

FULTON COUNTY
AREA PLAN COMMISSION
FULTON COUNTY OFFICE BUILDING
COMMISSIONERS/COUNCIL ROOM
MONDAY, APRIL 24, 2023
7:00 P.M.

CALL TO ORDER

AREA PLAN COMMISSION MINUTES FOR:
JANUARY 23, 2023

PUBLIC COMMENT
(Not to pertain to Agenda Items)

OLD BUSINESS

NEW BUSINESS:
Ordinance
Training Session Report

PLAN DIRECTOR REPORT:

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

FULTON COUNTY AREA PLAN COMMISSION
JANUARY 23, 2023

FULTON COUNTY
AREA PLAN COMMISSION
MEETING

MONDAY, JANUARY 23, 2023

7:00 P.M.
COMMISSIONERS/COUNCIL ROOM

CALL TO ORDER

ELECTION OF OFFICERS

ADOPTION OF MEETING RESOLUTION

AREA PLAN COMMISSION MINUTES FOR:
November 28, 2022

PUBLIC COMMENT (Not to pertain to Agenda Items)

OLD BUSINESS

NEW BUSINESS
Andrew Rossell (220803)

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

FULTON COUNTY AREA PLAN COMMISSION
JANUARY 23, 2023

The Fulton County Area Plan Commission met on Monday the 23rd of January 2023, at 7:00 P.M. in the Commissioners/Council Room located within the Fulton County Office Building and virtually. Executive Director, Heather Redinger called the meeting to order at 7:00 P.M. The following members were present: Debbie Barts, Duane Border, Gloria Carvey, Cathy Miller, Seth White, Chayse Thompson, Mark Kepler, Jeff Finke, Rick Ranstead, Adam Strasser and Phil Miller. Also in attendance were: Plan Director, Heather Redinger, Board Attorney, Andy Perkins and Administrative Secretary, Kim Gard

It is duly noted the following were absent: Crystal Weida and Ruth Gunter.

IN RE: ELECTION OF OFFICERS

At the beginning of every year the Board must elect new Board Officers. Executive Director, Heather Redinger, opened the floor to nominations for Chairperson. Rick Ranstead nominated Phil Miller as Chairperson of the Fulton County Area Plan Commission. Duane Border seconded the nomination. Motion carried as follows: Debbie Barts, Duane Border, Gloria Carvey, Cathy Miller, Seth White, Chayse Thompson, Jeff Finke, Rick Ranstead, Adam Strasser and Phil Miller being in favor and no one opposing. Phil Miller was elected as the Chairperson of the Fulton County Area Plan Commission.

Phil Miller then opened the floor for nominations of Vice Chairperson. Rick Ranstead nominated Duane Border as Vice Chairperson of the Fulton County Area Plan Commission. Seth White seconded the nomination. Motion carried as follows: Debbie Barts, Duane Border, Gloria Carvey, Cathy Miller, Seth White, Chayse Thompson, Jeff Finke, Rick Ranstead, Adam Strasser and Phil Miller. Debbie Barts was elected as the Vice Chairperson of the Fulton County Area Plan Commission.

Phil Miller asked for nominations for Executive Secretary. Rick Ranstead nominated Debbie Barts as Executive Secretary of the Fulton County Area Plan Commission. Cathy Miller seconded the nomination. Motion carried as follows: Debbie Barts, Duane Border, Gloria Carvey, Cathy Miller, Seth White, Chayse Thompson, Jeff Finke, Rick Ranstead, Adam Strasser and Phil Miller being in favor and no one opposing. Phil Miller was elected as the Executive Secretary of the Fulton County Area Plan Commission.

Phil Miller opened the floor for the nomination of Administrative Secretary. Debbie Barts moved to appoint Kim Gard as Administrative Secretary of the Fulton County Area Plan Commission. Rick Ranstead seconded the nomination. Motion carried as follows: Debbie Barts, Duane Border, Gloria Carvey, Cathy Miller, Seth White, Chayse Thompson, Jeff Finke, Rick Ranstead, Adam Strasser and Phil Miller being in favor and no one opposing. Kim Gard was nominated as the Administrative Secretary of the Fulton County Area Plan Commission.

Phil Miller opened the floor for the nomination of Board Attorney. Debbie Barts moved to appoint Andy Perkins, of Peterson, Waggoner and Perkins, LLP as Board Attorney of the Fulton County Area Plan Commission. Phil Miller seconded the nomination. Motion carried as follows: Debbie Barts, Duane Border, Gloria Carvey, Cathy Miller, Seth White, Chayse Thompson, Jeff Finke, Rick Ranstead, Adam Strasser and Phil Miller being in favor and no one opposing. Andy Perkins, of Peterson, Waggoner and Perkins, LLP was nominated as Board Attorney of the Fulton County Area Plan Commission.

FULTON COUNTY AREA PLAN COMMISSION
JANUARY 23, 2023

IN RE: ADOPTION OF MEETING RESOLUTION

RESOLUTION 01232023

A RESOLUTION OF THE FULTON COUNTY AREA PLAN COMMISSION, OF THE COUNTY OF FULTON, INDIANA ESTABLISHING MEETING TIMES FOR 2023.

WHEREAS, the Fulton County Area Plan Commission has established that they will meet on the fourth (4th) Monday of each month at 7:00 P.M. unless that Monday falls on a County observed Holiday, then the meeting will be held on the fourth (4th) Tuesday at 7:00 P.M. in the Commissioners/Council Room at the Fulton County Office Building. If a County observed Holiday falls on the fourth (4th) Tuesday, as well as the fourth (4th) Monday, then the meeting will be held on the fourth (4th) Wednesday at 7:00 P.M.

WHEREAS, the Fulton County Area Plan Commission have established meeting times as set out under Indiana Code 36-2-2-6 et.seq.;

NOW THEREFORE, Be It Resolved by the Fulton County Area Plan Commission that:

1. The Fulton County Area Plan Commission will meet on the fourth (4th) Monday of each month at 7:00 P.M.; unless that Monday falls on a County observed Holiday, then the meeting will be held on the fourth (4th) Tuesday at 7:00 P.M. in the Commissioners/Council Room at the Fulton County Office Building. If a County observed Holiday falls on the fourth (4th) Tuesday, as well as the fourth (4th) Monday, then the meeting will be held on the fourth (4th) Wednesday at 7:00 P.M.
2. Other meetings will be scheduled and a public notice will be given.

Adopted this 23rd of January 2023

FULTON COUNTY AREA PLAN COMMISSION

Chairperson

Vice Chairperson

Executive Secretary

Attest: _____
Kim Gard, Administrative Secretary

FULTON COUNTY AREA PLAN COMMISSION
JANUARY 23, 2023

Randy Sutton entertained a motion to adopt Meeting Resolution 01232023. Duane Border moved to adopt the Meeting Resolution 01232023 being the fourth (4th) Monday of each month at 7:00 p.m. Gloria Carvey seconded the motion. Motion carried as follows: Debbie Barts, Duane Border, Gloria Carvey, Cathy Miller, Seth White, Chayse Thompson, Jeff Finke, Rick Ranstead, Adam Strasser and Phil Miller being in favor and no one opposing.

