

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

CALL TO ORDER

AREA PLAN COMMISSION MINUTES FOR:
MAY 22, 2023

PUBLIC COMMENT
(Not to pertain to Agenda Items)

OLD BUSINESS

NEW BUSINESS:
Proposed Amendments
Solar Moratorium Discussion

PLAN DIRECTOR REPORT:

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

FULTON COUNTY AREA PLAN COMMISSION
MAY 22, 2023

**FULTON COUNTY
AREA PLAN COMMISSION
MEETING**

MONDAY, MAY 22, 2023

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

CALL TO ORDER

**AREA PLAN COMMISSION MINUTES FOR:
April 24, 2023**

PUBLIC COMMENT (Not to pertain to Agenda Items)

OLD BUSINESS

NEW BUSINESS
Apache Dr. Road Plans
Guest Speaker – Ty Adley

PLAN DIRECTOR REPORT

PUBLIC COMMENTS

BOARD COMMENTS

ADJOURNMENT

FULTON COUNTY AREA PLAN COMMISSION
MAY 22, 2023

The Fulton County Area Plan Commission met on Monday the 22nd of May 2023, at 7:00 P.M. in the Commissioners/Council Room located within the Fulton County Office Building. Vice-Chairperson, Duane Border called the meeting to order at 7:00 P.M. The following members were present: Gloria Carvey, Seth White, Mark Kepler, Cathy Miller, Jeff Finke, Rick Ranstead, Crystal Weida and Duane Border. Also, in attendance were: Plan Director, Heather Redinger, Board Attorney, Andy Perkins and Administrative Secretary, Kim Gard

It is duly noted Ruth Gunter arrived at 7:08pm.

It is duly noted the following were absent: Phil Miller, Debbie Barts, Chayse Thompson, and Adam Strasser

IN RE: MINUTES

April 24, 2023

Phil Miller asked for any additions, deletions or corrections to be made to the April 24, 2023 minutes. Rick Ranstead moved to approve the April 24, 2023 minutes as written. Crystal Weida seconded the motion. Motion carried as follows: Gloria Carvey, Seth White, Mark Kepler, Cathy Miller, Jeff Finke, Rick Ranstead, Crystal Weida and Duane Border being in favor and no one opposing.

IN RE: NEW BUSINESS

Apache Dr.

Heather presented the Board with the Apache Dr. road plans. She stated usually when a subdivision goes in we look at the plans all at one time, however this one is being done differently.

Mark Kepler asked if there would be sidewalks?

Heather stated there would be, the sidewalks are part of the safe to school plan. She then stated there would be a sidewalk running east and west behind Schoolview Dr. The variance was approved to remove the buffer yard and trees to put up a chain link fence with privacy slats.

Seth stated concerns with the drainage being down the center of the road. If it fails you have to tear up the whole road to repair. Also, you're putting the man hole cover on the crown of the road that makes it hard to pave.

Mark Kepler stated something else he noticed was the road comes out on a curve.

Duane stated he had talked to the engineer, he stated the way it is set up there would be clear line of site.

Ruth Gunter asked along with the sidewalks are there going to be bike path as well or just sidewalks?

Rick stated there are no plans as of now.

IN RE:

GUEST SPEAKER

Ty Adley – Northern Region Representative for APA in Indiana

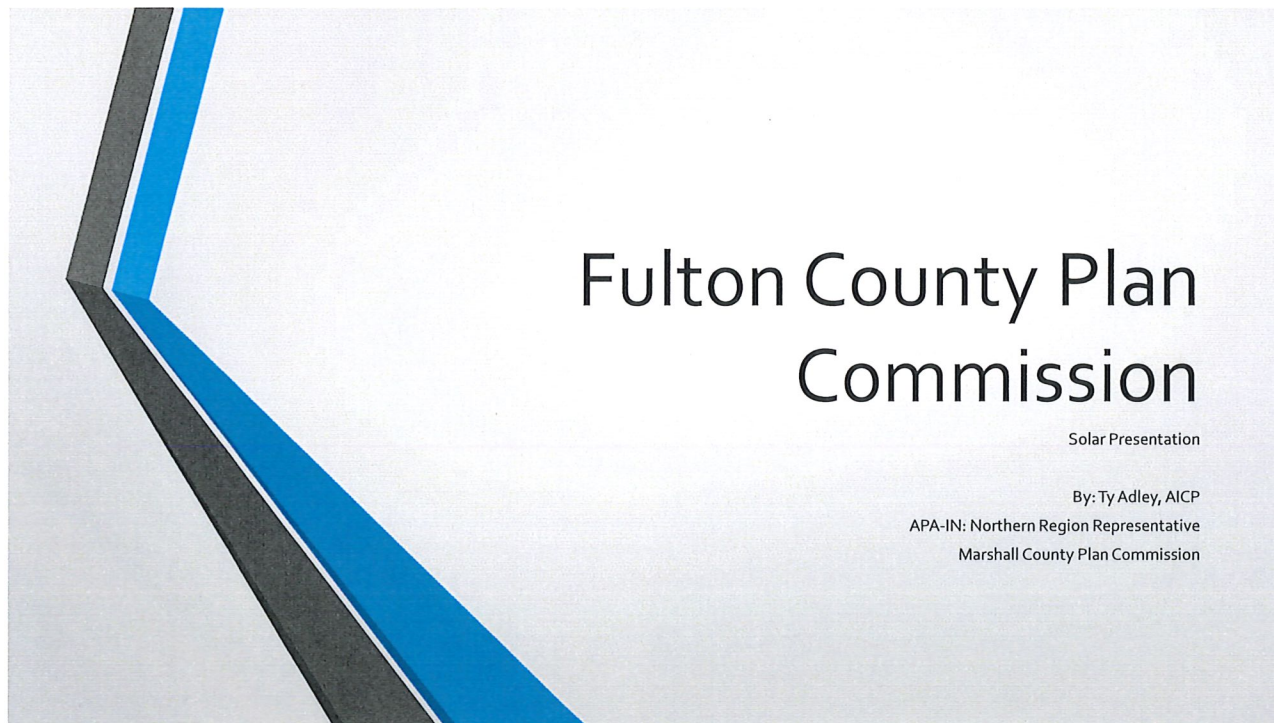
Heather stated Ty met with her a few weeks ago to talk about their solar ordinance. He offered to come in a speak with us. Our solar ordinance needs to be reviewed and Heather felt Marshall County was a good place to start.

Ty Adley is the Northern Region Rep for APA in Indiana, after going through and updating Marshall County solar ordinance he has helped Columbia City, in Whitley County and now in Fulton County. He then presented the board with the following presentation and numerous resources.

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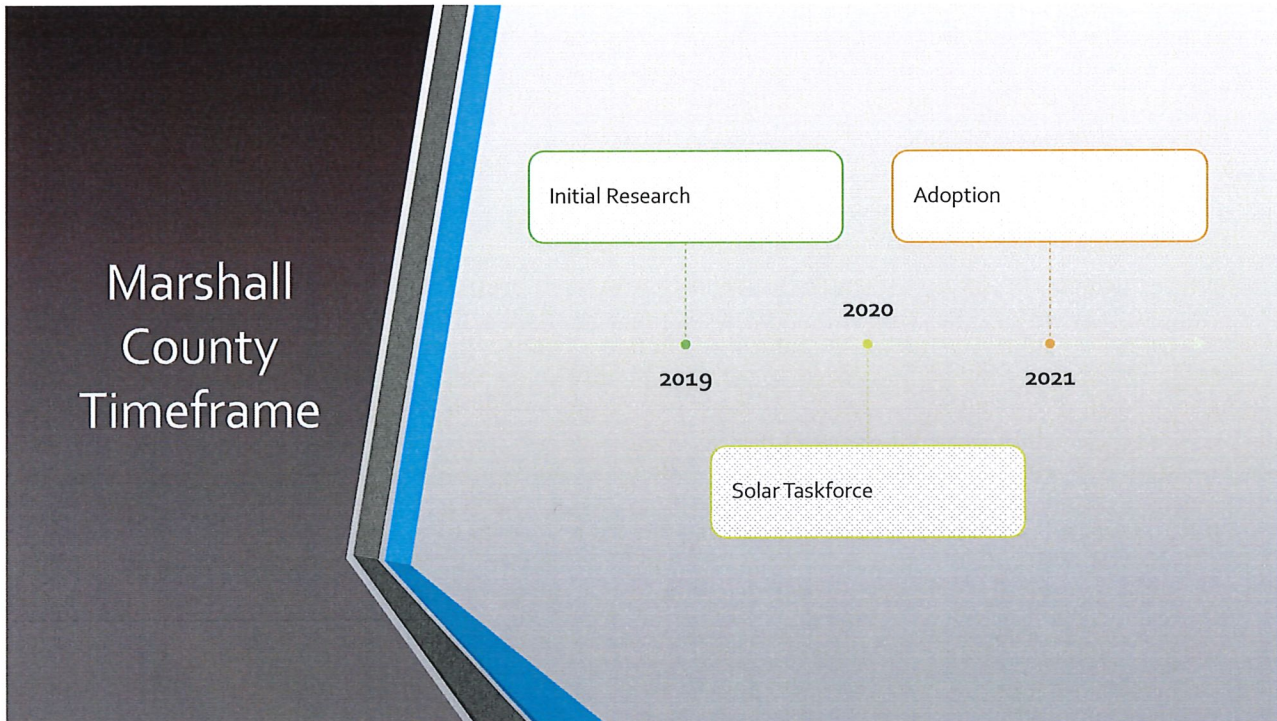
Ty stated Marshall County solar ordinance was a multi-year project. The first year was just gathering information, reading through dozens of articles to formulate an initial proposal. At the time our ordinance read very similar to Fulton Counties. I had a solar developer contact me and they were looking at 1000 acres to lease for a solar project. Over all the ordinance was great, the one problem Marshall County had was the largest scale we had at the time was 1 acre, an acre verses 10, verses 100, verses 1000, are regulated the same the way Fulton County ordinance reads today. We know of several different items that begin to affect property values, perceptions, interests, and the impact it begins to have on neighboring properties and infrastructure for the community. We took it to the Plan Commission and had support, took it to the county Commissioners and they wanted to pump the breaks a little bit and set up a solar task force. The first quarter of 2020 we set that up. We met several times in 2020 and were able to put a proposal together for the Planning Commission the second round and took it back to the County Commissioners and ultimately got it approved in 2021 to the ordinance Marshall County has today.

