

STATE OF INDIANA
BEFORE THE BOARD OF CLARK COUNTY COMMISSIONERS

ORDINANCE NO. 34-2024

**AN ORDINANCE APPROVING TEXT AMENDMENTS TO THE
UNIFIED DEVELOPMENT ORDINANCE (“UDO”) ON RECOMMENDATION
BY THE CLARK COUNTY PLAN COMMISSION**

WHEREAS, the Board of Commissioners of Clark County, Indiana (the “Board”), is the executive body of Clark County Government pursuant to the provisions of Ind. Code § 36-2-2-2; and,

WHEREAS, the Board is also the legislative body of Clark County Government pursuant to the provisions of Ind. Code 36-1-2-9; and,

WHEREAS, the Clark County Plan Commission has advisory authority regarding zoning pursuant to Ind. Code 36-7-4, *et al*; and,

WHEREAS, on the 13th day of November, 2024, the Clark County Plan Commission passed Resolution 19-2024, (see the said Resolution 19-2024 attached hereto as **Exhibit “A”**) to amend the text of the Unified Development Ordinance (“UDO”) as identified in the said Resolution.

NOW, THEREFORE, BE IT ORDAINED by the Board of Clark County Commissioners as follows:

1. That the Clark County Plan Commission Resolution 19-2024, dated November 13th, 2024, as attached hereto, is hereby approved, and the text of the Unified Development Ordinance (“UDO”) is amended pursuant to the attached Resolution (**Exhibit “A”**).

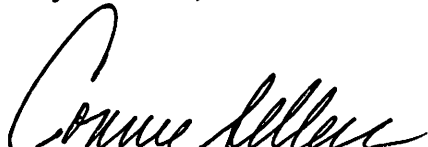
2. This Ordinance shall be in full force and effect upon its passage and promulgation as evidenced by the affirmative signatures of the undersigned as the majority of the duly elected and serving members of this Board.

So Ordained this 21st day of November, 2024.

Members voting "YES":



Bryan Glover, Commissioner



Connie Sellers, Commissioner



Jack Coffman, Commissioner

Members voting "NO":

Bryan Glover, Commissioner

Connie Sellers, Commissioner

Jack Coffman, Commissioner

Attested by:



Danny Yost, Clark County Auditor

BY THE CLARK COUNTY PLAN COMMISSION

PC RESOLUTION

19 - 2024

A RESOLUTION FOR A TEXT AMENDMENT TO THE 2020 UNIFIED DEVELOPMENT ORDINANCE (“UDO”) TO CLARK COUNTY BOARD OF COMMISSIONERS

WHEREAS, the Clark County Plan Commission (Plan Commission) pursuant to Ind. Code 36-7-4-600 et seq., has identified a need to amend the text of the current Clark County Unified Development Ordinance (UDO) and,

WHEREAS, the Plan Commission, caused to amend the text of the Clark County UDO drafted for consideration in an effort to make the development laws of the county more efficient and streamlined for the general public; and

WHEREAS, the proposed UDO text amendments were properly noticed pursuant to Indiana law on November 1, 2024 and were available for inspection until the public hearing;

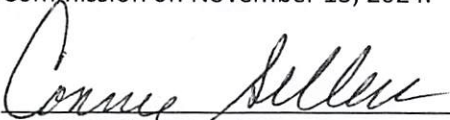
WHEREAS, on the 13th day of November, 2024, the Plan Commission conducted a public hearing, for which the public was invited, to consider certification of the UDO text amendment to the County Commissioners.

WHEREAS, THE Plan Commission heard the presentation and relevant evidence presented by the general public and the objections, comments, remonstrations and other relevant information presented by those in attendance at the hearing, if any, and deliberated on such evidence in a public hearing; and

WHEREAS, after considering and paying reasonable regard to the matters set forth in I.C. 36-7-4-603 and all public comments, the Plan Commission has given a favorable recommendation to those amendments attached and incorporated herein.

NOW, THEREFORE, BE IT RESOLVED BY THE Plan Commission a favorable recommendation and certification of the Clark County UDO text amendments, attached hereto and incorporated herein, to the County Commissioners for the amendment of the current Clark County UDO is hereby made.

I hereby certify that this is a true and correct copy of the Resolution passed by the Clark County Plan Commission on November 13, 2024.



Connie Sellers, President



Eric M. Wise Executive Director



EXHIBIT A

Amend subsection c. Solar Energy System (SES), Commercial. Subsection ii Development Standards, Commercial SES Subsection c Ground Cover by deleting subsection c(1)(c) which reads:

- c. No insecticide use is permitted on the site. This provision does not apply to insecticide use in on-site buildings, in and around electrical boxes, spot control of noxious weeds, or as otherwise may be deemed necessary to protect public health and safety.

Amend subsection c. Solar Energy System (SES), Commercial. Subsection ii Development Standards, Commercial SES by deleting subsection (d) Fencing and replacing with the following:

(d) Fencing.

- 1 **Fence Required.** The project owner shall completely enclose all areas used for the Commercial SES, including any structure, component, or electrical device, with fencing that is at least five (5) feet high. Fencing is in addition to any required screening. Detention basins and drainage swales are excluded from fencing requirements.
- 2 **Fence Materials.** Barbed wire designs for perimeter fencing are prohibited. Chain link fences and wildlife- friendly fencing such as woven wire installed 6-12 inches above grade are permitted.
- 3 **Wildlife Corridors.** If more than one thousand (1000) acres of contiguous area is enclosed within a single fence, a wildlife corridor shall be provided that meets all of the following standards:
 - a Have a width of at least fifty (50) feet but no more than two hundred (200) feet;
 - b Be maintained in a natural state or re-established with vegetation (including ground cover, shrubs, and trees) if necessary; and
 - c Be unobstructed (other than vegetation or natural features) and cannot include any structures.