IN RE: MINUTES

November 22, 2022

Phil Miller asked for any additions, deletions or corrections to be made to the November 22, 2022 minutes. Rick Ranstead moved to approve the November 22, 2022 minutes as written. Seth White seconded the motion. Motion carried as follows: Debbie Barts, Duane Border, Gloria Carvey, Cathy Miller, Seth White, Chayse Thompson, Jeff Finke, Rick Ranstead, Adam Strasser and Phil Miller being in favor and no one opposing.

IN RE: NEW BUSINESS

Andrew Rossell (220803)

Andrew Rossell is requesting a zone map amendment of property located at 7785 S SR 25, Fulton IN, 1.7 acres to be changed from Suburban Residential (SR) to Downtown Commercial (DC).

Phil Miller asked for any Board comments.

Duane Border questioned spot zoning.

Heather stated that she did speak with Mr. Rossell about asking for a special exception instead of rezoning. Mr. Rossell stated that the company he works for wanted to request the zone map amendment rather than a special exception.

Phil Miller entertained a motion to open the public hearing. Rick Ranstead moved to open the public hearing. Adam Strasser seconded the motion. Motion carried as follows: Debbie Barts, Duane Border, Gloria Carvey, Cathy Miller, Seth White, Chayse Thompson, Jeff Finke, Rick Ranstead, Adam Strasser and Phil Miller being in favor and no one opposing.

Phil asked if anyone would like to speak in favor or oppose.

Being no one to speak. Phil Miller entertained a motion to close the public hearing. Debbie Barts moved to close the public hearing. Rick Ranstead seconded the motion. Motion carried as follows: Debbie Barts, Duane Border, Gloria Carvey, Cathy Miller, Seth White, Chayse Thompson, Jeff Finke, Rick Ranstead, Adam Strasser and Phil Miller being in favor and no one opposing.

Being no further discussion, Phil entertained a motion. Seth White moved to make a favorable recommendation to the Fulton County Commissioners regarding the proposed zone map amendment as stated above. Rick Ranstead seconded the motion. Motion carried as follows: Debbie Barts, Duane Border, Gloria Carvey, Cathy Miller, Seth White, Chayse Thompson, Jeff Finke, Rick Ranstead, Adam Strasser and Phil Miller being in favor and no one opposing.

FULTON COUNTY AREA PLAN COMMISSION
JANUARY 23, 2023

IN RE: PLAN DIRECTOR REPORT

Heather then stated she has talked to the council and the commissioners in regards to our Iworq system that we use in our office for all permitting. It is going up \$3500. The health department got the Iworq system and piggybacked off of ours because it's a county as a whole. They terminated their contract early and because of that ours what terminated also so we have to sign a new contract. Ours actually went up \$5500 but I was able to talk them down to \$3500.

Duane stated if we don't except this contract what is our options.

If we do not sign a new contract in 30 days they will discontinue our current contract and we will have no way of permitting. We did look into the Cloud system but it wasn't what we wanted and cost significantly more. We have had Iworq since 2019 and everything is in the Iworq system. It did take a long time to get Iworq up and running.

Debbie Barts stated Iworq works well for you.

Heather said yes now that we have it set up for our office and Sam and Kim are comfortable with it also. I have gotten signatures from the council and from the commissioners. I need the Plan Commission to approve it also.

Phil Miller stated is this a yearly contract.

Heather stated no it is a 3-year contract we pay yearly.

Heather then informed the board she sent the invoice to the city last week for \$47,057.11.

Heather stated she is working on a draft amendment for the building ordinance, Gary has been running into a lot of issues of shoddy construction or unfinished construction. Our current ordinance does not give us the ability to fine the contractors. All violations go to the property owner which is also causing a lot of problems. I am drafting an amendment to make all contractors and sub-contractors to provide proof of insurance and register within the county. Right now, only electricians and plumbers have to be registered with the county if they are doing work within the city of Rochester. With this amendment we could then hold the contractors accountable. This will go before the commissioners for their approval.

Duane stated when a demolition happens sometimes they just push the foundation in so then you have to move the new build to another location on the lot. Can we require them to remove all the cement and other material so there is a clean lot to build upon.

Heather stated I think we have already made that amendment because of that exact reason.

The Board then asked if Heather has hired a new inspector and what is the pay for the part-time inspector.

Heather stated it is \$15+ an hour.

Rick Ranstead suggested asking for an increase in pay for the part-time inspector if we do not find one soon.

Phil Miller stated how long should we wait before Heather asks for an increase in pay for the part-time inspector.

Rick stated if there are no prospects at this time to fill the position then ask now.

**FULTON COUNTY AREA PLAN COMMISSION
JANUARY 23, 2023**

Heather then shared with the Board the 2022 end of the year report.

IN RE: BOARD COMMENTS

Mark Kepler spoke about BZA/Planning training and stated it is imperative to do this.

Heather stated she had contacted KK about a training session. Right now, all sessions are being done virtual. Heather then stated she will continue to reach out for a training session.

IN RE: ADJOURNMENT

With no further business to come before the Board, Phil Miller entertained a motion to adjourn the January 23, 2023 meeting. Duane Border moved to adjourn the January 23, 2023 Fulton County Area Plan Commission Board at 8:00 P.M. Rick Ranstead seconded the motion. Motion carried as follows: Debbie Barts, Duane Border, Gloria Carvey, Cathy Miller, Seth White, Chayse Thompson, Jeff Finke, Rick Ranstead, Adam Strasser and Phil Miller being in favor and no one opposing.

Kim Gard, Administrative Secretary

Cargo Container homes	Discussion	I asked this question on the list serve, answer included in packet
EV Charging stations	Needs added to ordinance	Included a packet of information provided by the APA
Zone Amendment in Fulton	Now or when we do amendments at a later date	Map included
Park Homes	Definition... how to regulate	Definition included
Sub-division ord.. all new residential developments offer or are within walking distance of a park, recreation area or open space	Thoughts? This is from our Comprehensive Plan	
Retention ponds must be maintained		Have been asked if we could require retention ponds to be maintained (i.e shrubs, weeds, trees)
Additions and corrections needed as pointed out by K.K Gerhart Fritz		Copy of e-mail included
Solar requirements	Roof mount	Why SE & TRC?



Are cargo container homes defined in your ordinance? If so are they permitted or a special exception? In certain districts or all that allow single family homes?

23 Mar 2023 7:30 AM

[Deborah Luzier](#)

Reply # [13142144](#) on [13140695](#)

[Quote](#)

Unless you have architectural standards, any structure can serve as a home provided it's modified to meet building code and meets the development standards of the subject zoning district.