Attached is the presentation Mr. Adley presented to the Board.



Agenda

- Marshall County Timeframe
- Topics of Interest
- Resources
- Model Ordinance
- Marshall County Solar Ordinance
- Evolving Items of Interest



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Topics of Interest

1. Risk to Marshall County
2. Balance of Property Rights of Owners vs. Neighbors
3. Property Value
4. Quality of Life
5. Damage to Roads
6. Drainage/Tile
7. The Environment
8. Loss of Agriculture Land
9. Light Pollution/ Glare
10. Benefit of Energy to County
11. Thermal Cycling
12. Clearing and Grading
13. Changing Weather Patterns
14. Waste Disposal
15. Secondary Benefits
16. Bonding
17. Health Concern
18. Sounds
19. Electro-Magnetic Fields
20. Wildlife Migration
21. Good Neighbor?
22. Hazardous Material
23. Tax Abatements/ Other Grants
24. Leases
25. Bufferyard
26. Zoning/Land Use
27. Aesthetics
28. Taxes/tax rate
29. Safety

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Resources

- State Utility Forecasting Group (2019)
 - <https://www.purdue.edu/discoverypark/sufg/docs/publications/2019%20forecast%20final.pdf>
- Clinton County APC Solar Farm Proposal
 - <https://www.wlfi.com/content/news/Clinton-County-APC-makes-first-of-many-steps-towards-solar-farm-568231791.html>
- Wind Energy Can Help American Farmers Earn Money Avoid Bankruptcy (Wind, but could be applied to Solar)
 - <https://www.usatoday.com/story/news/nation/2020/02/16/wind-energy-can-help-american-farmers-earn-money-avoid-bankruptcy/4695670002/>
- An Overview of Potential Environmental, Cultural, and Socioeconomic Impacts and Mitigation Measures for Utility-Scale Solar Energy Development
 - https://www.evs.ani.gov/downloads/Solar_Environmental_Impact_Summary.pdf
- Study: Indiana Could Benefit from More Renewable Energy
 - https://www.insideindianabusiness.com/story/41596962/study-indiana-could-benefit-from-more-renewable-energy?fbclid=IwAR3QIACpZk-24t0rtLmbXXP4xwEVB6FzVHaAUo8aB8Sjzzq8L_jE-bXAA
- From Steel to Solar and Soccer: Mixed-Use Redevelopment in Indiana
 - <https://sempub.epa.gov/work/HQ/100001787.pdf>
- DOE Solar Market Overview
 - Attached PDF.
- Indiana Code Title 36 (Local Government) Article 7 (Planning and Development)
 - <http://iga.in.gov/legislative/laws/2019/ic/titles/036/#36-7>

Resources

- APA PAS Memo "Planning for Utility-Scale Solar Energy Facilities"
 - <https://www.planning.org/pas/memo/2019/sep/>
- APA PAS Report "Planning for Solar Energy"
 - <https://www.planning.org/publications/report/9117592/>
- Planning & Zoning Best Practices for Large Scale Solar Development Webinar by SolSmart
 - <https://www.youtube.com/watch?v=iPCcB-5kLo0&app=desktop>
- NREL "Top Five Large-Scale Solar Myths"
 - <https://www.nrel.gov/state-local-tribal/blog/posts/top-five-large-scale-solar-myths.html>
- NC Clean Energy Technology Center "Health and Safety Impacts of Solar Photovoltaics, May 2017"
 - https://ncclean.tech.ncsu.edu/resource_library/health-and-safety-impacts-of-solar-photovoltaics-pv/
- Property Value Impact Study Proposed Solar Farm in Mclean County, IL
 - <https://www.mcleancountyil.gov/DocumentCenter/View/13192/Patricia-L-McGarr-Property-Value-Impact-Study?bidId=>
- PV Plant Decommissioning Salvage Value, Conceptual Cost Estimate
 - <https://www.epri.com/#/pages/product/3002013116/?lang=en-US>
- Solar PV Module End of Life: Options and Knowledge Gaps for Utility-Scale Plants
 - <https://www.epri.com/#/pages/product/00000003002014407/?lang=en-US>
- NIPSCO Integrated Resource Plan
 - <https://www.nipsco.com/our-company/about-us/regulatory-information/irp>
- SEIA Solar Investment Tax Credit Factsheet
 - <https://www.seia.org/initiatives/solar-investment-tax-credit-itc>
- NREL Beneath Solar Panels, the Seeds of Opportunity Sprout
 - <https://www.nrel.gov/news/features/2019/beneath-solar-panels-the-seeds-of-opportunity-sprout.html>
- Principles of Low Impact Solar Siting and Design
 - https://www.conservationgateway.org/ConservationByGeography/NorthAmerica/UnitedStates/edc/Documents/ED_TNCNCPinciplesofSolarSitingandDesignJan2019.pdf
- Silvey Farms (Kokomo) Annual Comparison
 - <https://www.sunnyportal.com/Templates/PublicPageOverview.aspx?page=275f813a-a368-4b4f-963f-c978d9f1dbe6&plant=b6a1c9be-fe02-4043-a143-8bf749a01e30&splang=en-US>

Model Ordinance

- Model Solar Ordinance
 - Great Plains Institute
 - Indiana University Environmental Resilience Institute

Marshall County Solar Ordinance

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

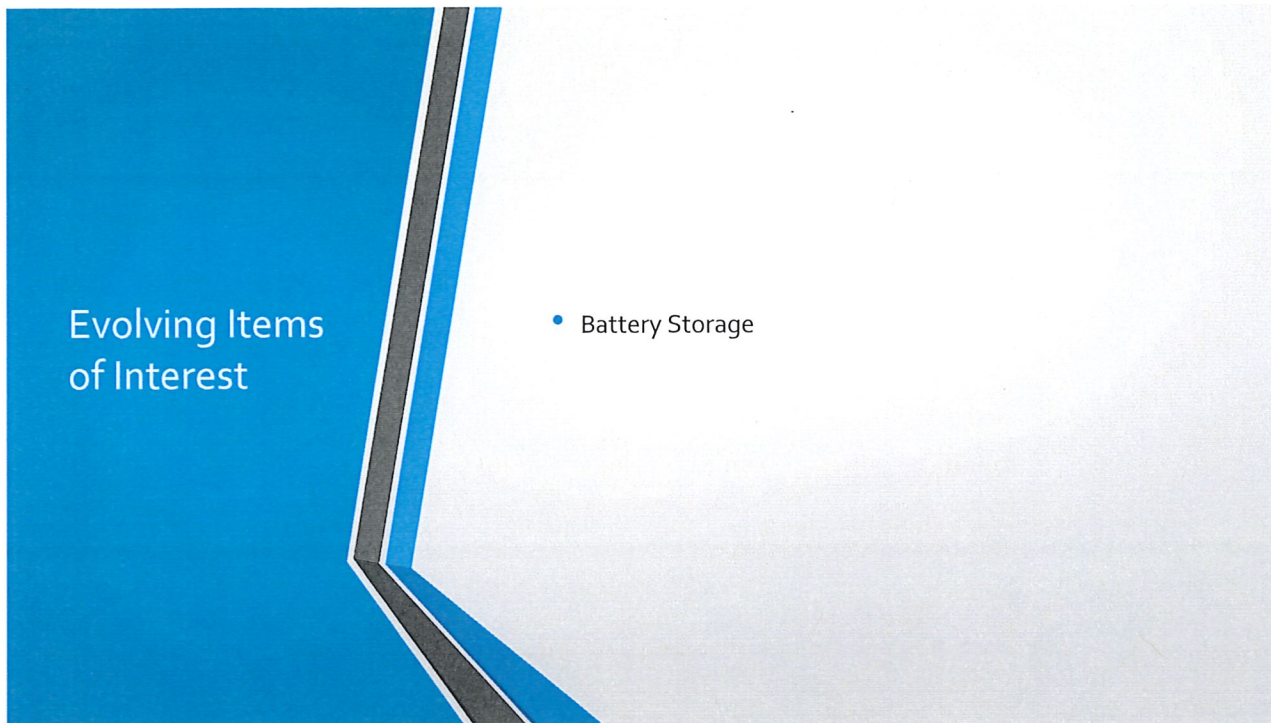
Marshall County Solar Ordinance

- Farm-Scale Standards
 - 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.
 - Height
 - Lot Coverage
 - Drainage
 - Buffer
 - Drainage Board
 - Private Tile
 - TRC
 - Floodplain
 - Unauthorized Access
 - Exterior Lighting
 - Damage to Underground Facilities Law
- Decommissioning Agreement
- Traffic Management
- Operation and Maintenance Plan
- Fencing
- Signage
- Emergency Vehicles
- Topsoil
- Deforestation
- Energy Storage
- Wildlife and Mitigation Study
- Preferred Locations
- UL or Equivalent
- Buried utilities
- FAA

Marshall County Zoning Ordinance

- Construction, Decommissioning and Removal Requirements
 - Decommissioning Plan
 - Bonds or Financial Assurance
 - Public Infrastructure
 - Drainage Infrastructure
 - Decommissioning
 - 3 year reevaluation
 - Approval by County Commissioners

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Rick Ranstead asked if there was anything in their ordinance for road use agreement or right of way agreement?

Ty stated yes, they have to have a road use agreement with our county highway department and approve it with the Commissioners prior to applying for the special use.

Rick stated you presented to Whitley County, did they go with their own or go with about the same as you?

Ty stated he wasn't sure what they chose to do.

Mark Kepler stated your neighbor can elect to have solar panels, but if the transmission line goes through my property to where it hooks up to another line somewhere, I have no choice. Is there any protection for that?

Ty stated utilities are interesting. Its kind of like telling the railroad no. Ty believes you would have more power in relation to the project itself. If your talking about a utility line that is going from the substation to the transfer lines you're probably going to have less power. If your talking about internal facility you would probably have more control over that.

Duane asked if these have ever caught fire in the summertime or any other environmental concerns like battery explosions.

