

**RESOLUTION: 2024 – R –7  
ORDINANCE: UDO – 93  
AN ORDINANCE AMENDING THE  
DEKALB COUNTY UNIFIED DEVELOPMENT ORDINANCE**

WHEREAS, The General Assembly of the State of Indiana granted powers to the counties to adopt unified development ordinances for their jurisdiction according to IC 36-7-4-600 series; and

WHEREAS, The County of DeKalb, Indiana adopted the DeKalb County Unified Development Ordinance which became effective on January 1, 2009, and has had subsequent amendments to the DeKalb County Unified Development Ordinance; and

WHEREAS, The General Assembly of the State of Indiana granted powers to counties to amend the zone ordinance map according to IC 36-7-4-608. And Section 3.13 B(1)(a & b) of the DeKalb County Unified Development Ordinance allows for the amendment of said Ordinance; and

WHEREAS, The DeKalb County Plan Commission, in accordance with law, held a public hearing on August 28, 2024 and considered the overlay district amendment to the Commercial Solar Energy Systems Overlay District petition for the inclusion of approximately 872 acres on properties generally located in Wilmington Township: south/southwest of Butler, Indiana; and

WHEREAS, The DeKalb County Plan Commission did certify an unfavorable recommendation for the Commercial Solar Energy Systems Overlay District amendment to the DeKalb County Board of Commissioners; and

WHEREAS, The DeKalb County Board of Commissioners believe there is \_\_\_ is not  merit in amending the Ordinance, in order to promote the public health, safety, comfort, morals, convenience and general welfare of the community; now therefore, be it

ORDAINED by the DeKalb County Board of Commissioners of DeKalb County, Indiana, as follows:

SECTION 1: That the DeKalb County unified Development Ordinance be \_\_\_ not be  amended according to the amendments, as follows:



**LOCATION MAPS:**

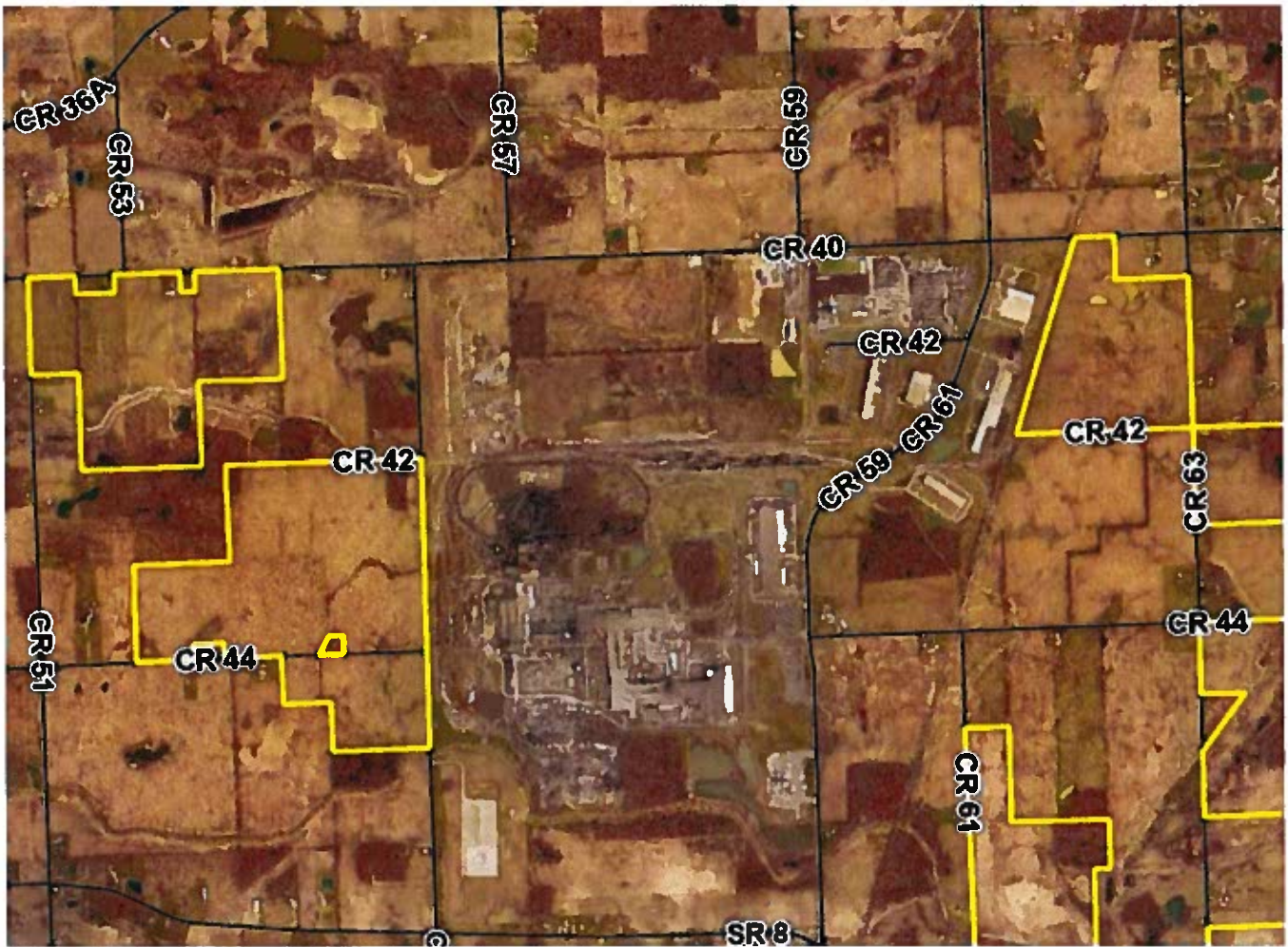


Yellow Outline: Proposed CSES Overlay District Boundary (872 acres)

Red Outline (Thick): County Boundaries

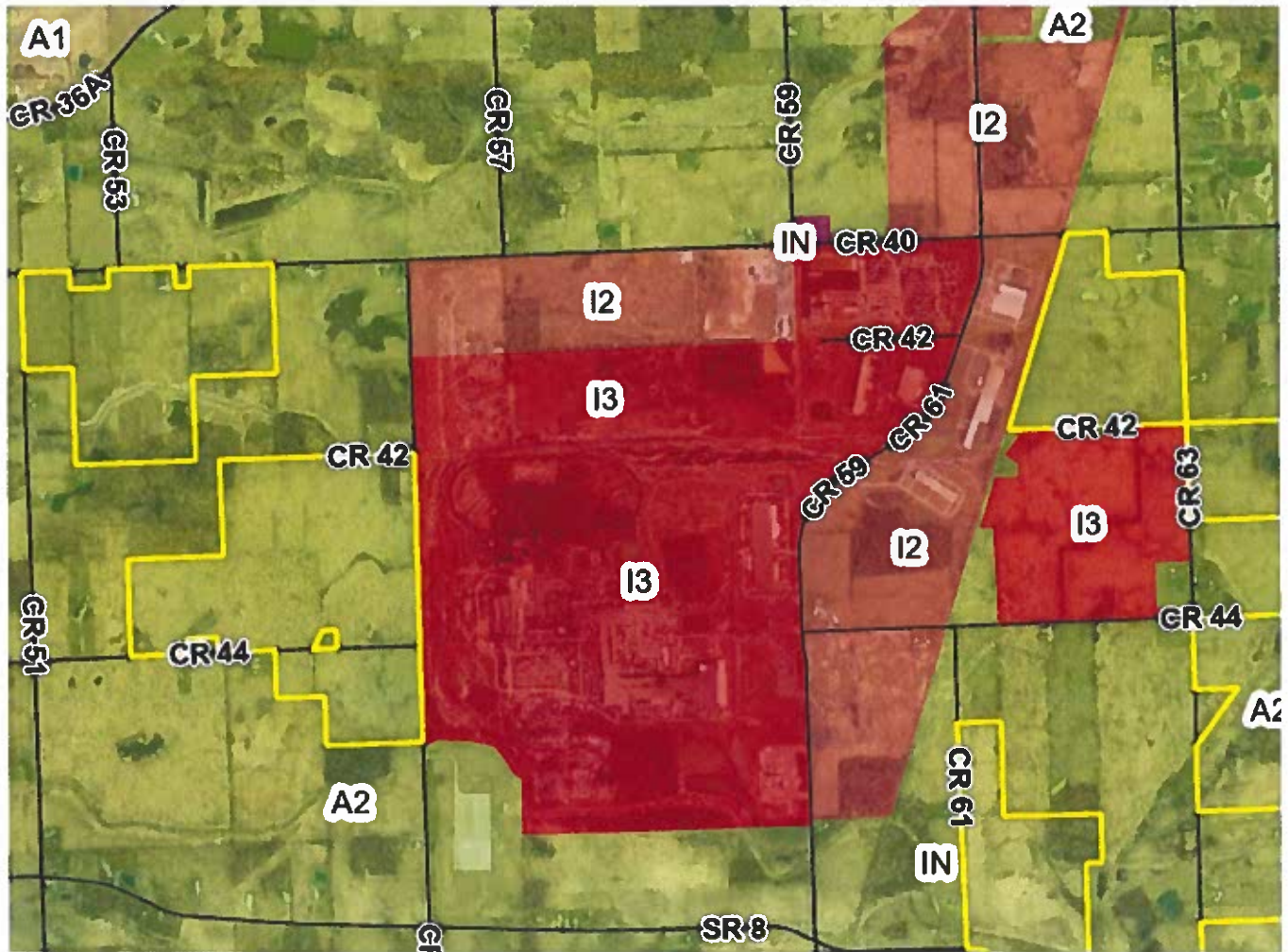
Red Outline (Thin): Municipal Boundaries