I would not go to the trouble of writing a special standard in your ordinance just for shipping containers. Now if you want to have separate standards for tiny homes or a tiny home development, then that's a different story.

REPLY

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ZONING PRACTICE

Unique Insights | Innovative Approaches | Practical Solutions

Preparing for the Electric Vehicle Surge

In this Issue: [Why Are EVs Coming?](#) | [Charging Stations as Land Uses](#) | [Zoning Trends](#) | [Zoning Standards for Different Land Uses](#) | [Equity Considerations](#) | [Non-Zoning Tools and State Preemption](#) | [Conclusion](#) | [References](#)

Preparing for the Electric Vehicle Surge

By **Brian Ross, AICP, Jessica Hyink, and Rebecca Heisel**

Electric vehicles (EVs) are a rapidly growing sector of our nation's (and the world's) light-duty vehicle market. In the second quarter of 2022, EV sales accelerated, reaching 442,740 and marking a 12.9 percent increase from the same time last year. During the same period, traditional gasoline-powered vehicle sales were down more than 20 percent compared to the second quarter in 2021 (Cox 2022).

The transforming market has implications for communities and for local governments, including land-use and development changes that need to be addressed in policy, programs, and regulation. In particular, planners and local government decision makers need to consider the land-use implications of the extensive build-out of EV charging infrastructure that is a necessary part of this new technology.

This issue of *Zoning Practice* identifies the land-use implications of the ongoing EV market transformation, particularly the considerations that communities need to address in regard to public EV charging infrastructure. It describes the significant differences between gas and electric vehicles in fueling practices, the unique land-use nature of EV charging equipment, and the evolving zoning practices that communities across the country are using for public (i.e., non-home) charging equipment and land use. Finally, this issue recommends some tools for assessing zoning considerations of EV charging infrastructure and shares examples of best practices that enable transparent and predictable zoning practices across jurisdictions.

Why Are EVs Coming?

The EV market transformation is driven by climate action and air quality goals, but also by economic factors, such as lower fuel and maintenance costs for vehicle owners. Just as planners and local decision makers must address infrastructure and land uses associated with gasoline-powered vehicles, they will need to address the new infrastructure and the local land-use decisions associated with EVs.



A plug-in electric vehicle at a public charging station in Goodyear, Arizona
(Credit: [Arizona Department of Transportation / Flickr](#))

What are Electric Vehicles?

Electric vehicle is a designation that includes several different technologies and transportation modes. Most commonly, EVs refer to light-duty (passenger car and light truck) vehicles that are hybrid-, plug-in-hybrid-, or battery-electric technologies. The EV designation also includes medium- and heavy-duty vehicles, such as delivery vans and buses, and electrified bicycles and scooters, which are a growing new mode of transport. This article uses the term “EV” to refer to vehicles that can be plugged into the electric grid to provide some or all of the vehicle fuel (excluding non-plug-in hybrid technologies) and is primarily focused on the light-duty fleet.

Climate and Environmental Policies

The transportation sector is the largest emitter of carbon (carbon dioxide equivalent, or CO₂e) in our nation and most of our states, more than industry, the power sector, or land-use-related emissions (U.S. BTS 2021). Similarly, health-related air quality problems from internal combustion engines, primarily from the use of light-duty vehicles, continues to plague our urban areas. Many of our nation’s urban centers are “nonattainment” areas under the federal Clean Air Act’s National Ambient Quality Standards that must enact policies to improve environmental and health outcomes associated with various air pollutants (EPA 2022). Electrification of transportation is a primary tool to reduce both transportation carbon emissions and regulated pollutants, particularly in urban areas.

Consequently, many cities have included EV adoption goals in both comprehensive plans and local climate action and energy plans (Samphea and Ross 2020). At least 13 states have adopted a low-carbon fuel standard for vehicles, and most states have adopted market transformation plans, incentives, or tax policies (Hartman and Shields 2022).

Emerging Competitiveness of EVs

While policy drivers often get the headlines as the reason for growing EV market share, the more universal reason that planners need to address emerging EV land-use issues is simply because EVs will be the least expensive form of personal vehicle transportation in the very near future (Lutsey and Nicholas 2019). Every major car manufacturer in the world has announced transition plans for moving to predominantly or exclusively EV production (Motavalli 2021).

The net effect is that even for those local governments who are not setting climate goals, planning for an EV future is highly warranted. And the single biggest local planning consideration for an EV future is planning for the charging infrastructure to support a high-penetration future of EVs.

Market Transformation: Chicken or Egg?

Accelerating the electrification of transportation requires that consumers choose EVs over internal combustion engine vehicles. One of the acknowledged barriers to consumer adoption of EVs is the lack of charging infrastructure in both private residences and public charging opportunities for longer trips and to relieve “range anxiety.” But non-home charging opportunities are unlikely to be installed until market demand is clearly in place to justify installing new infrastructure. The market will not respond to anticipated demand, creating a classic chicken-or-egg dilemma: We need charging infrastructure to enable vehicle purchase, but we need vehicle ownership and use to justify investment in charging infrastructure.

Two recent federal legislative changes are accelerating the pace of EV market transformation. The Bipartisan Infrastructure Law (BIL) passed in 2021 is funding a substantial buildout of EV charging infrastructure, with \$5 billion in formula funding for states over the next four years and an additional \$2.5 billion in competitive grants for communities and corridors (White House 2021). These public charging facilities in communities

and along transportation corridors will be only part of the charging infrastructure buildout; additional charging infrastructure will need to be installed in homes and apartment buildings, in workplace employee parking lots, and in private commercial parking lots to serve clients, shoppers, and other patrons of those businesses. As the infrastructure buildout is funded, these projects will require cities and other jurisdictions to make land-use decisions about where and how to permit installation.

Similarly, the Inflation Reduction Act (IRA) of 2022 will significantly incentivize purchase of EVs. The IRA makes \$7.5 billion in tax credits for new EVs, and \$1.3 billion for purchase of used vehicles available, as well as substantial funding for EV infrastructure in disadvantaged (as defined by Justice 40) or underserved communities, and tens of billions to incentivize expanded domestic manufacture of batteries (White House 2022). These policies will certainly increase the urgency for all communities to consider the land use implications of EV charging needs ([H.R.5376 §1.D.13401-4](#)).

Charging Stations as Land Uses

The U.S. Energy Information Administration reports that the U.S. has more than 100,000 retail gas stations (2022). These stations are the exclusive place for consumers to purchase gasoline, diesel, and ethanol as fuel for the light-duty fleet. But EVs present a dramatic departure from the historic driving culture, where gas stations are the only place for consumers to refuel their vehicles and where fueling infrastructure is highly regulated and associated with a variety of health, safety, and environmental risks. Most EV charging occurs at home, so public chargers are (for most households) supplemental rather than primary, except when traveling outside one's home community or region. Similarly, EV chargers do not have nearly the same public health or environmental risk of gas refueling infrastructure.