Ty stated you would likely have less trouble with the panels themselves, more with the inverters or battery storage will be the greatest interest. He stated he had just been on the phone with someone in Phoenix fire department in regards to what practices they have in place to manage battery fires. Trying to see what that would look like at a battery storage facility. I am working with the company that is proposing for Marshall County to get information from their battery operators and how it all works. The more they can shut down and isolate the overheating cells the less spread your going to have just like a properly constructed building. If you have everything shut off to it it's going to limit the spread of the fire. The chemical make-up of solar

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panels has drastically changed as technology has advanced, see links provided. I highly recommend checking out the NC state resource, it talks about how there are a couple different panel typology and what's made up in them. There was a great concern with the lead and mercury in the panel which in those given context makes absolute sense that it would be a concern but when you see the percentage of the makeup of a panel and how much lead and how much mercury is within them the lead you're just talking just the solder to keep the components together. From the per pound perspective there is not a lot to it. There was a study done where they followed through a disaster area where a tornado went through a solar farm, the components were shattered but because they were spread out you don't have as large of an environmental impact. If you were to concentrate everything together then sure you would have a problem.

Rick asked how do they dispose of the panels?

Ty stated the US is coming more on line with recycling. There is a good resource above that talks about recycling capabilities. We do have a recycling component to ours. I think its 95% recyclable. They can all be disposed of in a landfill as well.

Rick asked would you have something in place for disposing of them before they construct them. Can you require them to recycle at the end of the life of the panels?

Ty stated yes you can make different conditions and things as the come to you. The initial desire with the plan itself was to make sure we had a high enough percentage of those components to be recyclable.

Mark Kepler stated he is interested in the tax abatement. Are our local governments given these project tax abatements?

Ty stated they can be and I am pretty sure they are. A lot of them also come with economic development agreements as well, because they are usually cutting a check back to the community where the community can decide exactly what they want to do with that money.

Mark asked if they did have an abatement what kind of tax are these things generating?

Duane stated that he wanted to know the same thing. He stated there is a generation tax or a tax on the amount of power that it could put out.

Ty stated he cannot remember exactly what it is but there are two different kinds of taxes.

Duane stated so in leu of property taxes it would be generational taxes.

Ty stated he did not know what the taxing is, he tries to keep that separated from himself.

Seth White asked with the cost of creating a panel, building, installing and then removing and disposing of them, what is the return investment?

Ty stated he does not know what the turn around time would be. It's going to depend on who brings it in, who it's generating for.

Mark Kepler stated with these solar farms like the one Marshall County is looking at, is that power going to be used in the town or will it be sent to someplace like New York.

Ty stated we are sitting at the application stage right now, I have had conversation with this company since early to mid-2019 in regards to their project. They sat with us while we went through a moratorium so we

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had sufficient time to put something together. So, no rogue application came in to try to undercut what the proposed was doing. We took a year for that. You can begin looking at making micro adjustments.

Rick asked do most of them look for the transmission line so they can take it where ever they want.

Ty stated right that is correct. Unless you are trying to attract them in, which I think Cass and Miami Counties were talking about attracting energy generation, they were looking into a company like that whether it is wind, solar or whatever. They were going to try to run those transmission lines to get it to a larger transmission to be able to pull it all in. If you have a large sub-station and a large transmission line that's capable of handling that power your going to be more than likely approached to do a project. Your looking at a 2 to 3-year processes before it begins to hit the door step coming to the Plan Commission. Usually you will know a lot about it before hand. In Marshall County they have leased about 1200 acres of land but no applications have been applied for. We have been in multiple meetings with them so they can ask questions about our ordinance so they can be prepping and setting everything up so they understand the questions also. They have to get approvals from the upper grid that runs from Canada to Mexico so they can be approved to generate that power. Its not as easy as saying "this is going to stay in town" because there is no buyer right now because the project doesn't exist. It's just a concept.

Mark Kepler asked, these companies, are they like Duke or are they independent companies.

Ty stated usually it is going to be an independent company that comes in does the contracts and gets everything taken care of and then they can sell it to Duke. They could also sell it to an outside company. It just depends on who is going to be the purchaser of the power. I think less people would have concerns if it was going to go to REMC, Duke or AEP somebody that you have locally. With the uncertainty of it there is no real good answer until after that special use is approved then they start to look at contracts and those sorts of things. Until then they don't have a project to present to a local company or larger group that wants to run their environmental portfolio for electrical generation.

Rick Ranstead stated, if I understand you correctly, you put a year moratorium in Marshall County so they couldn't do anything for a year until you had your plan in place.

Ty stated, that is correct. We took it to the Plan Commission to put together a moratorium to put a pause on any solar farm activity greater than X acreage so if someone wanted to put one on their house they still could.

Mark stated you have your pros and cons out there in general what's your feeling for Marshall County? Are they supportive of these solar farms?

Ty stated when we did that solar task force I specifically put together two individuals for and two individuals against a commissioner a council member and myself. We had it right down the middle so both sides could come to an agreement.

Duane asked how do you balance large utility size projects like this and farm ground preservation?

Ty stated that concept became clearer when we had a large dairy farmer approach us. What he has is not necessarily ground for his animals but for hay and silage production that goes into feeding the animals that he leases. He doesn't own the ground outright so that is the greatest impact. You begin to have a trickle-down effect on the individual that's relying on those acres being available to have the correct amount of head to make the overhead cost and everything meet up. Unfortunately, the small farmer just about can't financially make it as well as they use to. They are usually growing into a certain size to make those ends

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meet. Those leased acres are probably most impactful. So, having that conversation with him there's really not a good answer in terms of how you begin to protect him. You get back into the property rights of the land owner. The best example I have been able to give is talking about regulations of leases. When someone is talking about bringing a lease before you and looking at the County as saying "how are you going to protect us in this lease" there is no lease that I can think of that a county would look at a say you have to plant corn or beans. You are not getting into leasing regulations of what someone is going to do with their ground. Your going to start thinking how can I protect the value of the land associated with the person that owns it and how can we mediate the impact of the neighbor next door that is not part of the project. I think the property rights is probably the hardest thing. The rights of the property owner that wants to be a part of the project and the rights of the neighbor who doesn't. You have to back your decision on facts and what legal ground you have.

Duane asked would it be possible for a county to limit the size or number of projects? For instance, Fulton County has X amount of farm land and we are only going to allow so much of it to be used for solar farms.

Ty stated I understand that in concept but when you write that ordinance itself, could you look at any other use to regulate based on size and have a cap. If you look 50 to 100 years into the future and residential keeps pushing south out of South Bend or north out of Kokomo.

Rick stated you can, you can so only so many houses in a plat or only so many cattle per acre.

Ty stated you can do a density and what you are talking about but that will be your total build out for the community. Is it going to be all solar, or residential, or all commercial? I would be very careful putting a cap to it. Something else we talked about is where to site solar. There was a desire to put it in industrial ground only. If you start to look at your industrial districts and you rezone something out in the middle of the county that has no water no sewer no major road way access in terms of a state or federal road. You are opening that land to a use of industrial when the desired use was only to put solar panels on it.

Ty stated another thing I would caution against is banning. This can potential lead to legal trouble. I am getting ready to get in to the wind in Marshall County. They are hot topic items but when you begin to ban them you are not allowing them anywhere in the county. There is a difference of allowing them with strict conditions being acceptable verses an out-right ban.

Rick stated we do allow wind turbines just not commercial.

Ty stated be very careful with that.

Rick stated he likes that they took a one-year moratorium to get a plan together. That might be something we want to look at.

Mark stated we are not at a point where we should be so a moratorium is an easy way to get us to the point we should be.

Mark asked if they are required to do an environmental impact?

Ty stated we do have an environmental and wild life study we require.

Duane asked about permit fees?

Ty stated we are finishing updating our Plan Commission and BZA fees. When we did that we did it on a per acre basis, now it's per panel acre. He did recommend for us to amend our fees.

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IN RE: BOARD COMMENTS

The board spoke more on the taxes and tax abatements before closing.

IN RE: PLAN DIRECTOR REPORT

Heather presented the board with last month's financial reports.

IN RE: ADJOURNMENT

With no further business to come before the Board, Duane Border entertained a motion to adjourn the May 22, 2023 meeting. Seth White moved to adjourn the May 22, 2023 Fulton County Area Plan Commission Board at 8:15 P.M. Rick Ranstead seconded the motion. Motion carried as follows: Gloria Carvey, Seth White, Mark Kepler, Cathy Miller, Jeff Finke, Rick Ranstead, Ruth Gunter, Crystal Weida and Duane Border being in favor and no one opposing.

Kim Gard, Administrative Secretary

Fees	Increase fees for Copies Increase Fees for Solar Change sf for Solar Medium, large and Farm Add Commercial Tower Fee Increase fees for Applications Add Solar and Wind Farm fees and applications	Proposed fee schedule is included.	
EV Charging stations	Needs added to ordinance as permitted or special exceptions and add in decommissioning/removal requirements	There are three levels of charging stations. Included are the definitions of each. Level 1 & 2 could be permitted in all districts possibly with a TRC requirement. Level 3 could be a special exception in all districts and a TRC required. All required to obtain an electrical and building permit	
Privacy fences	6' vs 4' in front yard??	Change the requirements to 6' in front yard, must sit 5' off of the Road right-of-way	
Privacy screens?	Would they be considered a privacy fence?	Picture 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	Walking distance- research shows walking distance is 10 minutes or less. Required for Sub-divisions with 4 or more lots?	
Retention ponds must be maintained	Need requirement language added	Added requirement in the landscaping codes. 5-81	
Additions and corrections needed as pointed out by K.K Gerhart Fritz		Changes on pgs 1-4, 7-15 included	
Solar requirements	Medium and Large Roof mount	Requires SE and TRC. Change language to require only a SE for med and large roof mount arrays	

Airport	Landscaping not required	Airport exempt, language added in the IR district	
HD District	Farmers market permitted Farm market and Roadside produce sales SE		
KW District	AS-05	All fences require a location improvement permit and must sit 2' off property lines.	
Article 5: 7.1	AS-01 A.. no accessory structure allowed without a primary structure..	This language needs removed from the Commercial Districts	
BZA/PC Petitions	All paperwork, notifications and publications done in house	If changed, the fees will be increased and Rules of procedure will need updated for all Boards	
HC	Mini -storage/warehouse and wholesale business permitted and SE		
SR	Language correction Golf course listed twice in SE		
ZMA Fulton	Now or when we do amendments at a later date	Map included	
ZMA Liberty Baptist	From SR to IR		
ZMA 9 th Street	From IN to DC		
ZMA Wabash	From IN to GC		
Solar Moratorium			
WE-03 Prohibition	Need to look into amending ordinance.		

