

Notice of Public Hearing

Proposed Amendment of Unified Development Ordinance

The merger of General Ordinances 2021-22, 2021-26, 2022-02, 2022-19, 2022-23, and 2022-24, and approval of the Redline UDO

Notice is hereby given in compliance with Indiana Code 36-7-4-604 that the Plan Commission of Noble County will hold a Public Hearing to consider and potentially vote to revise and amend the text of the Noble County Unified Development Ordinance (UDO) at the Plan Commission meeting scheduled for January 17, 2024, at 7:00 pm.

The hearing will be held in the Noble County Annex, 109 North York Street, Albion Indiana. Geographical area affected by the proposed amendments: All of Noble County, Indiana.

The entire UDO document was reviewed by Hometown Initiatives for the purpose of creating a Redline version of the UDO, incorporating all amendments adopted from the date effective of January 1, 2013, until January 2024, which also included the adjustment of language for clarity of intent and consistency throughout the entire document, as well as the addition/merger of the Commissioner-approved Ordinance from 2020-2024. Approval of the Redline UDO will include the adoption of a new revision of the Unified Development Ordinance.

General Ordinances 2020-31, 2022-02, and 2023-02 were incorporated into Articles 2, 5, 9, and 11 as they were approved, with the addition of clarity.

General Ordinances 2021-22, 2021-26 & 2021-26 amended, 2022-19, 2022-02, 2022-23, 2022-24, regarding solar, are all being incorporated into articles 1, 3, 5, 9, 10, and 11. Amendments and clarification to these adopted ordinances include:

3.01 Overlay District name change from Commercial Solar Energy System Overly (CSES) to Commercial Solar Overlay (CSO)

Surety – Amended to add clarification to Surety at the request of the Commissioners:
“Provider: The provider of the surety shall be (i) if a surety, a company listed in the latest version of “Companies Holding Certificates of Authority as Acceptable Sureties on Federal Bonds and as Acceptable Reimbursing Companies,” or (ii) If a letter, a bank with an “A3” or a high rating from Moody’s Investor Service, Inc., or a comparable rating from Standard & Poors”

New, defined for clarity: 9.10 G.2 Minor Amendments: Amendments to approved Development Plans Solar Energy System which do not involve an increase in height, acreage, or intensity of the solar energy system; do not involve a smaller setback; do not involve additional parcels; or do not involve the addition of driveways or access points shall be considered minor amendments. Requests for approval of a minor amendment shall be made in writing to the Zoning Administrator and considered for approval by the Plan Commission

at a regular meeting at least sixty (60) days after the minor amendment request is submitted to the Zoning Administrator.

New, defined for clarity: 9.10 G.3 Major Amendments: Amendments to approved Development Solar Energy System which involve any increase in height, acreage, or intensity; involve smaller setbacks; involve additional parcels; involve addition access or driveways; or are determined by the Zoning Administrator to have the potential to impact the purpose or intent of the development or area or if the Zoning Administrator believes additional review is necessary, the applicant shall be required to file a new application for Development Plan Solar Energy System to the Development Plan Committee. Once found favorable, a new application shall move forward to the Plan Commission for Public Hearing and decision.

Participating Property and Non-Participating Property Definitions: adjusted definitions to include Commercial Solar Energy Systems (Commercial Solar Overlay) and Utility Grade Wind Turbine Systems (Wind Farm Overlay).

Waste Management Plan Definition: Adjusted wording for a clearer definition.

Upon review of the Redline UDO, additional amendments are as follows:

1.17 Establishment of Overlay Districts: Airport Compatibility Overlay and Wellhead Overlay Districts will be removed and replaced by Commercial Solar Energy System Overlay and Wind Farm Overlay Districts.

“Raising of Farm Animals” will be removed and replaced by “Livestock Operations”; setbacks and number of animals were adjusted. Areas affected include Articles 2, 5, and 11.

5.13 “Animal Density” Standards changed to “Livestock Operations” Standards.

5.13.B.1: *Adjoining Lots*: Setbacks of 100’ changed to 150’

11.2 Removed “Raising of Farm Animals”. The numbers in “Livestock Operations” were adjusted to reflect 100 cattle other than dairy cows, changed from 150; to 1,200 ducks, laying hens, or chickens, each changed from 7,500.

2.05 A2 - Agricultural Commercial: Added to Permitted Uses “dwelling, single-family detached”

2.22 LR - Lake Residential Development Standards: Removed wording from Minimum Waterside Setback for clarity – see Lot, infill.

5.35 Kennel Standards, A. Project Applicability: Removed “dog”.

5.56.B.5, Setback Standards: adjusted language regarding the use of tracts in combination.

5.56.C.11: *Residential Storage Tanks*: To reflect out of the ROW and permitted in the front yard when it is opposite the waterside in Lake Residential Zoning.

11.02 Definitions - Places of Worship: adjusted to include schools, parish churches, and parish homes.

Penalties The proposed text amendments do not change any penalty or forfeiture provisions in the Unified Development Ordinance.

Copies of the complete text changes to the Noble County Unified Development Ordinance are available for review at the Plan Commission Office during Office Hours of Monday-Friday 8:00 A.M. to 4:00 P.M., and online at www.noblecountyplanning.com.

Written objections may be filed with the Plan Commission Secretary no later than 12:00 P.M. on January 17, 2024, and will be considered at any hearing. Oral comments will be heard at any scheduled hearing in accordance with the hearing rules of the Plan Commission.

The public hearings may be continued from time to time as may be found necessary by the Plan Commission.

Approval or disapproval of the Plan Commission's recommendation will be heard by the Noble County Board of Commissioners to be held on January 22, 2024, at 9:30 A.M. in the Noble County Annex, 109 N York St Albion, Indiana.

Kassandra Slain
Administrative Assistant
Noble County Plan Commission