So, what kind of land use is an EV charger? Are they simply an accessory device in a parking lot, like a parking

What Is Electric Vehicle Charging Infrastructure?

Different EV technologies use different forms of charging that fall in different classes of land use. EV charging infrastructure (a.k.a. electric vehicle supply equipment or EVSE) for light-duty vehicles is distinctly different in both design and use than charging equipment for trucks, buses, bikes, or scooters. Here we are focusing on three charging technologies designed primarily for light-duty vehicles: Level 1 charging (using a household plug-in at 15–20 amps and 120 volts); Level 2 charging (using a circuit similar to an electric dryer or oven at 40–60 amps and 240 volts); and Direct Current Fast Charging (DCFC) that utilizes a separate utility transformer and much higher power capacity (25–300 kW).

payment kiosk? Or does the presence of an EV charger change the nature and function of a parking lot into a separate business for which a separate zoning application and permit is needed? What about electric infrastructure, such as transformers, that must be installed in some cases?

Vehicle Fueling as a Land Use

Traditional gas stations are typically principal uses but can be an accessory use. As a principal use, associated secondary uses often include a convenience store, fast food service, car wash, or service station. As an accessory use, gas stations are most frequently sited with grocery or large wholesale stores, although the designation even in those instances may be as a principal use.

The business model of a traditional gas station necessitates coupled land uses. Convenience stores are the dominant coupled land use with traditional gas stations, with approximately 80 percent of fuel purchased at a convenience store (NACS 2022). While an estimated 30 percent of a traditional gas station's revenue is attributable to sales of goods from inside convenience stores, these sales account for approximately 70 percent of the profit (Crockett 2022).

Traditional gas stations are often regulated through zoning, with prohibitions on locating traditional gas stations in residential zones. Zoning regulation of traditional gas stations developed in consideration of heavy vehicular traffic use and associated nuisance but also of the environmental and health impacts imposed by traditional gas stations.

According to the U.S. EPA, traditional gas stations emit air pollution, contaminate soil and ground water, and cause vapor intrusion into structures, resulting in the potential contamination of sites within 1,000 feet of the traditional gas station (2011). Additionally, the U.S. EPA estimates that half of the existing 450,000 brown-field sites were caused by petroleum, most often due to leaking storage fuel tanks (2022).

Conversely, EV charging stations are most frequently accessory uses, with an array of principal uses in residential, commercial, industrial, institutional, and recreational zones. Because EV charging stations do not contaminate the air, soil, or ground water, zoning of EV fueling stations should differ from traditional gas stations.

While some traditional gas stations may offer electric vehicle charging to draw these customers to their coupled land uses, most public charging takes place at destinations with longer parked times (e.g., parking lots at grocery stores, restaurants, shopping centers, places of work, and transportation hubs, such as airports or transit facilities) (Ricardo 2021). This behavior indicates EV drivers seldom seek out fueling for the sake of fueling but instead fuel as a convenience when an electric vehicle charger is present. Fast chargers are the exception to this and account for approximately five percent of all charging (Wood, 2017). This makes many EV charging land uses more comparable to that of charging a cell phone when a cell phone charger is available for use rather than fueling a combustion vehicle.

The business model established by traditional gas stations and the behavior of EV drivers makes a case for a local government to encourage electric vehicle charging infrastructure coupled with commercial and recreational zones. According

to the U.S. Department of Transportation, public electric vehicle charging can draw EV drivers, and thereby increase economic development benefits, with the coupled use of electric vehicle charging and local attractions (2022). Allowing public EV charging as a principal or accessory use is critical for promoting this potential economic development driver.

EV chargers are not a single land use but take different forms that need to be considered in developing land-use regulations, particularly when communities are looking to enable and accelerate the electrification of transportation.

Different Charging Use Cases, Different Land Uses

EV chargers are not a single land use but take different forms that need to be considered in developing land-use regulations, particularly when communities are looking to enable and accelerate the electrification of transportation. Moreover, an equitable market transformation to an EV future requires that different forms of public EV charging infrastructure be enabled in local regulation to ensure fueling opportunities for all residents, regardless of access to home charging. The following are four considerations that should be assessed in land-use and zoning decision-making.

Type of Use. Different levels of charger create different charging use cases and affect the resulting treatment in the zoning code. Level 1 and 2 chargers are used where the vehicle will be parked for hours, or when the user is just “topping off” a charge while in an associated business or institution. DCFCs are more akin to a traditional fueling station, where the primary purpose is likely to be getting fuel while enroute to another destination.



A single charging station (left) versus a bank of chargers (right) (Credit: Brian Ross)

Intensity or Density of Use. The number of chargers in a single installation or parking area is a critical factor in assessing impacts to surrounding land uses and the transportation system. A bank of 10 or 15 chargers has different visual impact, different electrical infrastructure, and different trip generation than one or two chargers provided as an amenity at a business, workplace, or institution.

Public Access of the Use. Different levels of public access create different zoning considerations. Chargers that are broadly accessible to the public create different zoning considerations than chargers restricted to customers or employees of an adjacent business or institution, or home charging, which is completely private. The degree to which the chargers are a destination, or just an accessory use associated with parking, affects how the use is permitted or regulated in zoning.

Business Case of the Use. How, or whether, the chargers are paid for (requiring payment by the user or payment by the site owner to a vendor) can affect zoning considerations. Zoning frequently distinguishes between virtually identical land uses or activities based on whether the activity is a business. Defining what qualifies as a business is a judgment faced by many planning commissions and local officials. Zoning standards will vary if a third party is providing EV charging as a service to an existing business and its customers or is offering fueling services independently as a separate business.

Zoning Trends

In 2019, our organization, the Great Plains Institute (GPI), released the *Summary of Best Practices in Electric Vehicle Ordinances* (Cooke and Ross 2019). We created the summary to provide local governments looking to develop EV zoning standards or development regulations with real-life references. However, the regulatory landscape has changed significantly since 2019. To address this, GPI is working to create an updated version of the guide. The updated scan of best practices in EV zoning standards and development regulations is expected to be publicly available by the end of the year.

As EVs become more common, and as more cities adopt policies encouraging EV market transformation, zoning practices for EV charging infrastructure reflect this evolving EV landscape. Trends include evolving terminology reflecting different development use cases and increasing percentage requirements for both installed chargers and “make-ready” parking requirements.

Developing Terminology

Defining terms within your ordinance is key to ensure that there is no confusion for ordinance users and staff. In the 2019 summary, terms related to EVSE that were defined in ordinances include *battery charging station*, *electric vehicle charging station*, *electric vehicle supply equipment*, and *electric vehicle infrastructure*. While all slightly different terms, each term

essentially refers to the infrastructure from the building electric supply to the installation location for the EV charging station.