Fulton County Area Plan Commission

Fee Schedule

Effective 01/01/2019

Copies

All Photocopies are \$0.10 per page (Co. Ordinance No. 031798)

Comprehensive Plan		\$4.80	\$6.80
Zone Ordinance	Additions/Changes in red	\$15.00	\$16.00
Subdivision Ordinance		\$5.10	\$5.15
Zone Map		\$0.10	

Permits

Location Improvement Permit (unless otherwise specified) \$50.00

* Portable structures under 120 sf do not require a permit

* Kewanna Incorporated Limits \$0.00

* Fulton Incorporated Limits \$0.00

Temporary Use Permit (unless otherwise specified) \$50.00

* Kewanna Incorporated Limits \$0.00

* Fulton Incorporated Limits \$0.00

\$3/sf

Signs

* Signs under 6 sf do not require a permit

Telecommunications Tower \$500.00

* Additional Antenna Placement \$50.00

Solar Array

* Micro under 120 Sf panel area \$40.00

* Small 120sf -1750sf panel area \$80.00

* Medium 1751 sf -**43,560 sf** panel area \$150.00

* Large **43,561sf -435,600 sf** panel area \$250.00

* **Farm 435,601 or more**

\$75.00

\$125.00

\$225.00

\$325.00

\$25.00 per acre

Wind Generating Tower (WECS)

* Noncommercial Tower \$175.00

* **Commercial Towers**

APC & BZA Application Fees

Site Plan Review - Commercial, Industrial, & Institutional/Recreational Districts \$175.00

Zone Map Amendment \$500.00

APC Subdivision Applications *(unless otherwise specified)*

- * Residential Primary Plat: One & Two lot subdivisions allowed by ordinance \$50.00
- * Residential Primary Plat \$500.00 plus \$50/lot
- * Residential Primary Plat - Rochester Incorporated Limits \$250.00 plus \$25/lot
- * Residential Secondary Plat \$100.00

- * Commercial Primary Plat \$1,500.00
- * Commercial Primary Plat - Rochester Incorporated Limits \$1,000.00
- * Commercial Secondary Plat \$250.00

Mobile Home Park \$2,000.00 plus \$50/lot

BZA Applications

- * Development Standard Variance \$175.00 \$225.00
- * Special Exception **Except Wind and Solar Farms* \$175.00 \$225.00
- * Administrative Appeal \$175.00 \$225.00

*Solar Farm Application	\$2500.00 plus \$1 per panel acre
*Wind Farm Application	\$2500.00 Plus \$200 per tower

Early Bird Fee

3 times the normal permit/application fee plus \$20/foot in height of the structure



Electric Vehicle Charging Station Guidelines

The electric vehicle market is growing dramatically and is emerging as the future of transportation. All major auto manufacturers have announced plans to electrify a significant portion of their production over the next 3-5 years. With the increased number of electric vehicles comes the need to provide an EV charging infrastructure in private and public settings that supports the anticipated number of vehicles. Many establishments, particularly national retailers, have already begun to add a limited number of EV charging stations to their sites. It is anticipated that this trend will not only continue but intensify. Unfortunately, current City Ordinances and Building Codes have yet to be updated with specific requirements for EV charging stations.

With this in mind, the City of Rochester Hills has prepared the following guidelines for property owners and developers to use when considering adding EV charging stations to their particular sites. The City has determined it is a best practice to follow the requirements for EV charging stations found within the 2021 International Building Code and the 2017 Standard for Accessible and Usable Facilities. The City promotes the installation and preparation for adding EV charging stations for tenants, customers, staff and others who may use their facility.

Types of EV Charging Stations

To begin it is important to understand some of the terminology associated with EV charging. Currently there are 3 levels of EV charging based on power levels. The higher the level the faster the charging can occur.

- **Level 1** – Level 1 uses a common 120-volt household outlet. It is the slowest way to charge and adds between 3 and 5 miles of range per hour of charging. These are typically located in private homes where vehicle use is for shorter travel distances and charge times can be longer.
- **Level 2** – Level 2 charging is the most widely used level for daily EV charging? EV chargers can be installed at home, workplace, as well as public locations like shopping malls. Level 2 charging can replenish between 12 and 80 miles per hour of charging, depending on the power output of the Level 2 charger.
- **Level 3** – Level 3 is sometimes referred to as DC Fast Charging (DCFC) and is currently the fastest type of charging. These chargers can recharge an EV at a rate of 3 to 20 miles per minute of charging. These units use direct current (DC) versus the alternating current (AC) used by the Level 1 and 2 chargers. The voltage of the DCFC charger is much higher than is available in most residences.

of such a tract of land into Lots of Record.

Plat, Primary: The primary plat, pursuant to I.C. 36-7-4-700 series, is the plat and plans upon which the approval of a proposed subdivision are based. The primary plat and plans shall be subject to public notice and public hearing according to law and according to Plan Commission rules. (Under former state statutes, the primary plat was referred to as a “preliminary” plat.)

Plat, Secondary: The secondary plat, pursuant to I.C. 36-7-4-700 series, is the final plat document in recordable form. A secondary plat shall substantially conform with the preceding primary plat, or section thereof. The secondary plat and plans are not subject to public notices and public hearings.

Porch: A roofed-over structure projecting out from the wall or walls of a main structure and commonly open to the weather in part.

Practical Difficulty: A difficulty with regard to one’s ability to improve land stemming from regulations of this Ordinance. A practical difficulty is not a “hardship,” rather it is a situation where the owner could comply with the regulations within this Ordinance, but would like a variance from the Development Standards to improve his site in a practical manner. For instance, a person may request a variance from a side yard setback due to a large tree which is blocking the only location that would meet the Development Standards for a new garage location.

Preexisting Towers and Antennas: Any tower or antenna for which a permit has been issued prior to the effective date of these regulations are exempt from the requirements of these regulations so long as the tower or antennas are not modified or changed.

Primary Arterial: A street with access control, restricted parking, and that collects and distributes traffic to and from minor arterials, as depicted by the Transportation Plan element within the Comprehensive Plan.

Primary Plat: See Plat, Primary.

Primary or Principal Building/Structure: The building or structure in which the principal use of the lot or premises is located or conducted, with respect to residential uses, the principal building or structure shall be the main dwelling. Only one primary single-family structure shall be allowed on any one lot at any time.

Primary Structure Within A WECS Project Boundary: for each property, the structure that one (1) or more persons occupy the majority of time on that property for either business or personal reasons. Primary structure includes structures such as residences, commercial buildings, hospital, and day care facilities.

Principal Use: The main use of land or buildings as distinguished from an accessory use. A principal use may be either a permitted use or a special exception.

Privacy Fence: A privacy fence ~~must~~ be to the side and rear of primary structures (except within the commercial and industrial districts as long as no vision clearance hazard results), be permitted up to the property line unless otherwise specified by this ordinance, a maximum height of six (6) feet unless otherwise specified by this ordinance, and is at least 90 percent opaque, unless otherwise specified throughout this ordinance. A privacy fence may only be made of wood and/or vinyl. It may not consist of metal, cars, mobile homes, or any other material other than wood or vinyl.

Private Street: See Street, Private

Production Agricultural Operation: a farm operation including the production, preparation and marketing of crops, livestock and livestock products that are produced on land that is owned or rented, contigu-



Article Five

Section Nine - Kewanna Development Standards

5-9.0 Interpretation

The following development standards listed within Section Nine are applicable within the Kewanna (KW) Zone District listed within the Fulton County Zoning Ordinance (except as may otherwise be provided within this ordinance).

5-9.1 Accessory Structures Standards (AS)

AS-01: Accessory Uses shall comply with all development standards of the applicable zoning District unless an exception is provided for specifically in this ordinance.

A. Accessory Uses shall not encroach upon any platted easements unless specifically authorized by the terms of the easement or by written consent of the agency in whose favor the easement is granted.

B. Underground facilities shall not be located in, or under, any required Front, Side or Rear Yard Setback.

AS-02: An accessory structure that is portable, as well as, 120 square feet or less, does not require a permit from the Area Plan Commission, but must conform to the setbacks within the Kewanna Town District.

AS-03: Accessory Building, or Structure: Defined as, a building or structure which:

A. is subordinate to a principal building or structure in area, intent, and/or purpose;

B. contributes to the comfort, convenience, or necessity of occupants of the principal building, structure, or principal use;

C. does not alter or change the character of the premises;

D. is located on the same zoning lot as the principal building, structure, or use;

E. conforms to the setback and other requirements of this Ordinance unless otherwise provided for by this Ordinance.

AS-04: Accessory Uses: Drive Through and Canopied Facilities

A Drive through facilities (including drive-through banking) - shall be so designed that:

a. drive through lanes do not conflict with the safe and efficient flow of traffic into and out of required Parking Spaces or Loading Spaces;

b. drive through lanes have a "bail out" capability;

c. provide at least five (5) waiting spaces prior to the first ordering, pick-up or service facility; and,

d. provide at least one waiting space after the last pick-up or service facility.

B. Gasoline dispensers and Canopies - shall not be located within any required Front, Side or Rear Yard Setback or Bufferyard and shall be provided with adequate on-site maneuverability so as to avoid any interference with through traffic on any public Right-of-Way.

AS-05: Privacy Fences

A. Privacy fences shall setback a minimum of two (2) feet from any front, side, and/or rear yard property line ~~but do not~~ and require a Location Improvement Permit.

