between the side lot lines. The lot width of a property that has irregular boundaries shall be the narrowest distance between side lot lines. Cul-de-Sac front lot widths shall be regarded as the minimum frontage requirement and shall be measured at the front set back line, with the rear property boundary line being at least the minimum width</p> <p>Lot Frontage: All property of a lot fronting on a street right-of-way or as measured between side lot lines.</p>	<p>Very confusing to public, as well as, staff, possibly change format to state:</p> <p>Minimum Lot width and frontage: (ie. AG District: Minimum lot width 200', provided a minimum of 80' is on public street with access to said public street)</p> <p>SR?</p>
	EV Charging stations	I had an inquiry of installing a charging station on 2250 Potawatomi Ln (previously Lake City ATM, next to Goodwill) The only codes I sent to them were the parking standards for the ADA and parking lot size requirements and landscaping. Provided the proposed drawing.
	Solar	Provided ordinances from St. Joe, Kosciusko and Marshall Counties.
Definitions:	Disabled, mentally ill, group home	Need to add in the definition the difference between small and large: State Code defines small as 8 persons or less
7-1.4 Processes per Type of Petition	<p>The Area Plan Commission hereby requires that a Location Improvement Permit be obtained for the following:</p> <p>12. Surface and subsurface drainage work (excluding agricultural uses),</p> <p>13. Street cuts,</p> <p>14. Curb cuts,</p> <p>15. Storm sewer hook-ups</p>	<p>This was brought to my attention, we have never issued a permit for #12-15.</p> <p>We require drainage approval prior to issuing permits for residential and commercial projects.</p> <p>Curb, street cuts and sewer hook ups are permitted through the City, Towns County and State, depending on location.</p>
Comp plan	Public Workshops starting soon. Would like to start them earlier if possible, 5pm or 6pm.	<p>I have closed out the online survey. We will have paper copies for the public. The survey has been on line since 2020 and we've had 368 responses. I will be or have already met with the City/Town Clerks to discuss the changes or lack of changes in the community from the previous charts. Once we compile all of our information I would like to start the public workshops.</p> <p>I also meet with FEDCO regarding their public meetings they are planning in April. We will be sharing information of public input.</p>



Existing Transformer

22250

65'

95'

32'

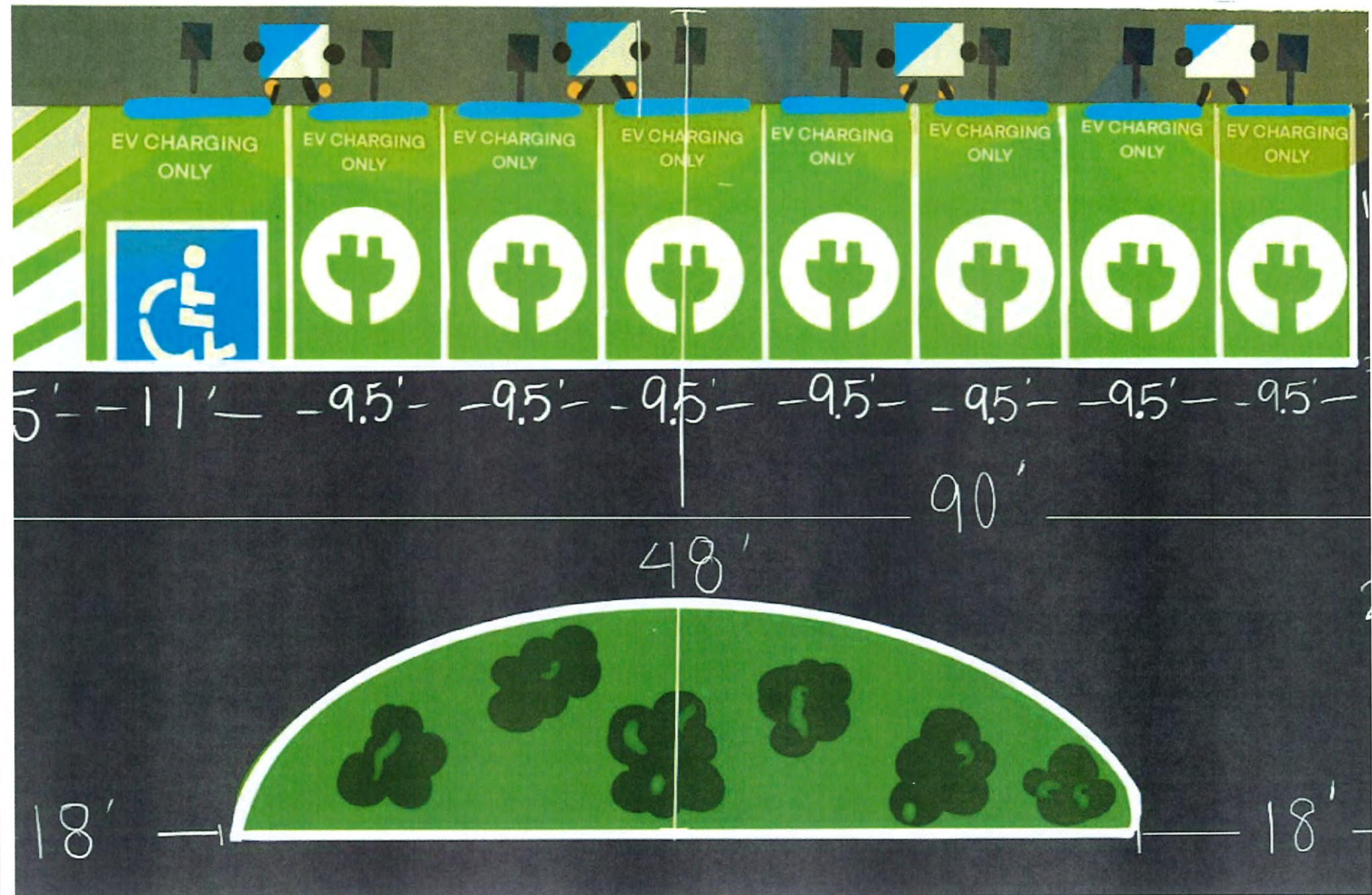
Potawatomi Ln

Potawatomi Ln

Potawa

Google 5

h Concept Drawing



vation District and in some cases with the approval of a Drainage Plan/Agreement on file with the Fulton County Surveyor.

WE-37: Post-Construction Requirements

Post-construction, the applicant shall comply with the following provisions:

A. As-Built Plans

Where upon completion of the phases of the project being proposed, the exact measurements of the location of utilities and structures erected during the development are necessary for public record shall therefore be recorded. The applicant, owner, or operator shall submit a copy of the Final Construction Plans (as-built plans), as amended, to the Planning Department with the exact measurements thereon shown. The Plan Commission staff, after being satisfied that the measurements are substantially the same as indicated on the originally approved final plan(s) shall approve, date and sign said Construction Plans for the project. One set of As-Built plans will be submitted in CAD or shape-file format to be incorporated into the Fulton County GIS.

B. Change in Ownership

It is the responsibility of the owner or operator listed in the application to inform the Plan Commission of all changes in ownership and operation during the life of the project, including the sale or transfer of ownership or operation. Proof shall be provided to the Plan Commission that any subsequent purchaser shall comply with all financial obligations as originally approved for the project, and that the purchaser is contractually obligated to assume all responsibilities of the original applicant.

5-1.5 Solar Energy Systems(SES) Standards (SE)

In order to protect the public health, safety, and general welfare of the community while accommodating the energy needs of residents and businesses, these regulations are necessary in order to:

1. To bring the benefits of solar energy to Fulton County, including the potential to add local jobs, reduce energy bills, and reduce pollution in a manner that preserves reliability and affordability
2. minimize adverse effects of SES facilities through careful design and siting standards;
3. avoid potential damage to adjacent properties from SES failure through structural standards and setback requirements.

SE-01: The Fulton County Planning Office is vested with the authority to review, approve, and disapprove applications for Solar Energy Systems, including a sketch, preliminary plans and final plans.

SE-02: Regulations of the siting of SES facilities is an exercise of valid police power delegated by the State of Indiana. The developer has the duty of compliance with reasonable conditions laid down by the Fulton County Plan Commission.

SE-03: Ground-mounted solar energy systems in all districts shall be installed either in the side yard or rear yard. Ground-mounted solar energy systems accessory to a principal use may be located no closer than the setback for accessory structures from the side or rear lot line.

SE-04: Height Requirements

- a. Roof mount: Roof-mounted solar energy systems may exceed the maximum building height, provided the SES does not exceed five feet in height above the roofline in residential districts and ten feet above the roof line in all other districts.
- b. Ground mount: The maximum height restrictions for accessory structures in each zoning district are applicable to ground-mounted solar energy systems and solar energy systems.

SE-05: Lot Coverage cannot exceed the impervious lot surfaced requirements.

SE-06: Solar energy systems must meet the requirements of the Fulton County Drain Board.

