STAFF REPORT **(Revised 11-4-2026)**

MADISON COUNTY PLAN COMMISSION
October 13, 2026

Petition Number:	2026-TA-002
Location:	Madison County, Indiana
Owner:	NA
Petitioner:	Madison County Plan Commission (Planning Department)
Request:	Send a favorable recommendation to the Board of Commissioners to adopt this Unified Development Ordinance

This meeting continues the October 13, 2026 public hearing for this petition. The petition was continued to allow time for inclusion of errata comments and from a review from "Claude," an AI tool, as appropriate. These have been done. The response to Claude is submitted as an attachment to this staff report. The UDO can be located on the planning department's website.

Overview

The County engaged with HWC Engineering in March 2025 to develop a Unified Development Ordinance (UDO) for Madison County that updates and combines the 2002 zoning ordinance and subdivision regulations into a single document.

Analysis

The UDO process has involved a combination of review editing and updating on the prior ordinances along with a public outreach effort using focus groups and public meetings at multiple points in the project. The process has been straightforward with extensive feedback from staff and the public at key points in the project. Separate from this UDO, but with placeholders for future inclusion, HWC is working with the county to develop specific ordinances for: Battery Energy Storage Projects, Data Centers, Small Modular Reactors (Nuclear), Carbon Sequestration, and future technologies. Those ordinances will be incorporated into the UDO as they are approved. The consultant will present a power point presentation that is attached.

Energy Issues

As noted above, the energy issues are being addressed in a separate process guided by HWC and a steering committee formed by the Madison County Planning Commission.

Staff Recommendation

Staff has reviewed and worked with the consultant to develop this UDO. Staff recommends the planning commission forward this UDO to the Madison County Commissioners with a favorable recommendation. It should be noted that the UDO can be modified at any time following a public hearing. The changes in this plan will result in cost savings and time savings for residents of the county as well as the staff.

RESPONSE TO CLAUDE REVIEW OF ZONING ORDINANCE

October 28, 2026

Table 1

Actions following up on "CLAUDE" review (From Claude AI report on draft D UDO, October 9, 2026) in email submitted by Elizabeth Hobbs Camperelli dated 10-21-2026).

#	Section (page)	Problem	Suggested fix	Response
1	2.2 / 3.2 (14, 51-54)	Uses are listed both on the district pages and in the Land Use Matrix. The two disagree in at least 13 places (e.g., Hospital is in the matrix but on no district page; Mini-Warehouse is permitted in LI by the matrix but missing from the LI page).	Make the matrix the sole controlling source.	Change noted.
2	2.19 HI (45)	The minimum lot width is 250 ft, but the side setbacks are 200 ft on each side. That leaves –150 ft of buildable width.	Reduce setbacks or apply them only next to residential districts.	No change. The lot width requirement is a minimum.
3	2.19 / 3.2 / 3.12 (44, 53)	HI permits Carbon Capture by right, but the matrix allows it nowhere and 3.12 is [RESERVED].	Remove it from the HI list until 3.12 is adopted.	Change noted.
4	2.7, 2.8 R1/R2 (21, 23)	A note copied from AG sets 10-ft side setbacks for older lots under 2 acres. The standard R1/R2 side setback is 5 ft, so legacy lots end up *more* restricted.	Delete the note.	No change. This is unique to our code and is correct.
5	2.8 R2 (22)	R2 is a "Single-Household" district but permits duplexes, with no duplex standards.	Decide the policy and conform the text.	No change. There is nothing that says a single-household can't live in a duplex.
6	3.2 / 3.8 (52, 89)	The matrix makes residential solar a BZA special use (and bans it in AG/CR). Section 3.8 says rooftop systems are a permitted accessory use everywhere.	Matrix rows should cover ground-mount/primary systems only.	No change. The ordinance addresses this.
7	ADU: 3.3, 4.7, 2.12-2.18	ADUs are permitted in PR, IS, LI and GI, where no dwelling is allowed. The size cap is 75%/1,000 sf in 3.3 but 50% in 4.7.	Limit ADUs to lots with a dwelling; use one size cap.	Change noted.
8	1.19(E) (10)	Nonconforming lots may be built on "only if all development standards are met." That is impossible by definition.	Excuse the lot-size and width nonconformity.	No change. The text is worded as required.

Response to Claude, continued.

#	Section (page)	Problem	Suggested fix	Response
9	1.19(D)(4) / (F)(5) (9-11)	Disaster rebuild rules conflict: one requires conforming rebuilds started within 6 months; the other allows an identical rebuild with no time limit.	Adopt one rule.	No change. One is a structure; the other is a use.
10	4.1(F) (120)	On farms, "dwellings shall be considered accessory structures," so the farmhouse falls under accessory height and setback limits.	Treat the dwelling as a primary structure.	Change noted. (In AG and CR houses will be allowed to be 35')
11	5.3(G) (132)	All single-family dwellings must meet Class A standards, which effectively bans the Class B and mobile homes that the MH district permits.	Exempt MH-district units.	Change noted.
12	5.13(F) (145)	Animal pens must be 50 ft from every lot line. On an 80-ft R1 lot that leaves –20 ft, so the chickens allowed in 5.13(H) can never be housed.	Use a scaled setback for small animals.	Change noted.
13	5.14(G) (147)	"All new developments must connect to public sewer and water," which conflicts with every district that allows wells and septic.	Limit to major developments where service is available.	Change noted.
14	5.17 Table 5-7 (150)	The High Impact district requires **no buffer** next to farms or homes, while Local Commercial requires a Type 3 buffer.	Fill in the HI row.	Change noted.
15	5.21 (164-178)	There are no temporary sign standards. Because any non-exempt sign needs a permit, every real estate yard sign technically requires one.	Add a temporary sign section.	Change noted.
16	6.5(A)(6) / 5.14 / 5.18	Any subdivision with sidewalks or street trees is "major," but 5.14 and 5.18 require both everywhere, so no minor subdivision can exist.	Exempt minor subdivisions.	No change. Minor subdivisions are not a development.
17	6.6(B) (183)	Plat Committee members vote individually in writing outside a meeting, and silence counts as approval. This is likely an Open Door Law problem.	Act at noticed public meetings.	No change. Per county attorney no issue.
18	8.27(A)/(D) (246)	The Plan Commission may waive any Chapter 5 standard, which overlaps the BZA's exclusive variance power.	Limit waivers to subdivision design standards.	No change. The introductory language states what the plan commission can waive.
19	8.11 (225)	Appeals cite "writ of certiorari" under the 1000 series. Indiana now uses judicial review under IC 36-7-4-1600.	Update the citation.	Change noted.
20	9.8 / 9.11 (255-258)	Violation appeals have a 10-day internal review that is "final," but also a 30-day BZA appeal.	Keep the BZA appeal path.	No change. They are different processes.