5-9.2 Adult Entertainment Business Standards (BY)

AU-01: In the development and adoption of this Article, it is recognized that there are some Adult Entertainment Business uses which due to their very nature have certain objectionable operational characteristics particularly when located in close proximity to residential neighborhoods, thereby having a deleterious impact upon property values and the quality of life in such surrounding areas. It has been acknowledged by communities across the nation that state and local governmental entities have a special concern in regulating the operation of such Adult Entertainment Businesses under their jurisdiction to ensure that these adverse effects will not contribute to the blighting or down grading of adjacent neighborhoods. The special regulations deemed necessary





All Filters: Material (1) Color (1) Height (1) Brand (1) Features (1) Price (1) More

Am

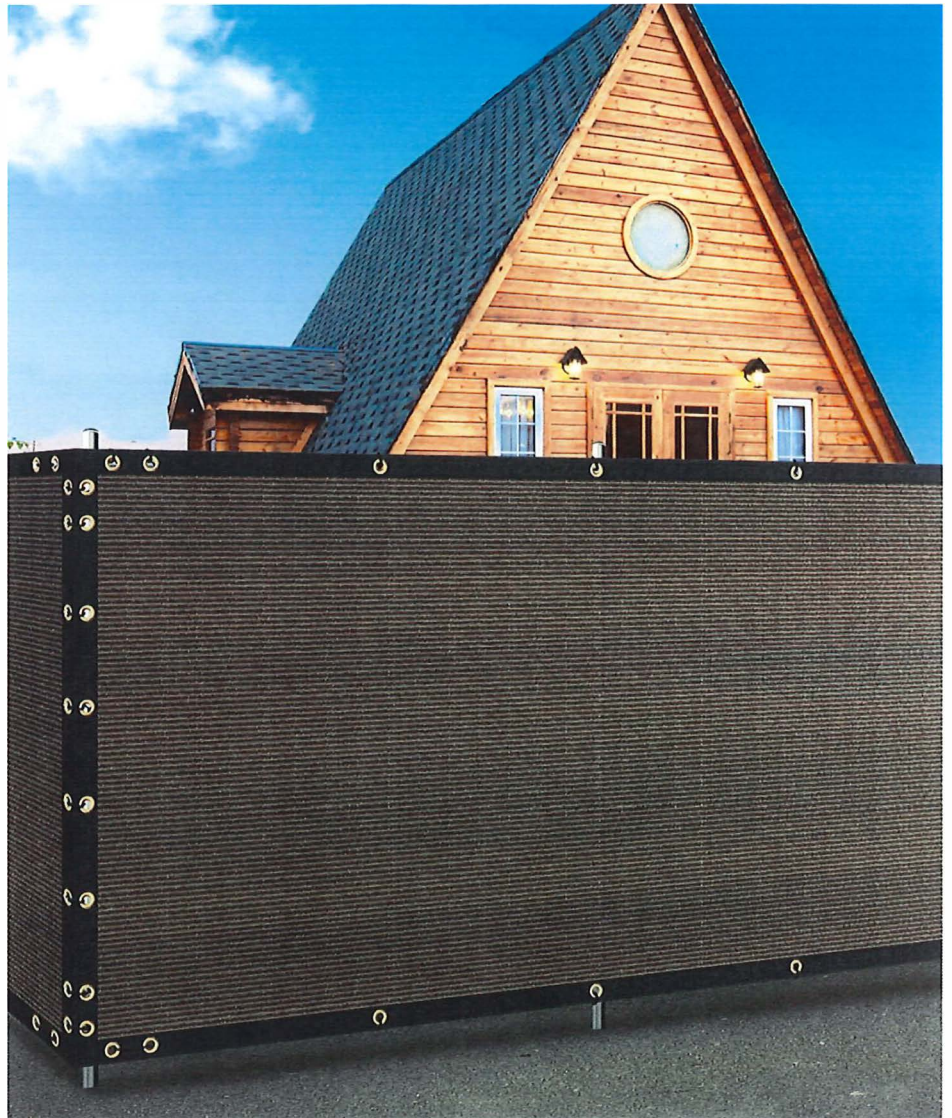
Patio

6'

Me

Wa

Bro



Add to List

Add to Baby Registry

Add to Registry & Gifting

Have one to sell?

Sell on Amazon

Purchase options and add-ons

Payment plans

\$10.17/mo (6 mo) at example APR of 30%
(rates from 10-30% APR)

- ✔ **【Material】** - Made of commercial grade new HDPE (High Density Polyethylene), allowing air to go through and resisting water and all weather condition. Passed HD50505 TEST, it has excellent tenacity, can resist UV rays & wind, prevent fading, and maintain strength for a long time.
- ✔ **【Rust-proof Grommets & Reinforced Binding】** - Reinforced stitching is neatly sewn along all edges without threads coming off. Grommets are more dense, 4 grommets at each corner of the fence, tough and reinforced brass grommets placed about 12" apart vertically and

Public Sites and Open Space Standards

4-1.15 Public Sites and Open Space

- A. The subdivider may be required to plat a minimum of eight hundred and seventy five (875) square feet of open space for each dwelling unit to be constructed when the density of such development is one (1) dwelling unit per three fourths (3/4) acre or greater. A dwelling unit shall be defined as a single-family home, condominium, or apartment/rental unit.
- B. The subdivider shall reserve the open space acreage for public use. The land may be deeded by the subdivider to a duly organized homeowners association within the subdivision.
- C. Easements, crosswalks, and road frontage to provide public access to the open space shall be shown on the secondary plat.
- D. Existing natural features which add value to residential development and enhance the attractiveness of the community shall be preserved in the design of the subdivision and should be incorporated into dedicated open space.
- E. Easements, roadways, and rights-of-way cannot be considered open space.
- F. All open space shall be usable spaces for normal recreation. Narrow strips of land throughout a development and similar (marginal) areas shall not be considered open space.
- G. Plan Commission may waive any or all public sites and open space standards when applicable.



adjacent to one another. The need for Buffer Yard Standards stems from the periodic occurrence of two (2) adjacent zoning districts conflicting or have the potential of conflicting. If a property in a VC district is adjacent to any other district other than the VC District, an additional ten (10) feet of setback shall be required in addition to the normal setback on the yard(s) abutting the other zoning district.

BY-03: A general purpose of zoning is to protect conflicting Zoning Districts from being adjacent to one another. The need for Buffer Yard Standards stems from the periodic occurrence of two adjacent Zoning Districts conflicting or have the potential of conflicting. The following Buffer Yard Standards only apply along the property lines where two conflicting Zoning Districts meet.

If a GC or HC District is adjacent to SR, RR, R1, R2, R3, or MP. A buffer shall be installed on the property located in the GC or HC district. The following buffer standards shall apply:

- A. The developer or owner of the subject property is responsible for installing the Buffer Yard.
- B. The adjacent property owner shall not have to participate in installing the Buffer Yard.
- C. An additional twenty (20) feet of setback shall be required in addition to the normal setback.
- D. One (1) deciduous canopy tree and two (2) needled evergreen trees must be planted for every twenty (20) feet of contiguous boundary with conflicting district.
- E. All trees must be planted within five (5) to fifteen (15) feet from the property line.
- F. An irregular line or row of trees is preferred.
- G. All trees must have at least a one (1") to two inch (2") caliper, be properly maintained, and be replaced if the tree dies, is diseased, or is damaged.

5-7.5 Landscaping Standards (LS)

LS-01: Landscaping is an essential part in the design and development of a site. Such plantings are a benefit to the environment, public health, safety, comfort, convenience and general welfare of the community. These standards will result in the reduction of storm water runoff, glare, heat build-up, following general standards apply.

- A. No landscaping materials, vegetation, plants, shrubs, trees, retaining walls, bedding, lighting, or mounds may extend into any existing or proposed right-of-way or easement without the written permission from the agency that established the right-of-way or easement.
- B. No trees may be planted within five (5') feet of sidewalks, streets, curbs, gutters, drainage tile, or other infrastructure, unless approved otherwise by the planning commission.
- C. The species of trees and plants for proposed landscape plan may be subject to approval of plan commission or its designees.
- D. All landscaping must be properly maintained (i.e. pruning, replacing plants and/or trees that have died, is diseased or damaged, etc.)

E. Retention and detention ponds must be properly maintained



to encourage the establishment and maintenance of reasonable community standards for the physical environment. If two or more provisions within this ordinance are in conflict or are inconsistent with one another, then the provision which is most restrictive shall control.

1-1.8 Jurisdiction Area

This Ordinance shall apply to all land within Fulton County, Indiana.

1-1.9 Application

It is not intended by this Ordinance to interfere with, abrogate or amend any existing easements, covenants, or other agreements, between parties, nor is it intended by this Ordinance to repeal, abrogate, annul, or in any way interfere with any existing provisions of laws or ordinances or any rules, regulations, or permits previously adopted or issued pursuant to law relating to the use of building or premises.

Where this Ordinance imposes a greater restriction upon the use of buildings or premises than is imposed or required by such existing provisions of law or by such rules, regulations, agreements, covenants, or permits, the provisions of this Ordinance shall control; but where private covenants, permits, agreements, rules or regulations impose a greater restriction than is imposed by this Ordinance, the greater restriction shall control.

1-1.10 Repealer

The Fulton County and the City of Rochester, Indiana, do hereby repeal the Fulton County Advisory Comprehensive Plan, Fulton County Advisory Zoning and Subdivision Ordinances, the Fulton County Advisory Official Zone Map, the City of Rochester Comprehensive Plan, the City of Rochester Zoning and Subdivision Ordinances, and the City of Rochester Official Zone Map. The aforementioned Zoning Ordinance and the referenced Official Zoning Map shall replace the repealed ordinances as well as shall replace all of the sections and provisions of the repealed ordinances which appear and are incorporated in the Fulton County and City of Rochester Code of Ordinances of Fulton County and the City of Rochester, Indiana, as of the adoption and effective date.

1-1.11 Amendments

In accordance with I.C. 36-7-4-602, the legislative bodies within Fulton County may amend or partially repeal the text of this Ordinance or they may amend the zoning maps of this Ordinance as follows:

The legislative bodies within Fulton County or the Plan Commission may initiate a proposal to amend or partially repeal the text according to the procedure of I.C. 36-7-4-602(b) and I.C. 36-7-4-607 and according to the Commission Rules and Procedures.

The legislative bodies within Fulton County, the Plan Commission, or at least fifty percent (50%) of the affected property owners may initiate a petition to change the zoning maps according to the procedure of I.C. ~~36-7-4-602(c)~~ and I.C. 36-7-4-608 and according to the Commission rules.

In its review of the text and zone map amendments, the legislative bodies within Fulton County and the Plan Commission shall pay reasonable regard to:

- A. The ~~most recently adopted~~ Comprehensive Plan
- B. Current conditions and the character of structure and uses in each district.
- C. The most desirable use for which the land in each district is adapted.
- D. The conservation of property values throughout the jurisdiction; and
- E. Responsible development and growth.
- ~~F. The public health safety and welfare.~~

1-1.12 Effective Date

This Ordinance shall be in full force and in effect at 12:01 am, on January 1st, 2008. The effective date is based on the passage and notice of adoption as required by law. Certified by the Plan Commission of



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 **ground-mounted** 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 **ground-mounted** 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



- D. Cessation of Use: All temporary uses/structures must, upon cessation, remove all structures, elements, and debris; and revert all alterations to the original site to its original state. All removal and alterations must take place within the permitted duration.
- E. A petitioner shall be limited to a total of one (1) temporary uses/structures per year.