SE-07: Permit Requirements

1. Small rooftop, micro, and ground mount solar installations are permitted in all major zoning districts.



2. A Technical Review Committee (TRC) site plan approval is required for Medium- and Large-scale solar energy systems prior to building permit approval.
3. Micro and Small systems are permitted uses in all Zone Districts.
4. Medium and Large systems are special exception uses in the AG, AP, RR, SR, KW, IR, HC, VC, GC, IN, and IU Districts.

SE-08: A Technical Review is required for Medium- and Large-scale solar energy systems prior to building permit approval. Site Plan documents shall include:

1. Property lines and physical features, including roads, for the project site;
2. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
3. Blueprints or drawings of the solar energy system showing the proposed layout of the system, the distance between the proposed solar collector and all property lines, and the tallest finished height of the solar collector;
4. Name, address, and contact information for proposed system installer;
5. Name, address, phone number and signature of the project proponent, as well as all co-proponents or property owners, if any;
6. Zoning district designation for the parcel(s) of land comprising the project site.
7. Documentation that the owner has submitted notification to the utility company of the customer's intent to install an interconnected customer-owned generator. Off-grid systems are exempt from this requirement.

SE-09: Removal Requirements – Any small, medium- or large-scale ground-mounted solar energy system which has reached the end of its useful life or has been abandoned shall be removed [by the owner or operator]. The owner or operator shall physically remove the installation no more than one year after the date of discontinued operations. The owner or operator shall notify the Fulton County Plan Department by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:

- (a) Physical removal of all solar energy systems, structures, and equipment from the site.
- (b) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- (c) Stabilization or re-vegetation of the site as necessary to minimize erosion. The Fulton County Planning Office may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

SE-10: Abandonment – Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the small, medium- or large-scale ground-mounted solar energy system shall be considered abandoned when it fails to operate for more than one year without the written consent of the Fulton County Plan Department. If the owner or operator of the solar energy system fails to remove the installation in accordance with the requirements of this section within one year of abandonment or the proposed date of decommissioning, the County retains the right after the receipt of an appropriate court order, to enter and remove an abandoned, hazardous, or decommissioned small, medium, or large-scale ground-mounted solar energy system at the owner/operator's expense. As a condition of Site Plan approval, the applicant and landowner shall agree to allow entry to remove an abandoned or decommissioned installation

5-1.6 Height Standards (HT)

HT-01: No structure may be erected or changed so as to make its height greater than specified in its applicable Zoning District, except as noted below. Exceptions to height standards include:

- A. These specified height exceptions may exceed the permitted height regulations by twofold (x2) or seventy-five (75) feet; whichever is less.
 - a. Church steeples,
 - b. Water Towers, and



Small Wind System: A WECS that has a nameplate capacity (manufacturer's rating) less than or equal to 50 kilowatts per wind tower, and a total height of 140' or less, and a swept area of 40' or less.

Solar Energy System: Any device or structural design feature that has a whole primary purpose is to provide daylight for interior lighting or provide for the collection, storage, or distribution of solar energy for space heating, space cooling, electricity generation, or water heating.

- Roof-mounted/building mounted solar energy system: a solar energy system that is structurally mounted to the roof of a building or structure.
- Ground-mounted solar energy system: a solar energy system that is structurally mounted to the ground and is not roof mounted.
- Large-scale solar energy system: a solar energy system that occupies more than 40,000 square feet of panel surface area.
- Medium-scale solar energy system: a solar energy system that occupies more than 1,750 but less than 40,000 square feet of panel surface area.
- Small-scale solar energy system: a solar energy system that occupies 1,750 square feet of panel surface area or less.
- Micro-scale solar energy system: a solar energy system that occupies less than 120 square feet of panel surface area. (Solar energy systems not tied to an electrical system or a stand alone system are exempt such as flag pole lights, single solar lights, etc.)
- "Primary Use" Solar Energy System: A solar energy system is considered a primary use if there is no other primary use on site.

Special Exception: The use of land or the use of a Building or Structure on land which is allowed in the zoning District applicable to the land only through the grant of a Special Exception by the Board of Zoning Appeals.

Sport Court: A primary use of an area to be used for sports only, not including driveways.

Staff: The Executive Director, or any attorney, employee or agent of the Fulton County, Indiana, as designated by the Fulton County Area Plan Commission.

Storage and Transfer Establishment: A facility at which products, goods or materials are received from various locations and temporarily warehoused while awaiting distribution or shipment via a subsequent carrier, possibly along with other products, goods or materials to another destination.

Storage, Outside: The storage of any product, goods, equipment, machinery, vehicles, boats, junk, tractor trailers, railroad cars, supplies, Building materials or commodities, including raw, semi-finished and finished materials for a period of time in excess of one (1) week, the storage of which is not accessory to a residential use, and which is visible from ground level, provided, however, that vehicular parking and the display of automobiles, boats, trucks or farm equipment associated with a legally established dealership shall not be deemed Outside Storage.

Story: That part of a Building, with an open height of no less than seventy-eight inches (78"), except a mezzanine, included between the upper surface of one floor and the lower surface of the next floor, or if there is no floor above, then the ceiling next above.

Street: Any Public or Private Right-of-Way, with the exception of Alleys, essentially open to the sky and open and dedicated to the general public for the purposes of vehicular and pedestrian travel affording Ac-



Heather Redinger

From: inplanning-l-request@list.iupui.edu on behalf of Jordan Wyatt
<jordan_wyatt@icloud.com>
Sent: Friday, February 25, 2022 10:41 AM
To: inplanning-l@list.iupui.edu
Subject: Re: [INPLANNING-L] Solar Farms permitted by right?
Attachments: Section-154505---Renewable-Energy-Systems.pdf

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

The SolSmart program is a good measure of success for solar ordinances. The website also includes best practices for ordinances. Here's a map of communities that have received designations from this US Department of Energy program. St. Joseph County has one of the most forward thinking ordinances and received gold from this program.

<https://sjcindiana.com/DocumentCenter/View/1392/Section-154505---Renewable-Energy-Systems>

<https://solsmart.org/our-communities/designee-map/>

Jordan Wyatt
He/Him
jordan_wyatt@icloud.com
(317) 840-6176

On Feb 25, 2022, at 10:24 AM, GIS <gis@wellscounty.org> wrote:

I would highly suggest working towards getting rid of special exceptions when you can because they leave unnecessary latitude for interpretation and compliance opening the door too wide for challenges.

Sincerely,

Michael W. Lautzenheiser, Jr. AICP & CFM
Wells County Area Plan Commission Executive Director
GIS Manager / Floodplain Administrator
PH: 260.824.6407 / GIS@wellscounty.org
Fax: 260.824.6415
Wells County Area Plan Commission
223 W. Washington St
Bluffton, IN 46714

From: inplanning-l-request@list.iupui.edu <inplanning-l-request@list.iupui.edu> **On Behalf Of** Nathan P. Origer
Sent: Thursday, February 24, 2022 7:33 PM
To: inplanning-l@list.iupui.edu
Subject: Re: [INPLANNING-L] Solar Farms permitted by right?

I'm not sure if I'm 100-percent on board with it, but it seems like it may be forthcoming in Pulaski County. We're spending too much time and money dealing with legal challenges to the specialist exceptions that have been granted already, so while we'll keep them by SE in industrial districts, we're probably going to allow them by right in our two agricultural districts.

I think that Starke County allows them by right on the ag district, but I can't say for sure.

On Thu, Feb 24, 2022 at 5:57 PM, Luzier, Debbie <DLuzier@grwinc.com> wrote:

Any counties out there have commercial solar farms permitted by right in a particular district?

This would allow them to go straight to applying for building permits. No public hearings or additional use approvals required.

Thanks in advance!
Deb

Sent from my iPhone

--

Nathan P. Origer
Executive Director
Pulaski County C.D.C.
574.242.2458

Sent from the most recent smartphone that I'm trying not to destroy

in the amount of 125% of the cost of demolition and removal of the wind energy facility based upon a licensed engineers estimate of the cost of demolition and removal. Any reduction in the security fund provided, because of deductions of fines, penalties, or removal costs, shall be replenished to the total of the required amount within 30 days after notice from St. Joseph County of the amount deducted and the deficiency created hereby. Within a reasonable period of time, not to exceed three months after the wind turbine facility is removed, any remaining funds on deposit with St. Joseph County pursuant to this Chapter, after application and above all expenses provided for herein, shall be refunded to the appropriate owner or provider who created the security fund.

(c) The requirement for a security fund under § 154.510 (b) shall not apply to a municipal corporation or a school corporation, as defined in IC 36-1-2-10 and 17 respectively.

(Ord. 43-12, § 17, passed 5-15-2012) Penalty, see § 154.999

154.511 SOLAR ENERGY SYSTEMS (“SES”); INTENT *(Ord. 17-20, 2/18/20)*

This subchapter provides for the implementation of solar energy systems, which convert the power of the sun into the generation of electricity. St. Joseph County finds that it is in the public interest to encourage the use and development of renewable energy systems that enhance energy conservation efforts and promote sustainable development. As such, the County supports the use of solar energy collection systems and in no way are these regulations intended to severely limit the siting of solar energy systems. These regulations consider the unique needs of solar energy systems and provide for the most efficient use of this renewable energy system. These sections are also intended to protect the character of residential neighborhoods and commercial corridors. Solar energy systems should be sited and constructed in a way that is harmonious and even benefit the agricultural uses in the County.

