

R. Applications for All Solar Energy Systems (SES)

- 1. Notwithstanding any provision herein to the contrary, a permit application for any SES shall include the following information:
  - a. Contact information. The name(s), address(es), and phone number(s) of the applicant(s).
  - b. Contact information for the project developer, if different from the applicant(s).
  - c. Description of the land involved sufficient to reasonably describe the boundaries of the SES project to the satisfaction of the plan administrator. Which description shall include the estimated acreage, the legal description(s) of the included property/ies or portions thereof, the State parcel identification number or other sufficient identification to describe the land that is a part of the project.

Language change

adjusted

- 2. Applications for Accessory Use SES. In addition to the application requirements listed in Section 2.3 R.1., any requirements pertaining to accessory uses found elsewhere in this ordinance, and any additional requirements as may be set forth by the plan administrator or Building Department, and notwithstanding any provision herein to the contrary, a permit application for an accessory-use SES shall include the following information:

- a. Compliance with National Electrical Code. A line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code. This information is frequently supplied by the manufacturer.
- b. A site layout plan drawn to a scale that allows the plan administrator to reasonably ascertain the size and scope of the project in relation to the surrounding area. The plan should include the following information:
  - 1) address, general location, acreage, and parcel number(s) of subject property
  - 2) name of subdivision in which property exists (if applicable)
  - 3) location/key with north arrow
  - 4) property dimensions
  - 5) existing and proposed buildings and solar panels, with required setbacks
  - 6) any existing wetlands and floodplains
  - 7) existing and proposed building setbacks and separation
  - 8) delineation of all requested variant development standards (if applicable)
  - 9) approximate locations of neighboring uses and structures
  - 10) brief description of neighboring uses and structures
  - 11) map scale
  - 12) dated signature of applicant and owner, if different

added

- 3. Applications for Commercial SES (CSES). In addition to the application requirements listed in Section 2.3.R.1, and notwithstanding any provision herein to the contrary, a permit application for a CSES shall include the following information:
  - a. A site layout plan drawn to a scale that allows the plan administrator to reasonably ascertain the size and scope of the project in relation to the surrounding area. The plan should include the following information:
    - 1) general location, acreage, and state parcel identification number(s) of the subject property/ies
    - 2) location/key with north arrow
    - 3) approximate location of any substations
    - 4) existing and proposed on-site and adjacent buildings and solar panels, with required setbacks
    - 5) adjacent roadways

Procedures

added

- 6) any existing wetlands and floodplains
  - 7) proposed landscaping, lighting, and signage
  - 8) existing and proposed site ingress/egress
  - 9) delineation of all requested variant development standards (if applicable)
  - 10) map scale
  - 11) any other information or item reasonably requested by the plan administrator to allow sufficient understanding of the size, scope, and location of the proosed project.
  - 12) dated signatures of applicant/CSES operator and property owner(s). Property owner(s) signature(s) may be submitted in the form of a signed addendum to the application or the dated signature page of landowner contract with the applicant/CSES operator/ CSES developer.
- b. Proof of a recorded memorandum of lease for each party contracted with a CSES developer to be recorded at the Pulaski County Courthouse and submitted to the plan administrator prior to application submission
  - c. Any other item reasonably requested by the Board of Zoning Appeals.
  - d. An emergency response plan for the construction and operation of the facility consistent with industry standards.
4. Aggregated Project Applications. Aggregated projects may jointly submit a single application.

language added

adjusted

adjusted

### S. Administrative Appeals

IC repealed -  
36-7-4-918  
removed

- 1. Purpose. The purpose of this section is to establish a procedure and standards for an aggrieved party, officer, department, or board of the county affected by any decision or determination by the Administrator, other Plan Commission staff members, or other administrative or board charged with enforcing and interpreting this Ordinance per IC 36-7-4-916 and IC 36-7-4-920. The decisions of the Board shall be appealed to the courts as provided by Indiana law.
- 2. Initiation. All questions of interpretations and enforcement shall be first presented to the Director. An appeal shall be initiated by filing a written notice of appeal with the Administrator within:
  - a. Sixty days of the date the determination or decision being appealed is filed in the Zoning Department or office of the Administrator (except where otherwise specified in this Ordinance); or
  - b. Thirty days of the date the notice of violation being appealed is issued.
- 3. Administrative Appeal Review Procedure.
  - a. Appeals. Appeals to the Board concerning interpretation or administration of this Ordinance may be taken by any person or government entity aggrieved or by any officer or bureau of the legislative authority of the County affected by any decision of the Director. An appeal shall be filed with the Administrator and with the Board of Zoning Appeals; such notice of appeal specifying the grounds upon which the appeal is being taken. The Administrator shall transmit to the Board all the papers constituting the record upon which the action appealed was taken.
    - 1) The appellant shall submit an administrative appeal application within ten (10) days of the Director's decision along with the required supporting information. Supporting information shall include, but not be limited to, the following:
      - a) Original Submittals. Copies of all materials upon which the decision being appealed was based.
      - b) Written Decisions. Copies of any written decisions that are the subject of the appeal.