Our new ordinance scan reflects a growing granularity for the required completeness of charging infrastructure in new construction or renovation. The best practice definitions distinguish between *EV-capable*, *EV-ready*, and *EV-installed*. An ordinance from Avon, Colorado, demonstrates how some cities are defining these terms ([§15.28.020](#)):

- *EV Capable* means the installation of electrical panel capacity with a dedicated branch circuit and a continuous raceway from the panel to the future EV parking spot(s).
- *EV Ready* means the installation of electrical panel capacity and raceway with conduit to terminate in a junction box or 240-volt charging outlet.
- *Electric Vehicle Supply Equipment (EVSE) Installed* means the installation of a Level 2 EV charging station.

Some cities choose to use all three of these definitions in their ordinances, while others elect to only differentiate between EV-installed and EV-ready, leaving out EV-capable. The evolution and separation of these terms impact the required percentages we see in EV parking standards.

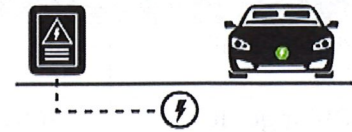
Requiring Increased Percentages

In the 2019 document, “Required EV parking capacity & minimum parking requirements,” the best practice category discusses minimum EV-ready or EV-installed parking space requirements. Recent trends are toward requiring much higher percentages of the total parking spaces to meet an EV charger standard.

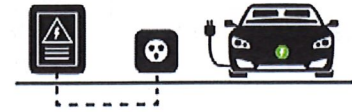
Montgomery County, Maryland, was highlighted as an example in the 2019 guide. The county required one percent of parking stalls to have an installed EV charging station.

“Any parking facility constructed... containing 100 parking stations or more, must have a minimum of one parking space ready to be converted to a station

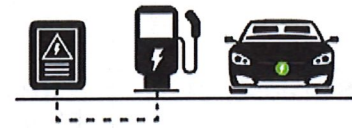
EV Capable



EV Ready



EVSE Installed



A visualization of EV-capable, EV-ready, and EV-installed
(Credit: Southeast Michigan Council of Governments)

for charging electric vehicles for every 100 parking spaces, or fraction thereof” (Cooke 2019).

Another example comes from Indianapolis, Indiana, requiring 0.4 percent of parking stalls to have charging stations in developments with off-street parking lots with over 500 parking stalls (§744-402.D).

Comparatively, in the updated scan we see much higher percentages required, especially for cities that differentiate between EV-ready and EV-capable. In the previous example of Avon, Colorado, above, for multifamily dwellings with over seven spaces, the town requires five percent EV-installed, 10 percent EV-ready, and 15 percent EV-capable. For commercial development parking lots with over 10 stalls, the same percentages hold true ([§15.28.040](#)).

Richfield, Minnesota, provides another example of the increased percentages required. Its requirements for multifamily dwellings with 15 or more units are 10 percent Level 2 EV-installed and 10

Jurisdiction	Multifamily Parking	Commercial Parking	Code Citation
Atlanta, GA	NA	20% of spaces must be EV-ready	Appendix B §101.8
Chicago, IL	20% of spaces must be EV-ready or EV-installed	20% of spaces must be EV-ready or EV-installed	§17-10-1011
Honolulu, HI	Buildings with 8+ spaces: 25% must be EV-ready	Buildings with 12+ spaces: 25% must be EV-ready	§32-1.1(20)
Issaquah, WA	10% of spaces must be EV-installed; 30% must be EV-ready	5% of spaces must be EV-installed; 10% must be EV-ready	§18.09.140
Madison, WI	2% of spaces must be EV-installed; 10% must be EV-ready (increases by 10% every 5 years)	1% of spaces must be EV-installed (increases by 1% every 5 years); 10% must be EV-ready (increases by 10% every 5 years)	§28.141(8)(e)
San Jose, CA	10% of spaces must be EV-installed; 20% must be EV-ready; 70% must be EV-capable	10% of spaces must be EV-installed; 40% must be EV-ready	§24.10.200
St. Louis, MO	2% of spaces must be EV-installed; 5% must be EV-ready (increases to 10% in 2025)	2% must be EV-installed; 5% must be EV-ready	§25.01.020-406.2.7
Washington, DC	Buildings with 3+ spaces: 20% must be EV-ready	Buildings with 3+ spaces: 20% must be EV-ready	§6-1451.03a

Select Findings from the 2022 Scan of EV Ordinances

percent EV-ready stalls capable of Level 2 charging, with at least one space capable of fast charging ([Appendix B §544.13.7](#)).

Seattle goes one step further. It requires 100 percent EV-ready for multifamily residences with up to six spaces but backs down to 20 percent EV-ready for parking lots with over seven spaces. In commercial developments, 10 percent are required to be EV-ready ([§23.54.030.L](#)).

Zoning Standards for Different Land Uses

Based on our review of existing local and state land-use standards, technical assistance on EV-readiness, and stakeholder discussions at the state and national level, we recommend the following general best practices.

Define Distinct EV Charger Uses

Provide definitions for different EV charger use cases as distinct land uses. Consider defining accessory-use and principal-use installations and consider a separate definition for DCFC installations.

Explicitly Permit Accessory Uses

Most installations of EV charging equipment are accessory uses; the primary use is either a building or parking (in those instances where the parking is on a separate parcel). For clarity, zoning ordinances should explicitly permit EV charging equipment for all home chargers (subject to accessory use dimensional and performance standards). Level 1 and 2 charger installations associated with commercial or institutional land uses should similarly be listed as permitted accessory uses up to at least the

minimum installation requirements in the city's parking standards. All EV charging equipment installed and maintained in a surface parking area by the property owner or lessee should be considered a permitted accessory use in all districts where vehicle parking is required or allowed as an accessory use.

Set Parking Design or Performance Standards

Many communities will have parking or zoning standards that include a design or performance element (e.g., size or configuration of space, Americans with Disabilities Act requirements, landscaping, stormwater management, lighting, etc.). In most states, EV charging capability can

company in a retail store parking lot, are accessory uses or principal uses, and whether design standards apply. Evaluating the installation under the four considerations noted above will help parse the question.

EV chargers should only be subject to aesthetic or landscaping standards where cities have established standards for surface parking lots. Applying design or aesthetic standards uniquely to EV charging infrastructure could be deemed arbitrary. Signage is another judgment call, where signage may be appropriate when charging infrastructure is either a principal use or accessory to a mix of commercial uses that also have signage. Accessory uses in other land-use cases should not have signs or advertising, except to distinguish the availability of, type of, or vendor for charging.