154.512 SOLAR ENERGY SYSTEMS (“SES”); APPLICABILITY *(Ord. 17-20, 2/18/20)*

All new development or additions to existing developments within unincorporated areas of St. Joseph County shall site, construct, install, and decommission any solar energy system (“SES”) as required by this subchapter.

154.513 SOLAR ENERGY SYSTEMS (“SES”); GENERAL *(Ord. 17-20, 2/18/20)*

(A) *Classification.* Solar energy systems (“SES”) shall be classified as either a Building-mounted SES or Ground-mounted SES.

(I) Building-mounted SES is a solar energy system that is structurally mounted to a building or structure. Building-mounted SES shall be further classified as follows:

(a) Roof-mounted SES is a Building-mounted SES that is structurally mounted and solely supported by the roof of a building or structure; or

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Renewable Energy Systems

(b) Façade-mounted SES is a Building-mounted SES that is structurally mounted and solely supported by the façade of a building or structure.

(2) Ground-mounted SES is a solar energy system that is structurally mounted to the ground. Ground-mounted SES shall be further classified as follows:

(a) Small-scale SES is a Ground-mounted SES that is less than or equal to 40,000 square feet in panel area; or

(b) Large-scale SES is a Ground-mounted SES that is more than 40,000 square feet in panel area.

(B) *Districts permitted.* SES shall be permitted in accordance with the following table:

<i>Use Table for Solar Energy Systems</i>				
<i>Accs. - Accessory Use P - Primary Use SU - Special Use</i>		<i>Building-mounted SES</i>	<i>Ground-mounted SES</i>	
<i>District</i>	<i>Lot Size</i>		<i>Small-scale SES</i>	<i>Large-scale SES¹</i>
A: Agricultural	Any	Accs.	P	P
R: Single Family	Less than 5 acres	Accs.	Accs.	SU
	5 acres or more	Accs.	P	SU
R-2: Residential	Less than 5 acres	Accs.	Accs.	SU
	5 acres or more	Accs.	P	SU
O/B: Office/Buffer	Any	Accs.	Accs.	SU
O: Office	Any	Accs.	Accs.	SU
B: Business	Any	Accs.	Accs.	SU
C: Commercial	Any	Accs.	P	SU
I: Industrial	Any	Accs.	P	P
U: University	Any	Accs.	P	P

¹*Preferred siting.* Large-scale Ground-mounted SES shall be a permitted use on any brownfield, sites on the Superfund National Priorities List, above a parking lot, and former landfills.

(C) *Building permit.* A building permit is required for the installation of all SES.

(D) *Compliance with other laws and ordinances.* All SES shall comply with all Federal, State and local laws and ordinances not in conflict with this Division, including but not limited to building codes, fire codes, placement in floodplains and historic preservation districts.

(E) *Compliance with Federal Aviation Agency (FAA) regulations.* SES must comply with any applicable FAA regulations, including any necessary approvals for installations close to airports.

(F) *Signs.* No signs, unless listed as Exempt Signs in § 154.373, shall be placed on SES structures.

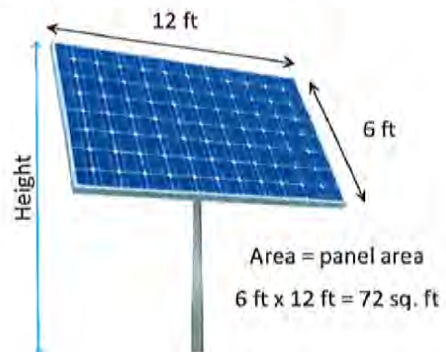
(G) *Method of Measurement.* SES are measured in the following manner:

(1) *Area* – The area of the SES shall be determined by the total surface area of all the panels located on a lot.

(2) *Height* – The height of the SES shall be calculated as the distance from grade or roof to the top of the solar panel at its greatest incline.

(3) *Projection* – The projection of a Façade-mounted SES is measured from the façade to the outside edge of the SES that is perpendicular to the ground.

(4) *Setback* – Setbacks for Ground-mounted SES shall be measured from the property line to the edge of the SES panels.



(H) *Historic Districts.* All SES within a local historic district or local landmark require a Certificate of Appropriateness from the Historic Preservation Commission.

(I) *Septic field.* Ground-mounted SES shall not be located over a septic field, unless approval is granted from the St. Joseph County Health Department.

**154.514 BUILDING-MOUNTED SOLAR ENERGY SYSTEMS (“SES”);
DEVELOPMENT STANDARDS** (Ord. 17-20, 2/18/20)

(A) *Height.* Roof-mounted SES may exceed the maximum allowed building height of the building or structure on which it is located by five (5) feet in residential districts and ten (10) feet in all other districts.

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(B) *Projection.* Façade-mounted SES may project off a building façade up to three (3) feet into the required setback.

(C) *Legal nonconforming.* Building-Mounted SES may be installed on:

(1) Legally established nonconforming buildings as long as the installation of the SES does not increase the nonconformity, except for the allowances in height and projection as outlined above; or

(2) Accessory to legally established nonconforming uses as long as the installation of the SES does not increase the nonconformity.

(D) *Safety and Emergency Access.* Building-mounted SES shall be located in such a manner as to ensure emergency access to the roof, provide pathways to specific areas of the roof, provide for smoke ventilation opportunities, and provide emergency access to the roof. Building-mounted SES shall be located in accordance with the Indiana Fire Code and enforced by the City of South Bend / St. Joseph County Building Department.

**154.515 GROUND-MOUNTED SOLAR ENERGY SYSTEMS (“SES”);
DEVELOPMENT STANDARDS (Ord. 17-20, 2/18/20)**

(A) *Accessory buildings.* Ground-mounted SES shall not be calculated in the maximum area of accessory buildings.

(B) *Maximum height.* Ground-mounted SES shall not be taller than twenty-two (22) feet above grade.

(C) *Minimum setback.* Ground-mounted SES shall meet the required setbacks of the district in which they are located. Setbacks shall be the same as what is required for accessory buildings.

(D) *Maximum lot coverage.* Ground-mounted SES shall not be calculated in the floor area ratio of the district in which they are located.



(E) *Landscaping required.* Accessory use SES for residential uses shall be exempt from all required landscaping. All other SES shall be exempt from any required landscaping except for the following:

(1) Pollinator-friendly seed mixes and native plants are required around the SES at a rate of two (2) square feet of plantings for every one (1) square foot of solar

panels. For reference, best practices, and maintenance information see *Technical Guide: Establishment and Maintenance of Pollinator-Friendly Solar Projects (2020) – Northern Indiana – Michiana Area Council of Governments, as amended*.

(2) The Zoning Administrator may approve the redistribution of the required landscaping to other locations on the site.

(F) *Power lines.* Power transmission lines, not including lines that connect one panel to another or from the project to the main transmission lines, from Ground-mounted SES must be underground and must be completely shielded against shock hazard.

(G) *Pavement.* Driveways shall be paved with hard surfaced with asphalt, concrete, pervious pavement, pavers or other material to provide a durable, dust-free surface which meets the minimum specifications prescribed by the County Engineer for the first 50' from the edge of pavement. Interior access drives, and interior access driveways are not required to be paved.

(H) *Off-street parking.* Parking areas are exempt from the off-street parking regulations in §§ 154.415 through 154.423 but must still meet the required setbacks in the underlying zoning district and the landscaping requirements contained in this section.

154.516 ABANDONMENT AND REMOVAL OF GROUND-MOUNTED SOLAR ENERGY SYSTEMS (Ord. 17-20, 2/18/20)

(A) *Decommissioning and removal.* Any Ground-mounted SES which has reached the end of its useful life or has been abandoned shall be removed by the owner. The owner or operator shall physically remove the installation no more than 120 days after the date of discontinued operations, or by a timeframe determined by the Zoning Administrator for extenuating circumstances. For large-scale SES, decommissioning shall consist of:

- (1) Physical removal of all SES, structures, and equipment from the site;
- (2) Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations; and
- (3) Stabilization or re-vegetation of the site as necessary to minimize erosion. The Zoning Administrator may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

(B) *Abandonment.* Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the Ground-mounted SES shall be considered abandoned when it fails to operate for more than one year without the written consent of the Zoning Administrator.

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(C) *Right to remove.* If the owner or operator of the Ground-mounted SES fails to remove the installation in accordance with the requirements of this section within 90 days of abandonment or the proposed date of decommissioning, the County retains the right, after the receipt of an appropriate court order, to enter and remove an abandoned, hazardous, or decommissioned Ground-mounted SES. As a condition of issuance of an Improvement Location Permit, the applicant and landowner shall agree to allow entry to remove an abandoned, hazardous, or decommissioned installation.