TU-03: Temporary Structures/Uses permitted include:

- A. Construction trailers (permit may be renewed one time by the Plan Administrator with reason. The construction trailer shall be situated at the construction site and occupied by only persons directly engaged in the supervision of the construction of the structure or development.
- B. Roadside sales vehicles or structures,
- C. Tents for sales and business events. Maximum duration (time limit) is fifteen (15) days with permit.

5-6.4 Landscaping Standards (LS)

LS-01: Landscaping is an essential part in the design and development of a site. Such plantings are a benefit to the environment, public health, safety, comfort, convenience and general welfare of the community. These standards will result in the reduction of storm water runoff, glare, heat build-up, may reduce energy costs in structures and will improve the aesthetics of the community. The following general standards apply.

- A. No landscaping materials, vegetation, plants, shrubs, trees, retaining walls, bedding, lighting, or mounds may extend into any existing or proposed right-of-way or easement without the written permission from the agency that established the right-of-way or easement.
- B. No trees may be planted within three (3) feet of sidewalks, streets, curbs, gutters, drainage tile, or other infrastructure, unless approved otherwise by the planning commission or an independent municipal code.
- C. The species of trees and plants for proposed landscape plan may be subject to approval of plan commission or its designees.



HD District

4-1.21 "HD" District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses (cont.)	Permitted Uses (cont.)
<p>The "HD" (Historical Downtown Commercial) District is intended to provide a district where historical buildings and storefronts within the city of Rochester and each of the towns located within the County can thrive and be maintained without undo hardship. This District shall encourage the maintenance of historical buildings that aids in the proliferation of historical atmosphere within our city and town centers.</p> <p>The Plan Commission and Boards of Zoning Appeals should strive to use this district within the city and town centers in order to create a special mixed-use area of small-scale pedestrian oriented commercial, retail, and office uses within the cities and towns located in Fulton County.</p> <p>The Plan Commission and Boards of Zoning Appeals should strive to minimize parking lots between buildings, rather, encouraging parking behind buildings.</p>	<ul style="list-style-type: none"> • paint store • liquor sales • music store • news dealer/bookstore • office supplies • bar/night club • billiard/arcade room • bowling alley • dance/aerobics/gymnastics studio • lodge or private club • theater, indoor • plumbing supplies • satellite dish sales/service (no outside storage/display without special exception) • shoe sales • sporting goods • variety store Business: Food Sales/Service • bakery retail • convenience store • delicatessen • farmers market • grocery store • meat market • restaurant Business: Personal Service • barber/beauty shop • coin laundry • day care facility • dry-cleaning service • fingernail salon • fitness center/gym • health spa • shoe repair • tailor/pressing shop • tanning salon Business: Office/Professional • accounting office • architecture office • bank/credit union • bank machine/ ATM • contractor office • design services • insurance office • investment firm • landscape business • law office • planning offices • professional offices • reading clinics • real estate office • secretarial service • service organization offices • temporary service agency • title company • travel agency Business: General Business • boat sales/service • clinic medical/dental • funeral home/mortuary • photographic studio 	<ul style="list-style-type: none"> • print/copy center • recycling collection point (indoor) • sign painting/fabrication • wholesale business Business: Recreation • banquet hall • video store Institutional/Public Facilities • community center • government office • library • museum • police/fire station • post office • public park/recreation center • public/private parking area • recycling collection point (no outdoor storage) • school • trade or business school Communication/Utilities • public wells • radio/tv station • telephone exchange Miscellaneous • home occupation #1 • home occupation #2 • micro/small solar energy system
<p style="text-align: center;">Permitted Uses</p>		
<p>Residential</p> <ul style="list-style-type: none"> • dwelling, single-family (upper floors) • dwelling, two-family (upper floors) • dwelling, multi-family (upper floors) • apartments (upper floors) <p>Agricultural Uses/Services</p> <ul style="list-style-type: none"> • agricultural seed sales • plant nursery • greenhouse facilities • sales of farm materials • wineries <p>Business: Auto Sales/Services</p> <ul style="list-style-type: none"> • filling/gas station • automobile sales area <p>Business: Retail</p> <ul style="list-style-type: none"> • antique shop • apparel shop • art gallery • department store • drug store • electrical supplies • fabric shop • firearms sales/gunsmithing • floor coverings • flower shop • furniture shop • garden shop • gift shop • hardware store • home electronics/appliance store • jewelry store 		<p style="text-align: center;">Special Exception Uses</p> <p>Residential</p> <ul style="list-style-type: none"> • bed and breakfast facility <p>Agricultural Uses/Services</p> <ul style="list-style-type: none"> • processing agriculture products • commercial processing agriculture products • roadside produce sales • farm markets <p>Business: General Business</p> <ul style="list-style-type: none"> • marina • warehouse <p>Communication/Utilities</p> <ul style="list-style-type: none"> • storage tanks non-hazardous



Article Five

Section Seven- Commercial Districts (HD, DC, VC, HC, GC, IN, IU)

5-7.0 Interpretation

The following development standards listed within Section Seven are applicable within the Commercial (HD, DC, VC, HC, GC, IN, IU) Zone Districts listed within the Fulton County Zoning Ordinance (except as may otherwise be provided within this ordinance).

5-7.1 Accessory Structure Standards (AS)

AS-01: The following Accessory Structures/Buildings Standards apply to commercial uses/districts. Accessory Structures shall comply with all Development Standards for the Subject Zoning District.

- A. ~~Accessory Structures are not allowed on a lot prior to any Primary Structure being constructed and must relate to the Primary Structure and its uses.~~
- B. The following Accessory Structures are permitted, but must abide by all applicable Standards:
- Antennas or Satellite Dishes less than thirty-six (36) inches,
 - Decks,
 - Gazebos,
 - Storage buildings,
 - Sheds,
 - Dumpsters,
 - Manure storage structure (see definition for additional regulations), and
 - similar structures related to the primary use.
- C. No Accessory Structures/Buildings shall encroach on any platted easement unless written consent of the agency the easement belongs to or is managed by.
- D. All permissible Accessory Structures/Buildings shall abide by the following standards:
- a. An accessory structure shall only be located to the rear or side of the primary structure.
 - b. Antennas or Satellite Dishes shall only be permitted to the rear of the primary structure.
 - c. Dumpsters shall be enclosed and screened on all four sides.
 - d. No mobile home or manufactured home may be used as an accessory structure in any district.

5-7.2 Fences and Walls (FN)

FN-01: All fences and walls shall:

- A. Present the non-structural face outward.
- B. Be permitted up to the property line.
- C. Not be greater than eight (8) feet in height in the side yard and rear yard or greater than four (4) feet in height in the front yard.
- D. Not be closer than two (2) feet to any public right-of-way.
- E. Not be placed within the clear vision triangle.

5-7.3 Temporary Use/Structure Standards (TU)

TU-01: Temporary Uses or Structures that abide by all applicable development standards for the subject zoning district are permitted. The following standards also pertain to temporary uses/structures.

- A. Transition to Permanent or Accessory Uses/Structures: Any temporary use or structure that is intended to transition into a permanent use/structure or accessory structure must meet all standards for a permanent use/structure or accessory structure. In the event the intent is not noted upon the application, the transition to a permanent use/structure or accessory structure will not be permitted for one (1) year from the application date.
- B. Duration: All temporary uses/structures shall be permitted for the period of up to six (6) months, unless otherwise noted in this Ordinance.
- C. Permit: All temporary uses/structures will be required to have a temporary Location Improve-



HC District

4-1.25 "HC" District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses (Continued)	Permitted Uses (Continued)
<p>The "HC" (Highway Commercial) District is intended to provide a land use category for commercial uses that are appropriate for locations along highways. The provisions that regulate this land use district should make the district compatible with the agricultural and residential districts, as well as, environmentally sensitive areas. This district should be used along highways and at interchanges.</p> <p>The Plan Commission and Boards of Zoning Appeals should strive to provide for highway oriented business and services while minimizing light pollution, large parking lots along the major roadways, hazardous traffic patterns, traffic conflicts, and excessive use of signs in the "HC" district.</p> <p>The use of access roads/frontage roads should be required for all commercial uses in this district. Further, road cuts onto arterial or collector roads should be restricted.</p>	<ul style="list-style-type: none"> • delicatessen • drive-in restaurant • drive-thru restaurant • grocery/supermarket • meat market • restaurant • roadside food sales stand <p>Business: Personal Service</p> <ul style="list-style-type: none"> • barber/beauty shop • coin laundry • day care facility/ child care facility • dry-cleaning service • fingernail salon • fitness center/gym • health spa • shoe repair • tailor/pressing shop • tanning salon <p>Business: Recreation</p> <ul style="list-style-type: none"> • banquet hall • billiard/arcade room • bowling alley • commercial riding stables • dance/aerobics/gymnastics studio • lodge or private club • miniature golf • public docks • theater, indoor • video store <p>Business: Retail, Under 20,000 sf</p> <ul style="list-style-type: none"> • antique shop • apparel shop • art gallery • department store • drug store • electrical supplies • fabric shop • firearms sales/gunsmithing • floor coverings • flower shop • furniture store • garden shop • gift shop • hardware store • heating & cooling sales/service • home electronics/appliance store • jewelry store • liquor store/sales • lumberyard • music store • news dealer/bookstore• office sup-plies • paint store • plumbing supplies • satellite dish sales/service • shoe sales • sporting goods • variety store <p>Business: Office/Professional</p> <ul style="list-style-type: none"> • accounting office • architecture office 	<ul style="list-style-type: none"> • bank/credit union • drive-through bank/credit union • bank machine/ ATM • drive-through bank machine/ ATM • contractor/construction office • design services • home remodeling companies (including storage of materials & equipment with accessory offices but no retail commercial activities) • insurance office • investment firm • landscape business • law office • planning offices • professional offices • reading clinics • real estate office • secretarial service • service organization offices • temporary service agency • title company • trade offices • travel agency • veterinarian office/hospital <p>Business: General Business</p> <ul style="list-style-type: none"> • boat sales/service • clinic medical/dental • engineering or research laboratories • funeral home/mortuary • hospital • hotel/motel • kennel • marina • medical/dental clinic • mini-storage facility • motor bus station • photographic studio • print shop/copy center • sign painting/fabrication <p>Institutional/Public Facilities</p> <ul style="list-style-type: none"> • police/fire station • post office • public park/recreation center • school <p>Miscellaneous</p> <ul style="list-style-type: none"> • mail order distribution • welding • wholesale business • Noncommercial wind generating and related apparatus and structures under 200 feet in height • micro/small solar energy system • light manufacturing
Permitted Uses		
<p>Residential</p> <ul style="list-style-type: none"> • addition to existing dwelling • apartment complexes • condominiums <p>Agricultural Uses/Service</p> <ul style="list-style-type: none"> • commercial greenhouse • crop production/land or orchard • farm market • plant nursery <p>Business: Auto Sales/Services</p> <ul style="list-style-type: none"> • automobile body shop, enclosed • automobile repair/minor, enclosed • automobile repair/major, enclosed • automobile part sales, new • automobile sales, service center, vehicle testing/demonstration track for purpose of vehicle sales. • automobile service station • automobile wash, automatic and self • auto/truck storage (outdoor, not a junkyard) • filling/gas station • oil change service • motor home sales • painting and customizing • racing & testing <p>Business: Food Sales/Service</p> <ul style="list-style-type: none"> • bakery retail • convenience store 		