Develop a Mixed-Use Standard

Commercial operation of a vehicle charging station by a third party (particularly for fast charging) where there is a synergistic mix of uses will be a growing instance of mixed-use development that incorporates EV charging with other compatible businesses. The business case for EV charging is similar to existing business models for gasoline refueling, where fuel is part of a convenience store, fast food, auto repair, and car wash. Gasoline refueling is a destination but makes for a poor business case without other revenue streams. This is also true for DCFC charging; the business case typically requires revenue beyond what the customer pays for fuel. But like gasoline stations, DCFC charging is a critical element to enable widespread EV use.

Communities should enable DCFC charging land uses along transportation corridors and create standards for DCFC charging stations as a mixed-use component that complements synergistic transportation corridor uses. DCFC charging installations along transportation corridors are similar in use to gas fueling in that the charging is the reason that people stop. Consideration should be given to site

Allowing EV charging stations in the public ROW along curbs can benefit underserved communities and people with disabilities

be included as a minimum standard. As noted above, many cities are requiring minimum levels of EV charging capability for specific land-use types (single-family homes, multifamily buildings) or as part of commercial parking standards.

Some states, such as Minnesota and New Jersey, have a "max/min" state building code, where the state code is both a floor and a ceiling for local regulation. These states may limit local zoning requirements to those that clearly do not overlap with building code standards.

Communities will have a judgment call on whether installations that are installed or maintained by third party providers, such as a bank of chargers installed and maintained by a charging infrastructure

circulation patterns to accommodate a flow of traffic in and out. While EV market penetration is still low, circulation is unlikely to be an issue, but after EV market share reaches a higher level, peak use could result in vehicles waiting in line to charge.

Equity Considerations

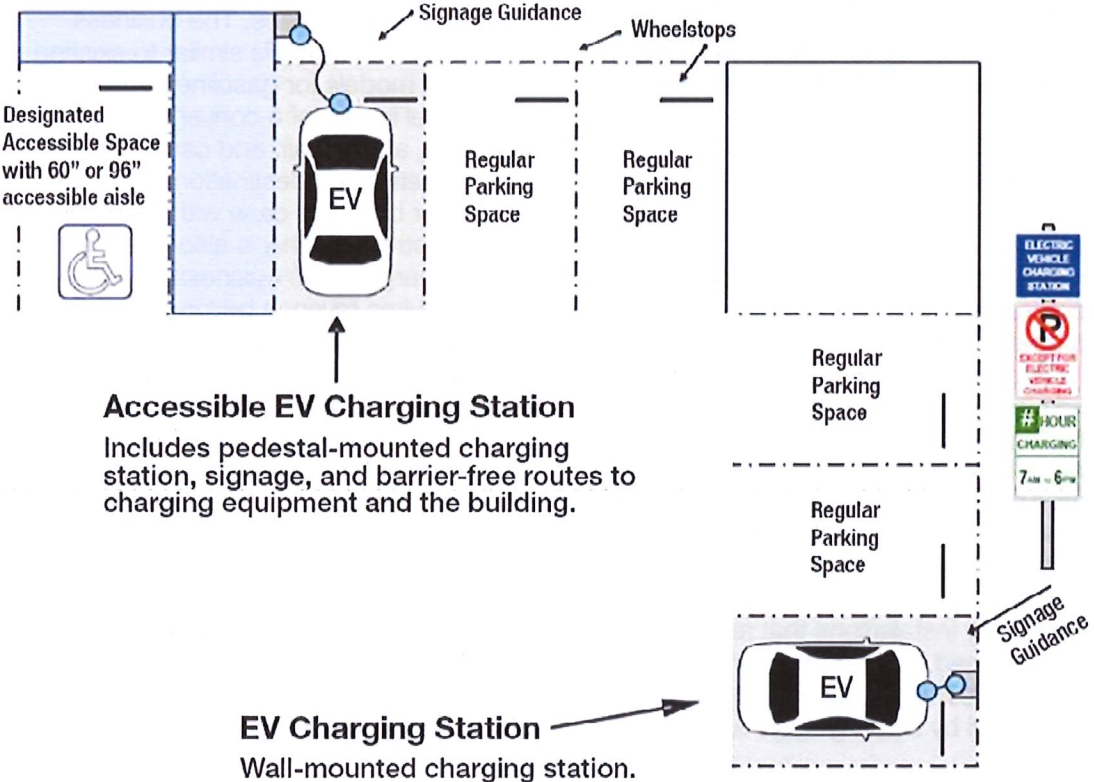
Transportation and land use are intrinsically impacted by each other, and this relationship will continue to exist with EVSE. When EV charging access is not equitably distributed throughout a community and region, equity impacts will occur due to a lack of access. A study of EVSE throughout the Chicago region found EVSE clustering in isolated commercial developments and affluent communities, with only 26 percent of EVSE clusters in mixed land uses (Carlton and Sultana 2022). If communities leave siting of EVSE to private developers and charging operators rather than a

considered planning approach, then access to underserved communities will likely continue to be limited.

Approaches to advancing equity in EVSE land-use planning may include accessibility of equipment, multifamily supportive policies, right-of-way (ROW) supportive policies, and equitable geographic coverage.

Accessibility

The U.S. Access Board released the “Design Recommendations for Accessible Electric Vehicle Charging Stations” technical assistance document, on July 21, 2022. This is the first guidance on Americans with Disabilities Act (ADA) guidance on what state and local governments and commercial facilities are required to do versus what they should do related to ADA EVSE (U.S. AB 2022). To date, the U.S. Access Board has not provided guidance on the number of ADA EVSE stalls but will be issuing a Notice of Proposed



Example of an ADA-accessible parking stall layout (Credit: South Windsor, Connecticut, §11.8.3)



An example of ROW charging infrastructure
(Credit: HourCar)

Rule Making to solicit comments from the public. Some municipalities have already adopted codes to address the accessibility of EVSE, including number of accessible stations, cord management, and site planning considerations. Best practices consider ADA regulations for parking and sidewalk management and apply these practices to EV charging stations.