(D) *Security fund.* Any owner of a Ground-mounted SES over 200,000 square feet in panel area shall establish a cash security fund, bond, irrevocable letter of credit or other means to secure the payment of removing any abandoned SES, including the solar panels and associated equipment and buildings that have been determined to be abandoned, or found to be in non-compliance with this chapter, and to provide St. Joseph County a fund from which to deduct fines and penalties for non-compliance with this Chapter or other applicable laws in the amount of 125% of the cost of demolition and removal of the SES, up to a maximum of \$250,000, based upon a licensed engineers estimate of the cost of demolition and removal. Any reduction in the security fund provided, because of deductions of fines, penalties, or removal costs, shall be replenished to the total of the required amount within 30 days after notice from St. Joseph County of the amount deducted and the deficiency created hereby. Within a reasonable period of time, not to exceed three months after the SES is removed, any remaining funds on deposit with St. Joseph County pursuant to this Chapter, after application and above all expenses provided for herein, shall be refunded to the appropriate owner or provider who created the security fund. The requirement for a security fund shall not apply to a municipal corporation or a school corporation, as defined in IC 36-1-2-10 and 17 respectively.

3. Nothing in this section shall alleviate the need to comply with all other applicable fire laws and regulations.

C. Materials Handling, Storage and Disposal

1. All solid wastes related to the construction, operation and maintenance of the WECS shall be removed from the site promptly and disposed of in accordance with all federal, state and local laws.

2. All hazardous materials or waste related to the construction, operation and maintenance of the WECS shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.

D. An ongoing log of maintenance activities performed on all WECS shall be submitted to Kosciusko County Plan Director on an annual basis.

3.29.6 LIABILITY INSURANCE

The Owner or Operator of the WECS(s) shall maintain a current general liability policy covering bodily injury and property damage and name Kosciusko County as an additional insured with limits of at least \$2 million per occurrence per wind tower and \$5 million in the aggregate with a deductible of no more than \$5 thousand.

3.30 Solar Energy Systems (SES)

3.30.1 Intent – It is the intent of this section to protect the public health, safety, and general welfare of the community while accommodating alternative energy needs by establishing requirements and regulations for the placement, construction, modification, and removal of solar energy systems.

3.30.2 Setbacks –

- Ground mounted SES shall be installed so all components meet the district setbacks as noted under Tables B & C of the Kosciusko County Zoning Ordinance or as prescribed in this section.
- Roof/Structure mounted SES shall be installed so as not to extend closer than the existing structure on which it is to be mounted.

3.30.3 Height

- Ground mounted SES shall not exceed the maximum height requirement for accessory structures in the zoning district in which they are to be installed.
- Roof/Structure mounted SES shall not project vertically more than the height requirement for the district in which it is to be installed.

3.30.4 Drainage – Solar Energy Systems shall meet the requirements of the Kosciusko County Stormwater & Erosion Control Ordinance.

3.30.5 General Requirements

3.30.5.1 Roof Mounted Systems

3.30.5.1.1 No Improvement Location Permit shall be required to install a roof mounted SES on the roof of an existing structure

3.30.5.1.2 All Roof Mounted SES must comply with all local, state, and federal regulations.

3.30.5.1.3 Size/classification limitations (micro, small, medium, and large) shall not apply to roof mounted SES and they shall be permitted in any district assuming they do not exceed the roofline of the existing structure.

3.30.5.1.4 Roof mounted SES shall be installed so that they meet all performance standards as specified under this ordinance including but not limited to glare.

3.30.5.2 Ground mounted micro or small SES shall be required to obtain an Improvement Location Permit as specified under Article 4 of the Kosciusko County Zoning Ordinance as permitted in those districts as listed on Table A of the ordinance and specified below.

3.30.5.3 Medium SES shall require an Improvement Location Permit as specified under Article 4 of the Kosciusko County Zoning Ordinance as permitted or as approved of by the Board of Zoning Appeals in those districts as listed on Table A of the ordinance and specified below.

3.30.5.4 Large SES-

- Shall be allowed in those districts either as a permitted use or exception use as listed on Table A of the ordinance and specified below.
- Large SES located in agriculturally zoned areas must be on a parcel at least 3 acres in size.
- Large SES shall be reviewed and approved of by the Kosciusko County Technical Review Committee.
- When deemed necessary, prior to the issuance of any permits, an approved drainage review indicating the site development complies with the requirements of the Kosciusko County Stormwater Control Ordinance must be provided.
- Large SES shall be required to obtain an Improvement Location Permit as specified under Article 4 of the Kosciusko County Zoning Ordinance.

3.30.5.5 Commercial SES Farms shall be permitted in those districts at listed on Table A of the Kosciusko County Zoning Ordinance or as approved by the Board of Zoning Appeals. An application for an Exception or Improvement Location Permit shall meet the below requirements and be accompanied by at minimum those items listed below.

3.30.5.4.1 GENERAL REQUIREMENTS

A. Minimum Site Area. The minimum site area for a Commercial Solar Energy System Farms (CSES) at minimum five (5) acres and shall be as necessary to meet required setbacks and any other standards of this ordinance.

B. Setbacks.

1. Each proposed (CSES) shall meet the following applicable setback requirements:

a. Each (CSES) array and any associated features shall be set back from any adjoining property lot line, road right-of-way, railroad right-of-way a minimum distance of two hundred (200) feet.

b. (CSES) occupying multiple parcels may have internal property line setbacks waived by execution of a written document signed by all land owners sharing such a property line. All such documents shall be recorded in the office of the Kosciusko County Recorder within 45 days of the signing of *each* solar lease agreement and said document shall be cross referenced to the current recorded deed. The solar developer *may not* submit a memorandum of lease containing multiple lease contracts to the Kosciusko County Recorder. Signed solar lease contracts not submitted to the Kosciusko County Recorder's office within 45 days of signing are null and void in Kosciusko County.

c. The setback distance for the (CSES) shall be one mile from any platted community of a municipality. Distance shall be measured from the center of the array to the closest Corporate Limit boundary line.

C. Maximum Vibrations. Any proposed (CSES) or associated features shall not produce vibrations humanly perceptible beyond the property on which it is located or cause vibration that could be detected in nearby structures or damage underground wells during construction or upon operation.

D. Electrical Components

1. All electrical components of the (CSES) shall conform to applicable local, state, and national codes, and relevant national and international standards.

2. Electrical Collection Cables - All (CSES) electrical collection cables between each WECS shall be located underground. All transmission lines that are buried should be at a depth of 10 feet until the same reach the property line or a substation adjacent to the property line.

E. Interference with Reception. Any solar arrays shall be constructed and operated so that they do not interfere with television, microwave, GPS for

agricultural use, military defense radar, navigational or radio reception to neighboring areas.

F. State or Federal Requirements. Any proposed (CSES) shall meet or exceed any additional local, state, or federal standards and regulations.

G. Aesthetics and Lighting. Any proposed (CSES) shall meet the following requirements:

1. Each (CSES) shall be lit in a fashion so no light extends beyond the perimeter of the facilities involved.
2. Each (CSES), including all accessory structures, shall, to the extent possible, use materials, and colors that will blend them into the natural setting and surrounding buildings.

H. Signs. A sign no more than 4 square feet in area displaying an address and telephone number for emergency calls and informational inquiries shall be posted at the entrance of the (CSES) access road. No (CSES) or site shall include an advertising sign.

I. Not Essential Services. (CSES) shall be regulated and permitted pursuant to this Article of the Zoning Ordinance and shall not be regulated or permitted as essential services, public utilities, or private utilities.

J. Removal of Abandoned, discontinued, or Unsafe (CSES)

1. Any (CSES) that is not operated for a continuous period of 6 months shall be considered abandoned.
2. Any (CSES) or component found to be unsafe or not in compliance with the special exception conditions related to noise or glare placed upon it by the Board of Zoning Appeals (BZA), shall be found to be in violation of the special exception approval.
3. The owner of any (CSES) that is abandoned or in violation of the special exception approval shall remove the same within one hundred and fifty (150) days of receipt of notice from the Area Plan Commission of such abandonment or violation.
4. In addition to removing the (CSES), the owner shall restore the site to its condition prior to location of the (CSES) (excluding replanting of original vegetation and trees), subject to reasonable wear and tear and shall stabilize soils through use of ground cover. All concrete and rebar must be removed from the soil.
5. Failure to remove an abandoned (CSES) within the one hundred and fifty (150) day period provided in this subsection shall be grounds for the Kosciusko County Area Plan Commission to pursue the violation as

prescribed under section 4.12 of this ordinance.

6. A decommissioning plan approved by the Kosciusko County Technical Committee providing for the method and payment of the anticipated cost of removing a (CSES) at the end of its serviceable life or upon it's becoming a discontinued or abandoned use to ensure that the (CSES) is properly decommissioned.