HC District

4-1.26 "HC" District Intent, Permitted Uses, and Special Exception Uses (Continued)

Special Exception Uses		
<p>Agricultural Uses/Service</p> <ul style="list-style-type: none"> • storage of agricultural products • wholesale produce terminal <p>Business: Auto Sales/Service</p> <ul style="list-style-type: none"> • automobile auction <p>Business: General Business</p> <ul style="list-style-type: none"> • adult bookstore • adult entertainment business . boat sales/service . landscape business . sign painting/fabrication • mini-warehouse • warehouse and/or distribution center wholesale business <p>Business: Retail, Over 20,000 sf</p> <ul style="list-style-type: none"> . department store . lumber yard <p>Business: Recreation</p> <ul style="list-style-type: none"> • amusement park . bar/night club • ball fields • race track (any type) • stadium/arena . theater, outdoor <p>Communication/Utility</p> <ul style="list-style-type: none"> . cellular/communication/radio/television tower . public wells . radio/TV station . sewage treatment plants • telephone exchange • utility substation <p>Industrial Uses:</p> <ul style="list-style-type: none"> • bottled gas storage/distribution • office complex • Heavy manufacturing <p>Institutional/Public Facilities</p> <ul style="list-style-type: none"> • church, temple or mosque • community center • government office • library • neighborhood recycling collection point • parking garage • recycling facility • school, public/private • trade or business school <p>Miscellaneous:</p> <ul style="list-style-type: none"> • artificial lake • nursing home • truck terminal • Noncommercial wind generating apparatus and structures over 200' in height • medium/large solar energy system 		



SR District

4-1.7 "SR" District Intent, Permitted Uses, and Special Exception Uses

District Intent	Permitted Uses	Special Exception Uses
<p>The "SR" (Suburban Residential) District is intended to provide a residential land use category for suburban areas including single family detached homes in and around the city, town, and village centers, as well as, rural housing developments. The provisions that regulate this land use district are intended to protect, promote, and maintain the future and existing rural housing growth, as well as, the suburban growth in and around the city, towns and village centers.</p> <p>The Plan Commission and Boards of Zoning Appeals should strive to protect this district from conflicting land uses, and non-family oriented businesses.</p> <p>The Plan Commission and Board of Zoning Appeals should also strive to promote an average net density of 1.5 to 3 dwelling units per acre community-wide in the "SR" district.</p>	<p>Residential</p> <ul style="list-style-type: none"> • dwelling, single family • child care home (owner occupied home) • group home (small) • detached additional living space • residential facility for developmentally disabled (small)* • residential facility for mentally ill* <p>Agricultural Uses</p> <ul style="list-style-type: none"> • agricultural crop production • roadside market <p>Miscellaneous</p> <ul style="list-style-type: none"> • home occupation #1 • kennel, private • micro/small solar energy system • firearm internet sales/gunsmith (no retail showroom it firearm inventory) 	<p>Residential</p> <ul style="list-style-type: none"> • bed and breakfast facility • dwelling, two-family • group home (large) • residential facility for developmentally disabled (large) <p>Agriculture Uses/Service</p> <ul style="list-style-type: none"> • greenhouse facilities • tree farms <p>Business: Auto Sales/Services</p> <ul style="list-style-type: none"> • automobile body shop (enclosed) <ul style="list-style-type: none"> • automobile repair/major • automobile repair/minor <p>Business: General</p> <ul style="list-style-type: none"> • store front <p>Business: Recreation</p> <ul style="list-style-type: none"> • golf course • country club or golf course • public swimming pool <p>Institutional/Public Facilities</p> <ul style="list-style-type: none"> • community center • church/temple/mosque • cemetery • public park • library <p>Communication/Utility</p> <ul style="list-style-type: none"> • public well • public utility substation • sewage or water treatment plant • telephone exchange • wind generator <p>Educational Use</p> <ul style="list-style-type: none"> • child care center • school - public or private <p>Governmental Use</p> <ul style="list-style-type: none"> • fire or police station • municipal/state maintenance facility <p>Miscellaneous</p> <ul style="list-style-type: none"> • home occupation #2 • medium/large solar energy system

*These uses are permitted by Indiana Code (IC 12-28-4-8 and IC 12-28-4-7).





Area Zone Map
 Feature Name:

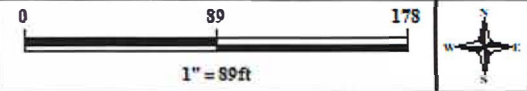
- AG
- DC
- IN
- R1
- SR

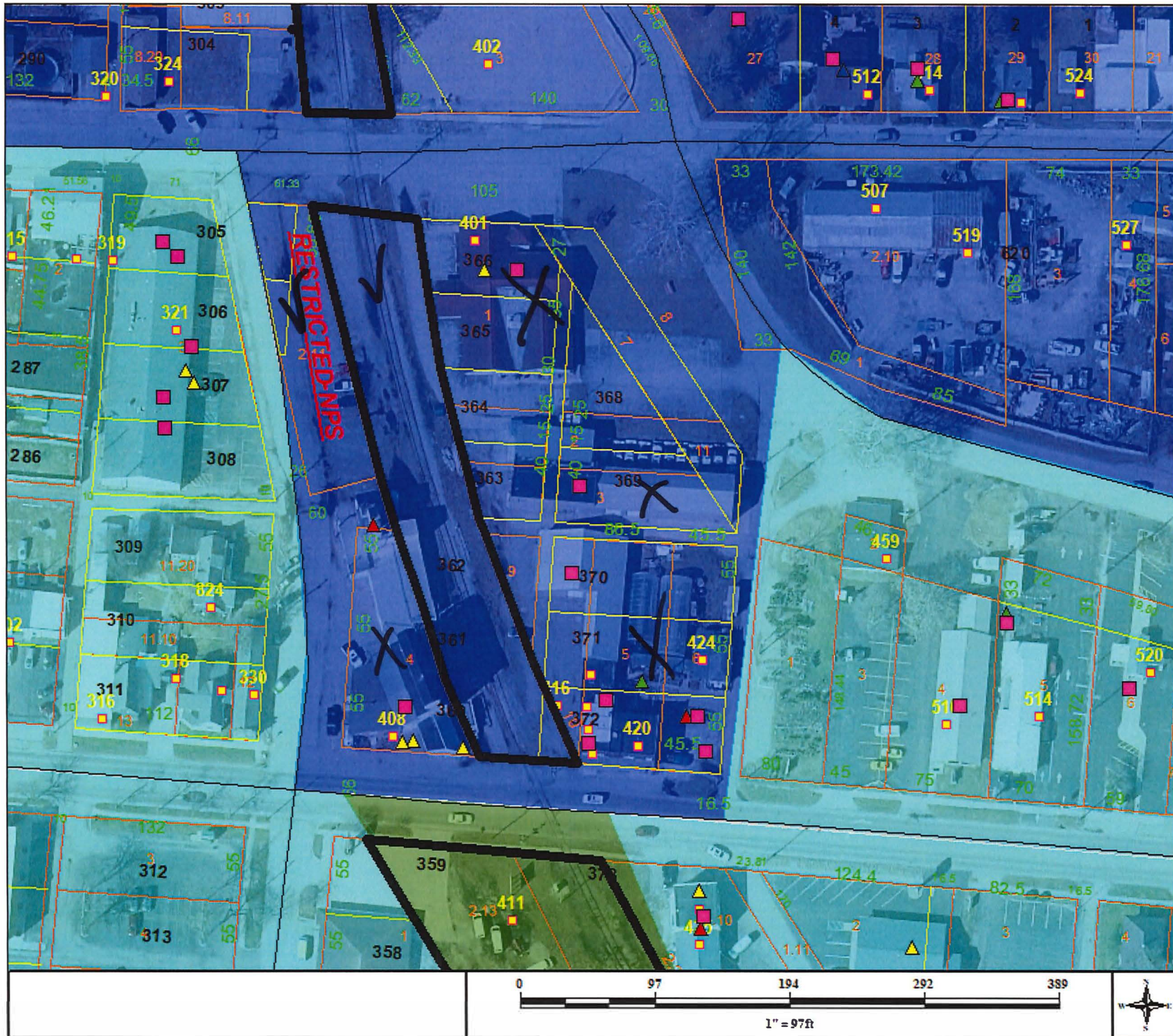
City Town Boundary
 Townships
 Parcels

■ Addresses
■ Bldg Permits
▲ Permits - Primary

Highways
 Roads
 Parcels
 Lots

RESTRICTED-NPS





Area Zone Map

Feature Name:

- AG
- DC
- HC
- IN
- IR
- R1

Townships

Feature Name:

- Rochester Twp

Parcels

- City Town Boundary
- Sections
- Peacetre Village - St

Addresses

- Permits - Primary
- Permits - Accessory
- Permits - Commercial
- Permits - Signs
- Bldg Permits

Parcels

- Lots
- Highways
- Roads
- Tipecanoe River
- Permits - Accessory
- Permits - Commercial
- Bldg Permits