Multifamily

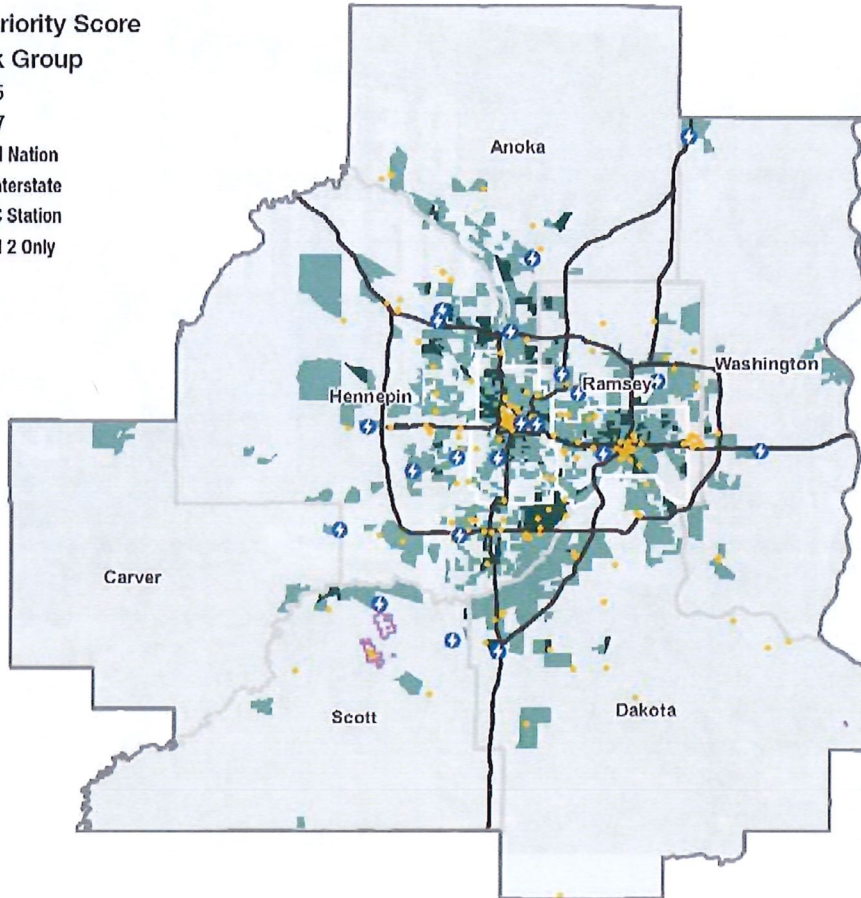
While there are policies for including charging infrastructure in new multifamily developments, there are fewer policies and programs to address a lack of EVSE in existing multifamily buildings. In some cases, existing electricity service may be inadequate for EV charging stations. Ensuring an equitable distribution of public EV in proximity to multifamily buildings and underserved communities can alleviate limitations with existing buildings.

Right-of-way

Allowing EV charging stations in the public ROW along curbs can benefit underserved communities and people with disabilities. By developing an application process for placement of EV charging stations in the ROW, greater equitable distribution of EV charging stations can be achieved, particularly in locations lacking access to private, off-street parking. Where private off-street parking is not available, EV owners may choose to park along the curb and lay a charging cable across the right-of-way, including the sidewalk, to charge from home. This scenario can limit a person using an assistive device from navigating the sidewalk. Allowing the placement of EV charging infrastructure in the right-of-way between the curb and sidewalk, can allow the placement of EVSE in underserved communities while allowing sidewalks to remain free of charging cables.

Equity Priority Score by Block Group

- 4 to 5
- 6 to 7
- Tribal Nation
- US Interstate
- DCFC Station
- Level 2 Only



An analysis of areas of high priority or greatest opportunity for equitable EV charging deployment (i.e., block groups with equity priority scores of six or seven) in the Twin Cities, Minnesota, metropolitan area (Credit: Minnesota Department of Transportation)

Coverage

To ensure equitable access to EV charging stations, communities can evaluate existing locations to determine coverage and then evaluate data on underserved communities to develop a plan for addressing inequities in EVSE access. The U.S. Department of Transportation has a toolkit on “Equity Considerations in EV Infrastructure Planning,” including engagement and outreach, using equity data, and EV infrastructure funding (2022).

Non-Zoning Tools and State Preemption

In states where cities can adopt their own building code, many cities are choosing to use the building code instead of parking standards or zoning standards to implement EV-readiness in new construction (Salcido et al. 2021). Where cities do not have independent jurisdiction over the building code, zoning or parking standards are the primary new construction EV-readiness tools.

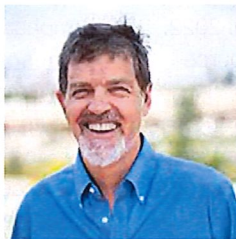
A growing number of states are also addressing the land-use and development standards associated with EV charging infrastructure. In 2010 the State of Washington passed legislation requiring cities along its major transportation corridors to meet minimum zoning requirements for EV charging equipment in new development ([HB 1481](#)). California similarly passed minimum requirements in 2015 (updated in 2021)(GOV [§65850.7](#) & [§65850.71](#)), New Jersey in 2021 ([§40:55D-28](#), [§40:55D-89](#) & [§40A:12A-7](#)), Hawaii in 2012 ([§291-71](#) & [§291-72](#)), and Oregon in 2021 ([HB 2180](#)). State laws generally set a floor that cities must meet, although the New Jersey law sets a uniform standard that municipalities cannot depart from, and other states have limited local jurisdictional control to health and safety issues (excluding aesthetics or character considerations).

Conclusion

The automotive industry is in an accelerating state of transition, moving from internal combustion vehicles to electric powered vehicles. This market change is accompanied by the need for new refueling infrastructure and a change in refueling “culture” that affects how communities consider the deployment of vehicle charging infrastructure. Infrastructure is likely to be part of all new development, and the new business model of public vehicle fueling significantly changes existing zoning considerations and practices. Charging infrastructure will generally be sited and used very differently than traditional gas stations.

To accommodate EV market transformation, communities need to consider clear and transparent zoning standards for enabling accessory use deployment of Level 1 and Level 2 charging infrastructure and, in some cases, for DCFC (fast charging) land uses. Using parking and development standards to ensure home-charging capacity in all forms of housing enables the EV market to accelerate. Equity concerns regarding access to charging infrastructure similarly need to be deliberately addressed in local codes and programs by making sure that charging infrastructure is accessible to people who might not have home-charging ability, including various forms of public charging, right-of-way charging, destination charging, and workplace charging. Finally, the small but critical market services of fast charging infrastructure needs to be thoughtfully incorporated into appropriate travel corridors.

About the Authors



Brian Ross, AICP, LEED GA, is a Vice President at the Great Plains Institute, leading GPI’s renewable energy market transformation efforts in the Midwest and nationally. He joined the institute after 20 years as a consultant working with local, regional, and state governments on climate and energy planning, policy, and regulation.



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Rebecca Heisel is a Program Coordinator at the Great Plains Institute. Her focus is on electric vehicle initiatives and programs that help cities understand what it means to be electric vehicle ready and to take action to accelerate EV adoption. Prior to joining GPI as a staff member, Rebecca served as a GreenCorps member with GPI supporting cities’ vehicle electrification efforts.

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American Planning Association

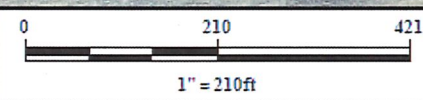
Creating Great Communities for All

ZONING PRACTICE OCTOBER 2022 | VOL. 39, NO. 10. Zoning Practice (ISSN 1548-0135) is a monthly publication of the American Planning Association. Joel Albizo, FASAE, CAE, Chief Executive Officer; Petra Hurtado, PHD, Research Director; David Morley, AICP, Editor. Subscriptions are available for \$95. © 2022 by the American Planning Association, 205 N. Michigan Ave., Suite 1200, Chicago, IL 60601-5927; planning.org. All rights reserved. No part of this publication may be reproduced or utilized in any form or by any means without permission in writing from APA.