1. Decommissioning shall include but not be limited to;

- a. The Physical removal of all solar energy systems, structures and equipment from the site.
- b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- c. Stabilization or revegetation of the site as necessary to minimize erosion. The Kosciusko County Area Plan Commission may allow the owner to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

2. A decommissioning plan at a minimum, shall also include the following:

- a. Written statement detailing the time line for decommissioning, not exceeding 150 days after the date of documented discontinued operations. The owner shall notify the Kosciusko County Area Plan Commission upon the discontinuation of the operations.
- b. Assurance - Written assurance that the (CSES) will be properly decommissioned upon the expiration of its serviceable life or in the event of its discontinuance or abandonment.
- c. Cost estimates for all (CSES) an estimate of the costs of decommissioning and removing the (CSES) upon the expiration of its useful life, or in the event of its discontinuance or abandonment. The cost estimates shall be made by a professional engineer, contractor, or other person with expertise or experience in decommissioning and removal of CSES, and shall be updated every five (5) years for approval by the Kosciusko County Area Plan Commission.
- d. Financial assurance the cost of removal and site restoration is the full responsibility of the applicant and/or owner/operator. In order to provide the greatest possible financial assurance that there will be sufficient funds to remove the CSES and to restore the site, the following steps shall be followed:
 - 1). For each CSES, the applicant/owner/operator shall determine an amount of money equal to the estimated removal and restoration cost.

2). The Planning Commission shall require independent verification of the adequacy of this amount.

3). This money shall be secured in the form of a surety equal to 150% of the quote, such as surety bond, letter of credit, or other financial promise, and shall be determined by the Kosciusko County Area Plan Commission. In the instance the developer defaults on the proper decommissioning the County or its agent retains the right, after an appropriate court order, to enter the property and remove any abandoned, hazardous, or decommissioned solar energy system with funds from the surety on file.

e. Abandonment Verification under penalties for perjury, that all easements and/or leases for the CSES contain terms that provide financial assurances to the property owners to ensure that the CSES are properly decommissioned within one (1) year of the expiration of its serviceable life or in the event of its discontinuance or abandonment.

K. Waste Management - All solid waste whether generated from supplies, equipment, parts, packaging, or operation or maintenance of the facility, including old parts and equipment, shall be removed from the site in a timely manner consistent with industry standards. All HAZARDOUS WASTE generated by the operation and maintenance of the facility, including but not limited to lubricating materials, cleaning materials, or such shall be handled in a manner consistent with all local, state and federal rules and regulations and shall not be allowed to seep into the ground.

L. Utility Interconnection

The CSES, if interconnected to a utility system, shall meet the requirements for interconnection and operate as set forth in the electrical utility's then-current service regulations applicable to CSES.

M. Warnings

1. A reasonably visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and Substations.

N. Drainage, Flood, and Erosion Control

1. A detailed drainage plan compliant with the requirements of the Kosciusko County Stormwater Control Ordinance shall be submitted and approved of.

2. In instances where the project is required to comply with IDEM, erosion control regulations proper approvals shall be submitted indicating the plans have been approved. In instances where the project does not require IDEM approval an erosion control plan

showing how any disturbance will be controlled on site as required under the Kosciusko County Stormwater and Erosion Control Ordinance shall be submitted.

3. Any project within a special flood hazard area shall comply with all standards required under the Kosciusko County Flood Control Ordinance.

4. All damages to waterways, drainage ditches, field tiles, or any other infrastructures caused by the construction or maintenance of the CSES, must be completely repaired to near original condition, and so as not to impede the natural flow of water. All repairs must be completed within a reasonable amount of time agreed upon by the Kosciusko County Surveyor.

O. USE OF ROADS - An Applicant, Owner, or Operator proposing to use any county road(s), for the purpose of transporting CSES or Substation parts and/or equipment for construction, operation, or maintenance of the CSES(s) or Substation(s), shall prior to construction:

Identify all such public roads and services

1. Roads

a. Any proposed routes that will be used for construction and maintenance purposes shall be identified. If the route includes a public road, it must be approved by the Kosciusko County Highway Superintendent. The Superintendent shall conduct a pre-construction baseline survey to determine existing road conditions for assessing potential future damage.

b. Any road damage caused by the construction of the CSES project equipment, the installation of same, or the removal of same, must be repaired to the satisfaction of the Kosciusko County Highway Superintendent. The Superintendent may choose to require either remediation of road repair upon completion of the project or are authorized to collect fees for oversized load permits. Further, a corporate surety bond in an amount to be fixed by a Professional Engineer may be required by the Superintendent to insure the county that future repairs are completed to the satisfaction of the unit of local government. The cost of bonding is to be paid by the applicant.

c. Newly constructed CSES access roads may not impede the flow of water.

d. All repairs must be completed in the time period agreed upon by the Kosciusko County Highway Superintendent.

e. Throughout the life of the project as repairs to CSES are made, road repairs will be completed each time the company's equipment traverses

Kosciusko County roads if the Kosciusko County Highway Superintendent deems repairs be necessary, at the solar developer's expense.

f. The location of all CSES access roads must be approved by the Kosciusko County Plan Director and may not be located closer than 2,000 feet from any residence as measured from the center of the access road to the corner of the residence.

P. Dust Control - Reasonable dust control measures will be required by the County during construction of the CSES.

Q. Sewer and Water

1. Any facility shall comply with existing septic and well regulation as required by the Kosciusko County Health Department and the State of Indiana Department of Public Health.

2. Wells within one mile of each site shall be inspected by a licensed certified Indiana well installed prior to and following construction. All expenses associated with the inspections shall be at the expense of the developer. Any damage/pollution caused by the operations of CSES or their construction shall be repaired at the expense of the developer and construction companies and these companies are required to provide commercial water tanks and water to affected homes until an investigation is complete and problems, if caused by CSES construction or operation, are mitigated.

R. Fire Prevention and Emergency Response Plan and Requirements.

1. Description of the potential fire and emergency scenarios that may require a response from fire, emergency medical services, police or other emergency responders.

2. Designation of the specific agencies that would respond to potential fire or other emergencies.

3. Description of all emergency response training and equipment needed to respond to a fire or other emergency including an assessment of the training

S. The site plan and other documents shall illustrate and describe mitigation measures to minimize potential impacts on the natural environment including, but not limited to wetlands, avian and wildlife (migratory bird patterns and bat population effects), other fragile ecosystems, historical/cultural sites and antiquities.

T. Glare - At no time shall a (CSES) create glare on any non-participating landowner's property. For the purpose of this section a non-participating

landowner shall be defined as a landowner on which no part of the CSES does not physically sit.

U. Property Value Guarantee will be offered by the solar developer to all residents and landowners within two miles of a CSES. Fair market value will be established by, at minimum, two reputable appraisers of the Kosciusko County Plan Commission's choice to establish baseline data for property values at the solar developer's expense. If the property value of a home decreases and a home or landowner is unable to sell his property after the CSES is erected, the developer will pay that landowner the difference or buy the property at the baseline fair market value determined prior to construction of the solar project.

V. Prior to meeting with landowners in Kosciusko County to secure leases and holding private meetings with residents, the solar developer must notify every household and landowner within five miles of a planned solar project of their intentions to develop a CSES in the area via certified letter. The solar developer must also contact the Kosciusko County Plan Director and inform the Kosciusko County Planning Commission of their intent to develop a CSES in Kosciusko County prior to notice being sent to residents and landowners and prior to meeting with landowners to secure solar lease contracts in Kosciusko County.

W. Screening & Buffering -Proper screening and buffering shall be installed to reduce the visual impact on adjacent properties as deemed necessary by the Kosciusko County Board of Zoning Appeals.

3.30.5.4.2 SPECIAL EXCEPTION APPROVAL REQUIRED

A. All CSES shall be subject to special exception approval and all requirements for special exception uses in Article 5, section 5.4. In addition to the general standards of approval for special exception, all special exceptions regulated under this Article shall comply with the following standards of approval:

1. The use shall meet all general requirements listed above in Section 3.30.5.1
- 2.-All decommissioning money paid to Kosciusko County to be placed in an interest accruing account controlled by Kosciusko County prior to the approval of any permits. In order to ensure the proper removal as required under section 3.30.5.4.4 of any abandoned or dangerous CSES.
3. The special exception, if granted by the BZA, for a proposed project shall be valid for a period of one (1) year in which to apply for an Improvement Location Permit, after which, approval shall terminate and be of no further force or effect if construction in earnest of the approved tower/s has not commenced. The Applicant shall be granted a one (1) year extension to result in a total of two (2) years from the date of the BZA approval if the Applicant presents a request for an extension to the BZA and provides a report to the BZA which shows the progress made on the project. Thereafter, an additional extension shall be at the BZA's

discretion.

B. APPLICATION REQUIREMENTS

Prior to the construction of a CSES, the Applicant shall obtain approval for the following: (1) an Application for an Exception Use from the Kosciusko County Board of Zoning Appeals ("BZA") to permit a CSES in any zone list under table A, (2) Request for Variance for any variances anticipated on the CSES Project, and (3) Drainage approval as required under the Kosciusko County Stormwater and Erosion Control Ordinance when deemed necessary, (4) an Improvement Location Permit from the Kosciusko County Area Plan Commission.