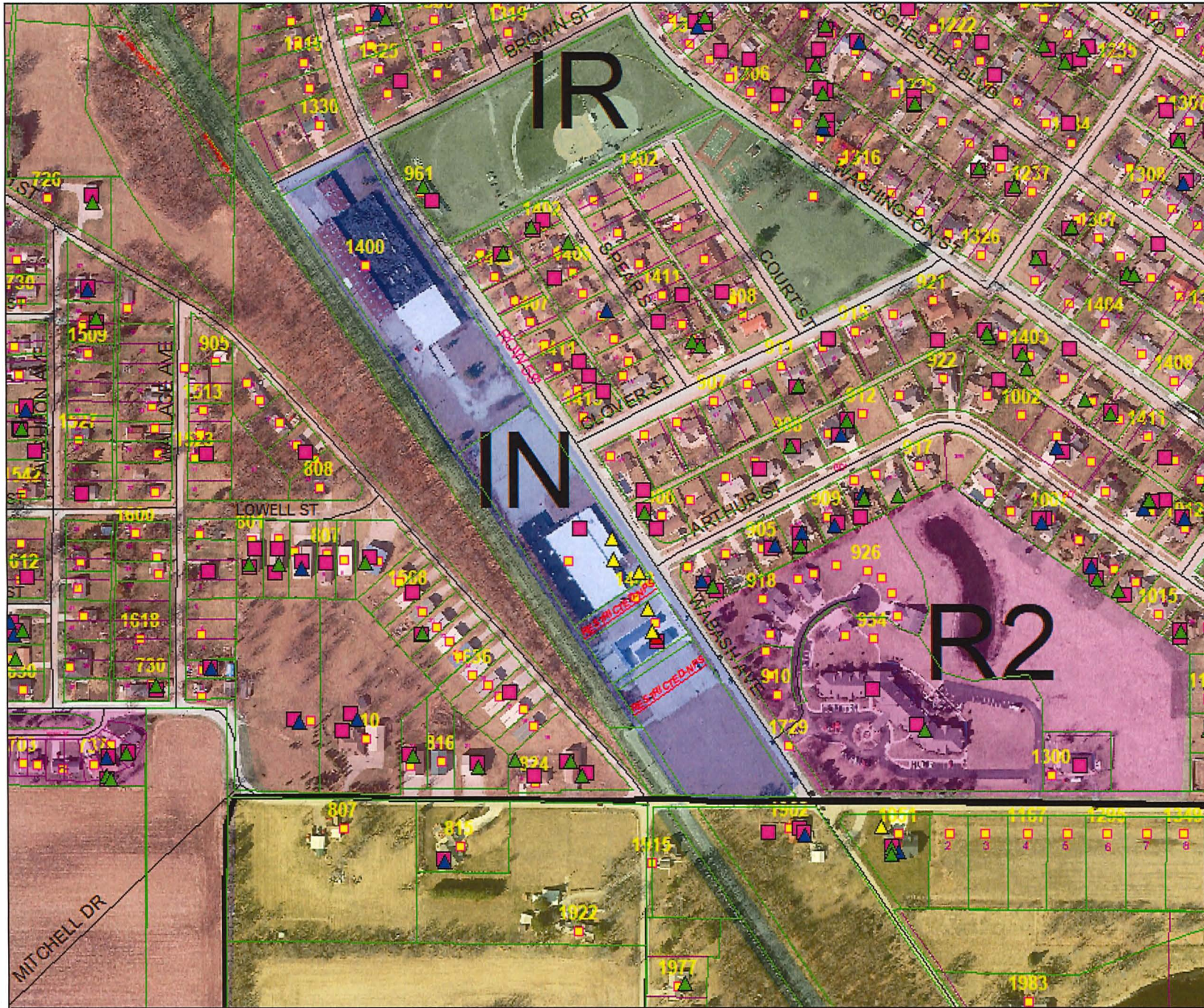
THINK



0 97 194 292 389

1" = 97ft





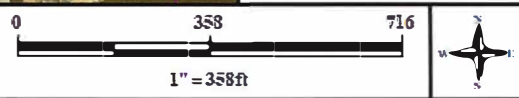
- Area Zone Map**
 Feature Name:
- AG
 - GC
 - HC
 - IN
 - IR
 - R1
 - R2
 - SR

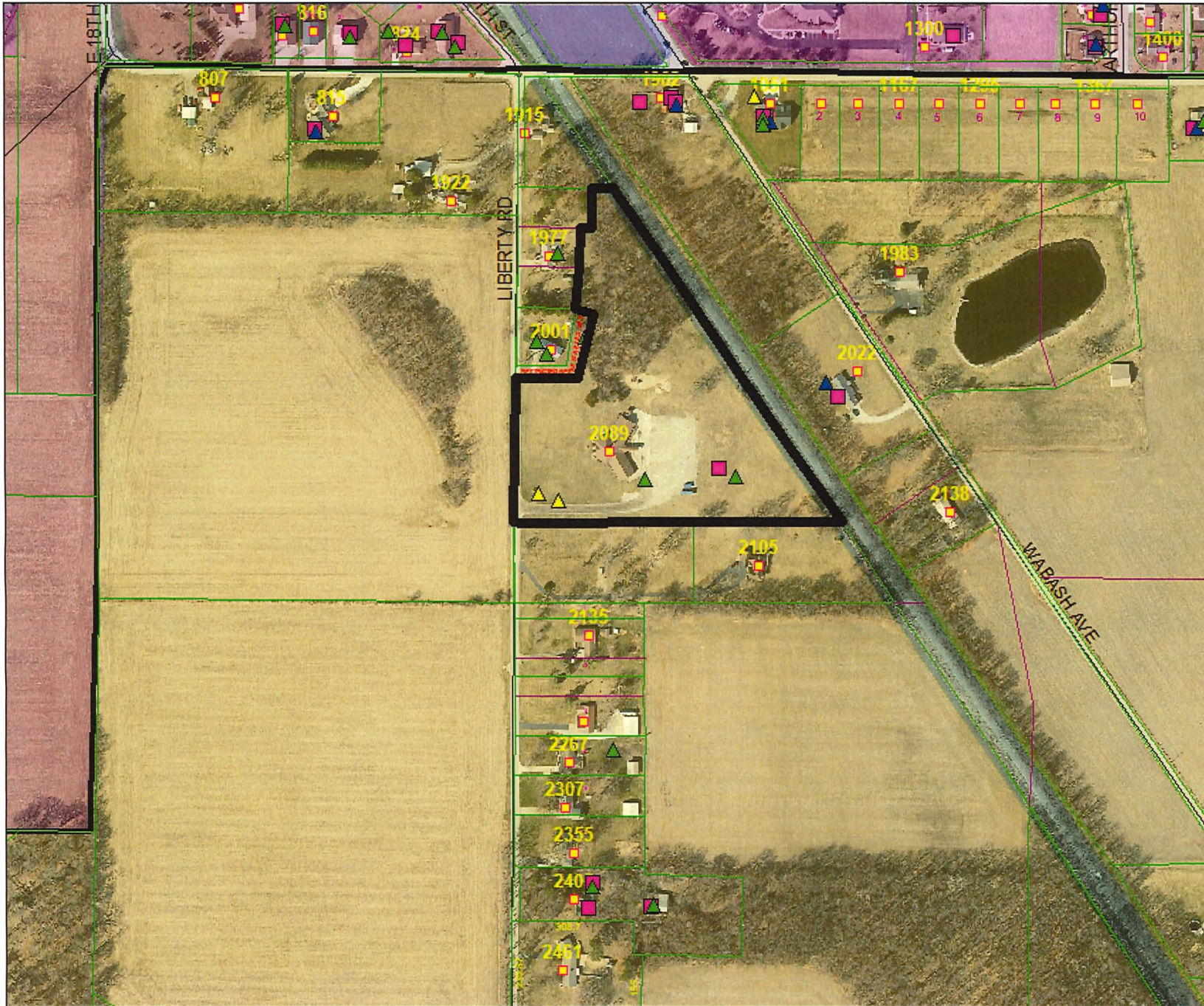
- City Town Boundary
- Townships
- Parcels
- Peacetree Village - St

- Addresses
- Bldg Permits
- Permits - Primary
- Permits - Accessory
- Permits - Commercial
- Permits - Signs

- Highways
- Roads
- Parcels
- Lots
- Bldg Permits
- Permits - Access
- Permits - Comm

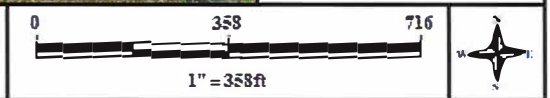
Change to GC?





- Area Zone Map**
Feature Name:
- AG
 - GC
 - HC
 - IN
 - IR
 - R1
 - R2
 - SR
- City Town Boundary
 - Townships
 - Parcels
 - Peacetree Village - St
- Addresses
 - Bldg Permits
 - Permits - Primary
 - Permits - Accessory
 - Permits - Signs
- Highways
 - Roads
 - Parcels
 - Lots
 - Bldg Permits
 - Permits - Comm

Change to IR





Fee Summary Paid Totals

06/01/2023 - 06/30/2023

Fee Name	Fee Description	Account Number	Total Amount	Total Fees
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Group: 1001.20301.000.0036

A. County, Akron, & Town of Fulton Residential - Inspection Fee	Enter Number of Inspections	1001.20301.000.0036	\$2,633.70	26
A. County, Akron, & Town of Fulton Residential - Permit Fee		1001.20301.000.0036	\$1,046.35	24
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	\$93.00	3
			\$4,333.05	58

Group Total: 5

Group: 1001.20303.000.0036

ADMIN-Copies	enter number of copies	1001.20303.000.0036	\$1.70	1
BZA. Development Standard Variance		1001.20303.000.0036	\$350.00	2

BZA. Special Exception		1001.20303.000.0036	\$350.00	2
ZO. LIP		1001.20303.000.0036	\$2,000.00	40
ZO. Signs	Enter Square Feet	1001.20303.000.0036	\$1,428.90	2
ZO. Site Plan Review - TRC		1001.20303.000.0036	\$175.00	1
ZO. Solar Array- Small		1001.20303.000.0036	\$160.00	2
			\$4,465.60	50

Group Total: 7

Group: 1001.20302.000.0036

B. City of Rochester Residential Permit Fee		1001.20302.000.0036	\$177.25	15
B-1. City of Rochester Residential-Inspection Fee	Enter Number of Inspections	1001.20302.000.0036	\$720.00	16
B-2. CITY OF ROCHESTER ELECTRICAL PERMIT		1001.20302.000.0036	\$100.00	5
B-3. City of Rochester COMMERCIAL Permit Fee		1001.20302.000.0036	\$100.00	4
B-4. City of Rochester COMMERCIAL-Inspection Fee		1001.20302.000.0036	\$320.00	4
B-5. City of Rochester Residential-Renewal		1001.20302.000.0036	\$115.00	2
			\$1,532.25	46

Group Total: 6

			\$10,330.90	154
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Total Records: 18

7/6/2023

Page: 1 of 1