- Area Zone Map**
Feature Name:
- AG
 - DC
 - IN
 - R1
 - SR
- City Town Boundary
 Townships
 Parcels
- Addresses
 - Bldg Permits
 - ▲ Permits - Primary
 - ▲ Permits - Accessory
- Highways
 - Roads
 - Parcels
 - Lots

Rezone
to
DC
Town
of
Fulton



Park Homes

And finally, a park home or better to say a [park model](#) PMRV. This is a relatively new phenomenon and it is just starting to gain its popularity among other factory built homes.

Park home is neither an RV nor a manufactured home. This type of home is built according to RV industry code but usually in the same factories that produce manufactured homes, so the same rules for quality and modern design are applied.

The Recreation Vehicle Association (RVIA) defines [park model RVs](#) as a unique trailer-type RV that is designed to provide temporary accommodation for recreation, camping or seasonal use. RMPVs are built on a single chassis, mounted on wheels and have a gross trailer area not exceeding 400 square feet in the set-up mode.

Still, they are primarily designed for a long-term or permanent placement at a destination where an RV or mobile homes are allowed - trailer parks, mobile home parks. When setting up, [park models](#) are connected to the utilities necessary to operate home style fixtures and appliances.

OBJECTIVES, PRIORITIZATION, & ACTION
PARKS & RECREATION

7. Parks & Recreation		
Goal:	Encourage the development of parks, recreation, and open space facilities to meet the needs of citizens and tourism opportunities.	
	<i>Objectives</i>	<i>Priority</i>
7.1	Foster a closer working relationship between the county, city, and town Parks and Recreation Boards.	S
7.2	Increase the use of vacant floodplain property for public recreational use and open space.	M
7.3	Adopt regulations in the subdivision ordinance that all new residential developments offer or are within walking distance of a park, recreational area, or open space area.	M
7.4		
7.5		
7.6		

OBJECTIVES, PRIORITIZATION, & ACTION COMMUNICATION

<p>6.1 Communication</p> <p><i>Continue to embrace and enhance public participation.</i></p>	<p>Action Steps:</p> <ol style="list-style-type: none"> 1. Ensure all county offices/departments strive to communicate and properly inform the citizens and businesses within the community. 2. Maintain a public meeting place for large gatherings and activities. <p>Time Frame: ongoing</p>
<p>6.2 Communication</p> <p><i>Review regulatory and permitting procedures to ensure they are up-to-date and user-friendly.</i></p>	<p>Action Steps:</p> <ol style="list-style-type: none"> 1. Continue to ensure the on-line and in-person permitting procedures up-to-date and user friendly. <p>Time Frame: Short (1-3 years)</p>
<p>6.3 Communication</p> <p><i>Review and implement when necessary improved methods to communicate with the public.</i></p>	<p>Action Steps:</p> <ol style="list-style-type: none"> 1. Ensure all county offices/departments strive to communicate and properly inform the citizens and businesses within the community. <p>Time Frame: ongoing</p>

Heather Redinger

From: kk theplanningworkshop.com <kk@theplanningworkshop.com>
Sent: Tuesday, February 21, 2023 3:32 PM
To: Heather Redinger
Subject: A Few Questions & Comments

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

Hi Heather

I just took a quick look at your Zoning Ordinance and have questions & comments...

Article Seven, Processes, Permits, and Fees (applies to Fulton County in Section One and also Town of Kewanna in Section Two and Town of Fulton in Section Three, since they are directed to follow the County's processes:

- I can't find special exception criteria in zoning ordinance – am I missing it? Local zoning ordinance should have a set of criteria – at least general. Some uses may also merit more detailed and unique criteria.
- G(d). Zoning Map Amendments: You should refer to IC 36-7-4-603 by citation and change your rezoning criteria to match the state law requirements exactly:
 - The plan commission and the legislative body shall pay reasonable regard to: *your wording should match this – “reasonable regard” has case law associated with it*
 - (1) the comprehensive plan; *your wording is slightly different*
 - (2) current conditions and the character of current structures and uses in each district; *your wording is slightly different*
 - (3) the most desirable use for which the land in each district is adapted;
 - (4) the conservation of property values throughout the jurisdiction; and *you leave off the “and”, which makes it clear they all must be considered*
 - (5) responsible development and growth
 - ~~6. The public health, safety and welfare.~~ *You added this one and it does not match state law – you should remove it!*
- I noticed that Fulton County's application forms for rezonings, variances and special exceptions don't include the required state law criteria for applicants to address as part of their application. I recommend that you put the burden on the applicant to prove they can they justify the criteria with a “because...”, this makes it easier for PC & BZA! Also need to do this with subdivision waivers/modifications.

Best,

K.K. Gerhart-Fritz, FAICP, President
The Planning Workshop, Inc.

She/Her

7829 Wawasee CT.

Indianapolis, IN 46250

317-501-1988

KK@theplanningworkshop.com

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-





Fee Summary Paid Totals

03/01/2023 - 03/31/2023

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	\$1,758.60	22
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.20301.000.0036	\$701.47	22
A-1. COUNTY, AKRON, & TOWN OF FULTON ELECTRICAL PERMIT		1001.20301.000.0036	\$160.00	4
A-2. County, Akron, & Town of Fulton COMMERCIAL - Inspection Fee	Enter Number of Inspections	1001.20301.000.0036	\$160.00	1
A-2. County, Akron, & Town of Fulton COMMERCIAL-Permit Fee		1001.20301.000.0036	\$12.40	1
			\$2,792.47	50

Group Total: 5

Group: 1001.20303.000.0036

ADMIN - Zone Ordinance		1001.20303.000.0036	\$16.00	1
BZA. Development Standard Variance		1001.20303.000.0036	\$700.00	4

BZA. Special Exception		1001.20303.000.0036	\$525.00	3
ZO. LIP		1001.20303.000.0036	\$1,200.00	24
ZO. Site Plan Review - TRC		1001.20303.000.0036	\$175.00	1
ZO. Solar Array- Small		1001.20303.000.0036	\$80.00	1
			\$2,696.00	34

Group Total: 6

Group: 1001.20302.000.0036

B. City of Rochester Residential Permit Fee		1001.20302.000.0036	\$112.50	8
B-1. City of Rochester Residential-Inspection Fee	Enter Number of Inspections	1001.20302.000.0036	\$280.00	8
B-2. CITY OF ROCHESTER ELECTRICAL PERMIT		1001.20302.000.0036	\$60.00	3
			\$452.50	19

Group Total: 3

			\$5,940.97	103
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Total Records: 14

4/4/2023

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