

**MEMORANDUM OF THE
CODE DEVELOPMENT COMMITTEE
FEBRUARY 16, 2018 3:00 P.M.**

The meeting began with an overview from Jon Gotz of the role of the Soil and Water District in managing and promoting soil conservation and water quality in Whitley County. He explained current State regulations and the general permitting required. He also discussed and answered questions regarding the future possibility for Whitley County to be a part of the MS4 program and what that would involve, including funding. The use of filter strips was also discussed.

Mr. Bilger reviewed the feedback he had received from the Committee members regarding the four code framework options that were presented at the previous meeting. He explained that the majority recommended Option A, which is to revise the existing overlay as a permanent option, making modifications/updates to the Comprehensive Plan, which may also include the protection of prime agricultural land, along with Option B, which would make some changes to development standards. He explained that the consensus also was to modify the current overlay in regards to how residential is handled. He proposed requiring major subdivisions be rezoned out of AG, as they are currently permitted. He explained that the process would be taking an incremental approach and that continued research would be necessary as well as considering current pending court cases, particularly dealing with reciprocal setback standards.

There was some discussion regarding appropriate public notification of the proposed ordinance changes as well as grandfathering in this situation. It was suggested that in this case, notification may need to be extended past what is required.

Mr. Bilger discussed the revised comparison matrix of surrounding counties. The Committee discussed the various CFO requirements of those counties and what may or may not be appropriate for Whitley County, as well as what is currently required at the State level. Some aspects of those codes that were discussed as possible development standards included:

1. Special Exception for all CFOs, even those under 1200 animal units, and the disadvantages and advantages to this requirement.
2. Appropriate setbacks of CFOs from the various types of waterways and the feasibility of such requirements.
3. What requirements, such as a type of driveway requirement, would be necessary relating to transportation.
4. The possibility and appropriateness of disclosing ownership. On the same basis, this might apply to other types of development as well, such as major subdivisions or industry.
5. Time limits on manure spreading and incorporation.

There was a discussion regarding scheduling a small group work session on the 23rd to review the specifics of the suggested standards. Three to four volunteers were taken at that time.

[After the meeting, a majority of the committee volunteered to attend the “small group” meeting, which would require notices. Since the time frame for presenting a code to the Plan Commission

has been clarified, this meeting was cancelled in favor of the regularly scheduled full Committee meeting date on March 2nd.]

The meeting concluded at 4:40pm.

Attendance
February 16, 2018

Committee Members

1. Brad Wolfe
2. Ronda Salge
3. Mark Johnson
4. Scott Werstler
5. Joan Null
6. Doug Wright
7. Pete Eschelman
8. Stanley Crum
9. Emily Studebaker
10. Paul Mills (for John O'Connell)
11. Pat Murphy
12. Elizabeth Deckard

Other Attendees

1. Tom Western
2. Sonya Emerick
3. Brian Emerick
4. Bob Rodocker
5. Nina Rodocker
6. BJ Hohenstein
7. John Meister
8. Tim Dygert
9. Cathy Byrd
10. Kati Dygert
11. Betty Mills
12. Mike Mills
13. Janel Rogers
14. Gene Heckman
15. Dee Saylor
16. Adam Ertel
17. Alayne Johnson
18. Susan Lawrence

Staff Members

1. Nathan Bilger
2. Jennifer Shinabery
3. Jon Gotz