Yellow Outline: Proposed CSES Overlay District Boundary (872 acres)

**EXISTING ZONING MAP:**



A1: Conservation Agriculture

A2: Agricultural

I2: Low-Intensity Industrial

I3: High-Intensity Industrial

IN: Institutional

Yellow Outline: Proposed CSES Overlay District Boundary (872 acres)

SECTION 2: That this amendment be \_\_\_ not be  in full force and effect upon its passage by the DeKalb County Board of Commissioners.


SECTION 3: Indiana Code 36-7-4-606 requires the legislative body to adopt, reject or amend the proposal from the Plan Commission.


If adopting the Plan Commission recommendation, the Ordinance takes effect immediately.

If rejecting the Plan Commission recommendation, the Commissioners must send the proposal back to the Plan Commission and shall state their reason to the Plan Commission.

If amending the Plan Commission recommendation, the Commissioners shall send the amendment back to the Plan Commission.

*DULY PASSED, ORDAINED AND ADOPTED* on this 9<sup>th</sup> day of September 2024, by the County Commissioners of DeKalb County, Indiana by a vote of 3-0 in adopting and \_\_\_\_\_ in rejecting and \_\_\_\_\_ in amending the Plan Commission recommendation from page 1.

  
\_\_\_\_\_  
William L. Hartman, President

  
\_\_\_\_\_  
Michael N. Watson, Vice President

  
\_\_\_\_\_  
Todd R. Sanderson, Vice President

  
\_\_\_\_\_  
Attest, Susan Sleeper, Auditor

Prepared by: Christopher Gaumer "I affirm under the penalties of perjury, that I have taken reasonable care to redact each social security number in this document, unless required by law."

**A DEKALB COUNTY PLAN COMMISSION  
CERTIFICATION TO THE COUNTY COMMISSIONERS:  
AN AMENDMENT TO THE  
COMMERCIAL SOLAR ENERGY SYSTEMS OVERLAY DISTRICT  
LOCATED IN WILMINGTON TOWNSHIP:  
SOUTH/SOUTHWEST OF BUTLER, INDIANA**

WHEREAS, The General Assembly of the State of Indiana granted powers to the counties to adopt zoning ordinances and zone maps for their jurisdiction according to IC 36-7-4-600 series; and

WHEREAS, DeKalb County adopted the DeKalb County Unified Development Ordinance which became effective on January 1, 2009; and

WHEREAS, The General Assembly of the State of Indiana granted powers to counties to amend the zone ordinance map according to IC 36-7-4-608. And Section 3.13 B(1)(a & b) of the DeKalb County Unified Development Ordinance allows for the amendment of said Ordinance; and

WHEREAS, The DeKalb County Plan Commission, in accordance with law, held a public hearing on August 28, 2024 and considered the overlay district amendment to the Commercial Solar Energy Systems Overlay District petition for the inclusion of approximately 872 acres on properties generally located in Wilmington Township: south/southwest of Butler, Indiana; and now, therefore be it be

*RESOLVED*, That in accordance with IC 36-7-4-605 and Section 3.13 B(1) (a & b) of the DeKalb County Unified Development Ordinance, the DeKalb County Plan Commission certifies with a        favorable,   ✓   unfavorable,        no recommendation for the attached overlay district amendment to the Commercial Solar Energy Systems Overlay District to the County Commissioners of DeKalb County, Indiana.

Certified this 28<sup>th</sup> day of August 2024.

DEKALB COUNTY PLAN COMMISSION:

  
\_\_\_\_\_  
Signed  
DeKalb County Plan Commission Official

JASON CARNAHAN  
\_\_\_\_\_  
Print

William Van Wye  
\_\_\_\_\_  
Signed  
DeKalb County Plan Commission Official

William VanWye  
\_\_\_\_\_  
Print

Meredith Reith  
\_\_\_\_\_  
Attest, Secretary  
DeKalb County Plan Commission

Meredith Reith  
\_\_\_\_\_  
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