1. The Application for Exception Use

a. The application shall be filed with the Kosciusko County Area Plan Commission and include the following items:

1. A CSES Project summary, including, to the extent available: Each array's point location, including its name plate generating capacity; the make and model of the CSES that will be installed; the maximum height of the SES Array(s) measured from the base to the tip of the panel when at max height position and (2) a description of the Applicant, Owner, and Operator, including their respective business structures.
2. The name(s), address (es), and phone number(s) of the Applicant(s), Owner and Operator, and all property owner(s) with CSES or associated utility lines on their properties. All leases for properties with CSES must be filed in the Kosciusko County Recorder's Office within 45 days of the contract being signed agreeing to a solar lease or said contract is null and void in Kosciusko County.
3. A topographic map of the project site and the surrounding area which shall encompass an area at least a quarter mile radius from the proposed project site with contours of not more than five foot intervals.
4. A site plan at an appropriate scale showing (standard sheet of 36 inches by 24 inches and individual tower site not greater than 1 inch equals 20 feet): the proposed location of the Solar Energy System (including planned locations of each CSES array, access roads; Substations; electrical cabling; and ancillary equipment). In addition, the site plan shall show: Primary Structures within one mile of any CSES; property lines, including identification of adjoining properties; setback lines; public roads; recognized historic or heritage sites as noted by the Division of Historic Preservation and Archeology of the

Indiana Department of Natural Resources; delineated special flood hazard areas, and any wetlands based upon a delineation prepared in accordance with the applicable U. S. Army Corps of Engineer requirements and guidelines.

5. Location of all existing underground utility lines associated with the CSES site.

6. All required hearing filing fees as prescribed by this ordinance.

2. The Application for Improvement Location Permit

A. The Applicant shall apply to the Area Plan Commission for an Improvement Location Permit. In addition to the information required on the Improvement Location Permit Application and those documents required under section 3.30.5, the Applicant shall provide the following information to the Area Plan Commission prior to the issuance of an Improvement Location Permit:

1. Location of all underground utility lines associated with the CSES site.

2. Dimensional representation of the structural components of the array construction including the base and footings as well as all associated accessory structures.

3. Schematic of electrical systems associated with the CSES including all existing and proposed electrical connections.

4. Manufacturer's specifications and installation and operation instructions and an un-redacted operations safety manual for the model of CSES that will be installed.

5. All components of the CSES shall be new equipment commercially available. Used, experimental or proto-type equipment still in testing shall be approved by the BZA as per the normal special exception process.

6. Necessary recorded access easements and necessary recorded utility easements, copies of which shall be submitted to the Kosciusko County Plan Commission.

7. A transportation plan showing how vehicles would access the site and describing the impacts of the proposed energy project on the local and regional road system during construction and operation.

8. A revegetation plan for restoring areas temporarily disturbed during construction.

9. A fire protection plan for construction and operation of the Facility (See Fire Prevention and Emergency Response Plan and Requirements).

10. Any other item reasonably requested by the BZA.

11. A drainage plan for construction and operation must be developed under the standards of the Kosciusko County Stormwater and Erosion Control Ordinance.

12. An erosion control plan must be developed and provided in compliance with the Kosciusko County Stormwater and Erosion Control Ordinance and all other local, state, and federal regulations.

B. Each CSES require an Improvement Location Permit. The fee for each improvement Location Permit shall be subject to the fee schedule established under section 4.11 of the Kosciusko County Zoning Ordinance.

3.30.5.3 OPERATION

A. Interference

If, after construction of the CSES, the Plan Commission receives a written complaint related to interference with local broadcast residential television, telecommunication, communication or microwave transmissions, the Owner or operators shall be notified in writing and the Owner or Operator shall take reasonable steps to respond to minimize the complaint. Applicant, owner and/or operator shall take such actions as may be required to mitigate interference with electromagnetic communications, such as radio, telephone, microwaves, GPS for agricultural use, military defense radar or television signals caused by any CSES. In addition, the applicant, owner and/or operator shall comply with the following:

a. Failure to remedy a complaint - If the Plan Commission Director determines that an owner or operator has unreasonably failed to remedy verified interference with the broadcast of residential television, telecommunication, communication or microwave transmissions within ninety (90) days after owner or operator received a written complaint related thereto, the Plan Commission Director may take appropriate action to rescind the permit or approval associated to the CSES in question-- This does not apply to interference with private telecommunications systems.

B. Coordination with Local Fire Department

1. The CSES applicant, owner or operator shall submit to all providers of emergency services serving the CSES Project area a copy of the as-built site map in digital format, if requested.
2. Upon request by the local fire department, the Owner or Operator shall cooperate with the local fire department to develop the fire department's emergency response plan.
3. Nothing in this section shall alleviate the need to comply with all other applicable fire laws and regulations.

C. Materials Handling, Storage and Disposal

1. All solid wastes related to the construction, operation and maintenance of the CSES shall be removed from the site promptly and disposed of in accordance with all federal, state and local laws.
2. All hazardous materials or waste related to the construction, operation and maintenance of the CSES shall be handled, stored, transported and disposed of in accordance with all applicable local, state and federal laws.

D. An ongoing log of maintenance activities performed on all CSES shall be submitted to Kosciusko County Plan Director on an annual basis.

3.30.5.5 LIABILITY INSURANCE

The Owner or Operator of the CSES(s) shall maintain a current general liability policy covering bodily injury and property damage and name Kosciusko County as an additional insured with limits of at least \$2 million per occurrence property and \$5 million in the aggregate with a deductible of no more than \$5 thousand.

3.30.6 All SES must strictly comply and be installed to meet all other local, state, and federal regulations.

3.30.7 All SES must strictly comply with section 3.26 of the Kosciusko County Zoning Ordinance regarding performance standards.

3.30.8 Abandonment and Decommissioning Requirements

- a. Any micro, small, medium, large scale, and Commercial ground mounted SES which has reached the end of its useful life or has been abandoned shall be removed by the owner. The owner shall physically remove the installation no more than 150 days after the date of documented discontinued operations. The owner shall notify the Kosciusko County Area Plan Commission upon the discontinuation of the operations.

Decommissioning shall consist of;

- o Physical removal of all solar energy systems, structures and equipment from the site.

- Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
- Stabilization or revegetation of the site as necessary to minimize erosion. The Kosciusko County Area Plan Commission may allow the owner to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

3.30.9 Not Essential Services - SES shall be regulated and permitted pursuant to this Article of the Zoning Ordinance and shall not be regulated or permitted as essential services, public utilities, or private utilities.

3.31 Child Day Care Services (non occupied home)

An establishment providing care, supervision, and protection of children in a private residential structure. A residential structure in which at least six (6) and no more than sixteen (16) children at any time receive child care from a provider:

- (a) while unattended by a parent, legal guardian, or custodian;
- (b) for regular compensation; and
- (c) for more than four (4) hours but less than twenty-four (24) hours in each of ten (10) consecutive days per year, excluding intervening Saturdays, Sundays, and holidays. The term includes class I child care home and class II child care home as defined in *IC 12-7-2-33.7* and *IC 12-7-2-33.8*

3.31.1.1 Signage – signage shall be allowed as follows;

- a. Residential District – No larger than 12 square foot
- b. Agricultural District – No Larger than 24 square foot
- c. Commercial or Industrial 1 or 2 District – As allowed under section 3.19.4

3.31.2 Fencing – Any outdoor play area shall be secured by ordinance compliant fencing.

3.31.3 Parking shall be compliant with Table F of this ordinance

3.31.4 Sewage and Water – All sewage and water facilities must have proper approval for the overseeing authority.

210 Solar Energy Systems

A. Intent

In order to protect the public health, safety, and general welfare of the community while accommodating the energy needs of residents and businesses, these regulations are necessary in order to:

1. To bring the benefits of solar energy to Marshall County, including the potential to add local jobs, reduce energy bills, and reduce pollution in a manner that preserves reliability and affordability;
2. Minimize adverse effects of SES facilities through careful design and siting standards;
3. Avoid potential damage to adjacent properties from SES failure through structural standards and setback requirements.
4. A Solar Energy System is considered a Primary Use if there is no other Primary Use on site.

B. Authority

The Marshall County Planning Office is vested with the authority to review, approve, and disapprove applications for Solar Energy Systems, including a sketch, preliminary plans and final plans.

C. Public Purpose

Regulations of the siting of SES facilities is an exercise of valid police power delegated by the State of Indiana. The developer has the duty of compliance with reasonable conditions laid down by the Marshall County Plan Commission.

D. Types and Sizes of Solar Energy Systems

1. Types

- a. Roof Mounted: A Solar Energy System, including but not limited to the panels and mounting system, that is affixed, set, or placed on the roof of a Primary or Accessory Structure.
- b. Ground Mounted: A Solar Energy system that is self-supporting and set into or on the ground.

