



**ORDINANCE NO. 24-05**

**AN ORDINANCE OF THE TOWN OF PENDLETON,  
MADISON COUNTY, INDIANA, AMENDING  
THE PENDLETON UNIFIED DEVELOPMENT ORDINANCE**

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**WHEREAS**, on August 12, 2021, the Pendleton Town Council, after receiving a favorable recommendation from the Pendleton Plan Commission, adopted Ordinance #21-18, which adopted a replacement Unified Development Ordinance ("UDO") for the Town of Pendleton; and,

**WHEREAS**, during and after the adoption of the replacement UDO, the Pendleton Plan Commission and the Pendleton Town Council have identified several changes to the replacement UDO which better reflect goals and visions of the Town's leadership; and,

**WHEREAS**, after receiving a favorable recommendation from the Pendleton Plan Commission after the Plan Commission conducted a public hearing on March 6, 2024, the Pendleton Town Council desires to adopt the attached Amendments to the Town of Pendleton Unified Development Ordinance which was originally adopted pursuant to Ordinance #21-18.

**NOW THEREFORE IT IS HEREBY ORDAINED** by the Pendleton Town Council that the attached Amendments to the Town of Pendleton Unified Development Ordinance are hereby adopted.

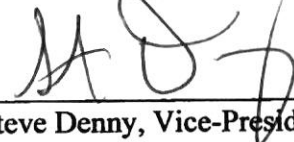
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Passed and adopted by the Town Council of the Town of Pendleton, Indiana, this 11 day of April, 2024.

**TOWN OF PENDLETON, INDIANA, BY ITS TOWN COUNCIL**

Voting Affirmative:

  
\_\_\_\_\_  
Marissa Skaggs, President

  
\_\_\_\_\_  
Steve Denny, Vice-President

  
\_\_\_\_\_  
Jerry Burmeister

  
\_\_\_\_\_  
Bryan Williams

  
\_\_\_\_\_  
Cory Hall

Voting Opposed:

\_\_\_\_\_  
Marissa Skaggs, President


\_\_\_\_\_  
Steve Denny, Vice-President

\_\_\_\_\_  
Jerry Burmeister

\_\_\_\_\_  
Bryan Williams

\_\_\_\_\_  
Cory Hall

ATTEST:

  
\_\_\_\_\_  
Willie Boles  
Clerk-Treasurer

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. /s/ Jeffrey K. Graham

Prepared By:  
Jeffrey K. Graham #26380-29  
GRAHAM, FARRER & WILSON, PC  
Attorneys at Law  
200 E. State Street, Pendleton, IN 46064  
1601 S. Anderson Street, Elwood, IN 46036  
PH: (765) 221-9273 or (765) 552-9878

CATEGORY	PAGE #(S)	PROPOSED AMENDMENT	AGREED UPON AMENDMENT
Beekeeping	Chapter 2 and definitions	<p>Recent State legislation IC 36-1-28-1 has prohibited municipalities from prohibiting beekeeping, but allows them to have reasonable standards for beekeeping. Zones that completely prohibit beekeeping: MF-1/MF-2/I/DB/NB/GB/HB/LI/HL. <b>Make all currently non-permitted zones into conditional use (CU).</b> We also will update the definition in Chapter 10 - Definitions of "Beekeeping" as follows (additions in bold print): BEEKEEPING - No more than 5 hives per allowable beekeeping residences. Odor, noise and unsightly shall comply with the town's applicable ordinances. <b>Beekeeper to conform to standards established by IAC Article 18. Per Title 312 IAC 18-1-7, Sec. 7. "Elements of beekeeping" includes the following:</b></p> <ul style="list-style-type: none"> <li>(1) Bees.</li> <li>(2) Hives.</li> <li>(3) Combs.</li> <li>(4) Combless packages of bees or queens.</li> <li>(5) Beekeeping equipment or appurtenances.</li> </ul>	as written
Subdivision Covenants	155-156	<p>With rentals in subdivisions becoming more prominent, should we add language that says part of the covenants must be establishing rules on rentals? We cannot dictate what those rules are, but that the subdivision must address them in the covenants/by-laws. These topics would need to be addressed: process for rentals to be established, minimum lease length, percentage rentals allowed within subdivision.</p>	as written



**RECOMMENDATION TO THE PENDLETON TOWN COUNCIL  
CONCERNING AMENDING THE PENDLETON UNIFIED  
DEVELOPMENT ORDINANCE**

**CERTIFICATION OF THE PENDLETON PLAN COMMISSION**

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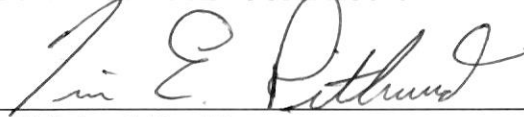
Comes now the Pendleton Plan Commission and submits the following **favorable/unfavorable/neutral** recommendation to the Pendleton Town Council; and

WHEREAS, this Certification is being submitted within ten (10) days after the meeting held by the Pendleton Plan Commission concerning the attached Amendments to the Pendleton Unified Development Ordinance, which Ordinance was originally adopted as Ordinance #21-18.


WHEREFORE, the Pendleton Plan Commission hereby issues this Certification of the attached Amendments, with a **favorable/unfavorable/neutral** recommendation to the Pendleton Town Council.

DATED: March 6, 2024

PENDLETON PLAN COMMISSION

  
\_\_\_\_\_  
Tim Pritchard, President

ATTEST:

  
\_\_\_\_\_  
Carol Hanna, Secretary

Prepared By:  
Jeffrey K. Graham #26380-29  
GRAHAM, FARRER & WILSON, PC  
200 E. State Street, Pendleton, IN 46064  
1601 S. Anderson Street, PO Box 494, Elwood, IN 46036  
Telephone: (765) 552-9878 or (765) 221-9273