2. Sizes of Solar Energy Systems

- a. Shall be measured by the total surface area of all the panels and is referenced below in panel square feet.
- b. Micro-Scale Solar Energy System: A Solar Energy System that occupies less than 120 square feet of panel area (Stand alone systems are exempt such as a flag pole lights, single solar lights, etc.)
- c. Small-Scale Solar energy system: A Solar Energy system that occupies 120 square feet of panel area to 1,750 square feet.
- d. Medium-Scale Solar Energy System: A Solar Energy system that occupies more than 1,750 square feet but less than 43,560 square feet of panel area.
- e. Large-Scale Solar Energy system: A Solar Energy System that occupies more than 43,561 square feet, but less than 435,600 feet of panel area.
- f. Farm-Scale Solar Energy System: A Solar Energy System that occupies 435,601 square feet of panel area or more.

E. General Approval Standards

1. Setbacks

Development Standards

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- a. Ground Mounted Micro-Scale, Medium-Scale, and Large Scale Solar Energy Systems in all districts shall be installed either in the Side Yard, Second Street Front Yard, or Rear Yard when considered Accessory Structures. Ground-Mounted Solar Energy Systems may be located no closer than the setback for their Zoning District.
- b. Ground-mounted Micro-Scale, Small-Scale, Medium-Scale, and Large-Scale Solar Energy Systems that are primary uses on property shall meet the District Setback standards.
- c. Farm-Scale Solar Energy Systems shall be setback 150' from the centerline of the adjacent Right-of-Ways, 75' from all property lines and 250' from the nearest corner of residential structures. Interior project property lines don't have setback requirements.

2. Height:

- a. Roof mount: Roof-mounted solar energy systems may exceed the maximum building height, provided the SES does not exceed five feet (5') in height above the roofline in residential districts and ten feet above the roof line in all other districts."
- b. Ground mount: The maximum height of PV module and racking system shall not exceed 15' as measured from the highest natural grade below each solar panel. The recommend minimum height from grade is 3' for pollinator species to grow without obstructing the panel efficiency.

3. Lot Coverage:

The area covered by Ground Mounted Solar Energy Systems, measured by a rectangle encompassing the various system components, where the ground beneath is permeable or pervious, shall not be included in calculations for lot coverage or impervious cover. The Applicant shall plant a pollinator species with a mix approved by a local licensed landscape architect or equivalent. The Michiana Area Council of Governments requirements for pollinator species for solar installations shall be referenced. The site shall be planted and maintained to be free of all invasive species, as listed by the Indiana Invasive Species Council.

4. Drainage:

Solar energy systems must meet the requirements of the Marshall County Storm Drainage and Sediment Control Ordinance.

5. Additional Farm Scale Conditions:

a. Buffer Requirements:

- 1). Shall provide adequate visual 4 season screen while within 250" setback from residences and when adjacent to roadway intersections.
- 2). Buffering shall be maintained by trimming if necessary, removal of dead or fallen trees and replanting.
- 3). *Buffering shall be considered when adjacent, non-residential parcels may have competing uses.

b. Must be approved by the Marshall County Drainage Board and the system must be a minimum 75' away from any county ditch or tile.



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Development Standards

210 Solar Energy Systems (cont.)

- c. Must repair, reroute or install new tile private Drainage systems in order to preserve the overall drainage integrity.
- d. Must be reviewed by the Technical Review Committee.
- e. Must meet floodplain regulations.
- f. All ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.
- g. Exterior lighting shall be limited to that required for safety and operational purposes and will not produce glare across lot lines onto properties not associated with the project and minimized for same property residences.
- h. The Applicant shall certify that the Applicant will comply with the Damage to Underground Facilities Law (Ind. Code 8-1-26) and accompanying regulations of the Indiana Utility Regulatory Commission.
- i. A decommissioning agreement must be executed by the Applicant.
- j. A traffic management plan shall be approved by the Marshall County Highway Superintendent/Marshall County Commissioners.
- k. A property operation and maintenance plan shall be submitted with the Special Use application.
- l. The facility shall have a perimeter security fence. The security fence must be kept repaired, painted and maintained in good condition.
- m. Signage on the solar farm fencing shall display the facility name, address, and emergency contact information.
- n. Must provide reasonable accessibility for emergency vehicles.
- o. Top soil shall be preserved on site and grading should be minimized to preserve the future viability of plantings, and the natural contours of the property must be maintained.
- p. Deforestation shall be minimized and approved by the Plan Director and Board of Zoning Appeals.
- q. Energy Storage installations must meet the associated development standards.
- r. Wildlife and Mitigation study or similar as required by applicable state or federal department shall be submitted. Should neither state or federal departments require such a study, the county will require best practices and impact mitigation to be shown and indicated by report or site design.
- s. Preferred locations for Solar Farms and other large-scale solar installations are on Brownfields, and industrial zoned property.
- t. Electric solar energy system components must have a UL or equivalent listing.
- u. Power and communication lines running between banks of solar panels and to nearby electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by Marshall County in instances where shall bedrock, water courses, or other elements of natural landscape interfere with the ability to bury lines or distance makes undergrounding infeasible at the discretion of the Plan Director.
- v. For solar farms located within 500 feet of an airport or within approach zones of an airport, the applicants must complete and provide the results of a glare analysis through a qualitative analysis of the potential impact, field test demonstration, or geometric analysis of acular impact in consultation with the Federal Aviation Administration (FAA) Office of airports, consistent with the Interim Policy, FAA Review of Solar Energy Projects on Federally Obligated Airports, or most recent version adopted by the FAA.

F. Permitting

Development Standards

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1. A complete building permit application for all Solar Energy Systems will include the following:
 - a. Solar System Specifications including manufacturer and model information.
 - b. Module design and site plans.
 - c. Business plan indicating how all conditions will be addressed.
 - d. System components including panels, inverters, batteries, etc. should be minimum 95% recyclable.
2. A Technical Review Committee (TRC) site plan approval is required for Medium-Scale, Large-scale and Farm-Scale solar energy systems prior to building permit approval.
3. System upgrades/replacement will require a new building permit.

G. Site Plan

Site Plan documents shall include, but not limited to signed off by a licensed Engineer in the State of Indiana:

1. Property lines and physical features, including roads, for the project site;
2. Proposed changes to the landscape of the site, grading, vegetation clearing and planting, exterior lighting, screening vegetation or structures;
3. Drawings of the Solar energy System showing the proposed layout of the system, the distance between the proposed solar collector and all property lines, and the tallest finished height of the solar collector.
4. Name, and address of property owners;
5. Zoning district designation for the parcel(s) of land comprising the project site.
6. Documentation that the Applicant has submitted notification to the utility company of the Applicant's intent to install an interconnected customer-owned generator. Off-grid systems are exempt from this requirement.

H. Abandonment and Decommissioning Requirements

1. Small-Scale, Medium-Scale, and Large-Scale removal requirements:

Any Ground Mounted Solar energy system which has reached the end of its useful life or has been abandoned shall be removed (by the owner or operator). The Owner or operator shall physically remove the installation no more than 150 days after the date discontinued operations. The owner or operator shall notify the Marshall County Plan Department by certified mail of the proposed date of discontinued operation and plans for removal. Decommissioning shall consist of:

 - a. Physical removal of all solar energy systems, structures, and equipment from the site.
 - b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
 - c. Stabilization or re-vegetation of the site as necessary to minimize erosion. The Marshall County Plan Director may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.
2. Small-Scale, Medium-Scale, and Large-Scale Abandonment:



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Development Standards

210 Solar Energy Systems (cont.)

Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the small, medium- or large-scale ground-mounted solar energy system shall be considered abandoned when it fails to operate for more than one (1) year without the written consent of the Marshall County Plan Department. If the owner or operator of the solar energy system fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the County retains the right enter and remove an abandoned, hazardous, or decommissioned small, medium, or large-scale ground-mounted solar energy system at the owner/operator's expense. As a condition of Site Plan approval, the applicant and property owner shall agree to allow entry to remove an abandoned or decommissioned installation.

3. Farm-Scale Construction, decommissioning and removal requirements:

a. Prior to the issuance of a building permit, a decommissioning plan must be approved by the Board of Zoning appeals and recorded with the Marshall County Recorder, cross-referenced to the deed(s) to all associated project parcels. Once a project has not generated energy for 1 month the developer/owner shall notify the Marshall County Plan Commission Director. Once a facility has not generated power for 6 consecutive months, the decommissioning plan shall be activated. Shall provide the Plan Director and the County Commissioners a semi-annual generation report.

b. The decommissioning plan will include, but is not limited to , the following:

1. Lifetime of the project.
2. Timeline for construction, and general operation.
3. Decommissioning cost estimate, including salvage value of materials.

4. Restoration and reclamation requirements shall adhere to the following:

- i. Restoration of the pre-construction surface grade and soil profile after removal of the structures, equipment, graveled areas and access roads. Sub-grade componetns shall be removed from a depth of 3' and shallower, and encourages total removal.
- ii. Re-vegetation of restored soil areas with crops, native seed mixes, plant species suitable to the area.
- iii. For any part of the Solar Energy System on leased property, the plan may incorporate agreements with the landowner regarding leaving access roads, fences, gates, or repurposed buildings in place or regarding restoration of agricultural crops or forest resource land. Any remaining structures must be in conformance with all ordinances and regulations in effect at the time of decommissioning. Copies of said agreements must be provided as a part of the decommissioning plan pending approval of the Marshall County Plan Director.

5. Bonds or Financial assurance are required:

- i. Bond or financial assurance that will cover the reconstruction of public infrastructure due to construction activity related to the Solar Energy System installation that will be approved in association with the traffic management plan.
- ii. Bond or financial assurance that will cover damage to the drainage infrastructure that may be damaged during the construction process beginning once construction has been completed and is to last for 5 years once construction has been completed.
- iii. Bond or financial assurance that will cover the decommissioning of the Solar Energy system as described in the decommissioning plan.

Development Standards

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- iv. Bonds and financial assurance shall be reevaluated every 3 years with contributions adjusting at that time to cover costs at the time of decommissioning.
- v. The amount of the Bonds or Financial assurances must be approved by the Marshall County Commissioners.

20 Telecommunication Facility Standards

A. Intent

In order to protect the public health, safety, and general welfare of the community while accommodating the communication needs of residents and businesses, these regulations are necessary in order to:

1. Facilitate the provision of wireless telecommunication services to the residents and businesses of Marshall County;
2. Minimize adverse visual effects of wireless communication facilities through careful design and siting standards;
3. Encourage the location of towers in nonresidential areas through performance standards and incentives;
4. Avoid potential damage to adjacent properties from tower failure through structural standards and setback requirements; and
5. Provide mechanisms for the mitigation of tower proliferation through tower sharing requirements for all new tower applicants and those existing towers that are physically capable of sharing.

B. Authority

The Marshall County Plan Commission is vested with the authority to review, approve, conditionally approve, and disapprove applications for wireless communication facilities, including sketch, preliminary, and final plans. The Technical Review Committee (TRC) will make a recommendation to the Plan Commission. The applicant may appeal any decisions of the TRC to the Plan Commission.

C. Public Purpose

Regulations of the siting of wireless communication facilities is an exercise of valid police power delegated by the State of Indiana and as stipulated in the Federal Telecommunications Act of 1996. The developer has the duty of compliance with reasonable conditions laid down by the Marshall County Plan Commission.

D. Wireless Communication Facility Application Procedure and Approval Process

1. General Procedure

In addition to the information required elsewhere in the Marshall County Zoning Ordinance, development applications and approval for wireless communications facilities shall include the following supplemental information:

- a. A report from a qualified and licensed professional engineer which:
 - i. Describes the tower height and design including a cross section, latitude, longitude, and elevation,





Fee Summary Paid Totals

02/01/2022 - 02/28/2022

Fee Name	Fee Description	Account Number	Total Amount	Total Fees
Group: 1001.20301.000.0036				
A. County, Akron, & Town of Fulton Residential - Inspection Fee	Enter Number of Inspections	1001.20301.000.0036	\$714.55	6
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.20301.000.0036	\$343.00	6
A-1. COUNTY, AKRON, & TOWN OF FULTON ELECTRICAL PERMIT		1001.20301.000.0036	\$80.00	2
A-2. County, Akron, & Town of Fulton COMMERCIAL - Inspection Fee	Enter Number of Inspections	1001.20301.000.0036	\$480.00	3
A-2. County, Akron, & Town of Fulton COMMERCIAL-Permit Fee		1001.20301.000.0036	\$165.00	3
A-3. County, Akron, & Town of Fulton Permit Renewal		1001.20301.000.0036	\$25.00	1
			\$1,807.55	21

Group Total: 6

Group: 1001.20302.000.0036

B. City of Rochester Residential Permit Fee		1001.20302.000.0036	\$265.00	1
B-1. City of	Enter Number	1001.20302.000.0036	\$1,540.00	1

Rochester Residential-Inspection Fee	of Inspections			
B-2. CITY OF ROCHESTER ELECTRICAL PERMIT		1001.20302.000.0036	\$40.00	2
B-3. City of Rochester COMMERCIAL Permit Fee		1001.20302.000.0036	\$70.00	3
B-4. City of Rochester COMMERCIAL-Inspection Fee		1001.20302.000.0036	\$260.00	3
			\$2,175.00	10

Group Total: 5

Group: 1001.20303.000.0036

BZA. Development Standard Variance		1001.20303.000.0036	\$525.00	3
BZA. Special Exception		1001.20303.000.0036	\$175.00	1
O. LIP		1001.20303.000.0036	\$350.00	7
ZO. Signs	Enter Square Feet	1001.20303.000.0036	\$327.00	2
ZO. Solar Array- Small		1001.20303.000.0036	\$80.00	1
			\$1,457.00	14

Group Total: 5

			\$5,439.55	45
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Total Records: 16

Page: 1 of 1

3/2/2022



Fulton County Area Plan Commission

125 East 9th Street, Suite 012 - Rochester, IN 46975

Phone: (574) 223-7667 Fax: (574) 223-3652

www.co.fulton.in.us

[AppLabel] Fc

02/01/2022 - 02/28/2022

Fee Date	Account Number	Contractor Name	Fee Name	Paid By	Fee Amount	Payment Type	Payment Date	Receipt #
2/7/2022	1001.20302.000.0036	NES Electric	Electrical Registration Fee	Applicant	10.00	Check	2/7/2022	135
					10.00			

Total Records: 1

3/2/2022

Page: 1 of 1

**AREA PLAN COMMISSION OFFICE
2021 YEAR END REPORT**

Total Permits Issued in 2021: 941

Building/Electrical Permits: 530
 Location Improvement Permits: 383
 Government Work Order 28
 Electrical Registrations: 54
 Plumbing Registrations: 26

Total Permits Issued in 2020: 806

Building/Electrical Permits: 434
 Location Improvement Permits: 372
 Electrical Registrations: 60
 Plumbing Registrations: 17

2021 Permits Issued

<p><u>Henry Twp~116</u> Building/Electrical Permits 66 Location Improvement Permits 50 1-New Dwellings</p>	<p><u>Town of Akron~42</u> Building/ Electrical Permits 27 Location Improvement Permits 15 0-New Dwellings</p>
<p><u>Rochester Twp~497</u> Building/ Electrical Permits 279 Location Improvement Permits 190 Government Work Order 28 13-New Dwellings</p>	<p><u>City of Rochester ~327</u> Building/ Electrical Permits 179 Location Improvement Permits 120 Government Work Order 28 6-New Dwellings</p>
<p><u>Liberty Twp ~82</u> Building/ Electrical Permits 51 Location Improvement Permits 31 3-New Dwellings</p>	<p><u>Town of Fulton~ 8</u> Building/ Electrical Permits 7 Location Improvement Permits 1 0-New Dwellings</p>
<p><u>Union Twp~51</u> Building/ Electrical Permits 27 Location Improvement Permits 24 3-New Dwellings</p>	<p><u>Town of Kewanna~5</u> Building/ Electrical Permits 0 Location Improvement Permits 5 0-New Dwellings</p>
<p><u>Aubbeenaubbee Twp ~ 50</u> Building/ Electrical Permits 26 Location Improvement Permits 24 2-New Dwellings</p>	<p><u>Richland Twp~58</u> Building/ Electrical Permits 33 Location Improvement Permits 25 6-New Dwellings</p>
<p><u>Newcastle Twp ~55</u> Building/ Electrical Permits 32 Location Improvement Permits 23 0-New Dwellings</p>	<p><u>Wayne Twp~32</u> Building/ Electrical Permits 16 Location Improvement Permits 16 0-New Dwellings</p>

Total Splits Approved~57

7~ Aubbeenaubbe Twp
 12~Henry Twp
 3~Liberty Twp
 9~Newcastle Twp

4~Richland Twp
 12~Rochester Twp
 4~Union Twp
 6~Wayne Twp

Plan Commission Petitions: 3
TRC: 8

BZA Petitions: 61

- Development Standard Variances~53
 - 36 City of Rochester
 - 16 Fulton County
 - 1 Akron
 - 0 Fulton/Kewanna
 - Special Exceptions~8
 - 1 City of Rochester
 - 6 Fulton County
 - 0 Akron
 - 1 Fulton/Kewanna
-

2021

Total Plan Commission & Building Fees Collected	\$101,458.89
Location Improvement Permits, Petition Applications and copies	\$36,669.34
Fines	\$5,028.00
Fulton County Building Permit Fees	\$42,756.38
City Building Permit Fees and Registration Fees	\$17,005.17

2020

Total Plan Commission & Building Fees Collected	\$62,500.78
Location Improvement Permits, Petition Applications and copies	\$25,830.70
Fines	\$4,731.00
Fulton County Building Permit Fees	\$20,312.80
City Building Fees and Registration Fees	\$11,626.28