

**RESOLUTION: 2024 – R – 13  
ORDINANCE: UDO – 97  
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 text of an adopted unified development ordinance according to IC 36-7-4-602 (b), and Section 9.05 of the DeKalb County Unified Development Ordinance allows for the amendment of said Ordinance; and

WHEREAS, The DeKalb County Plan Commission held a public hearing on November 20, 2024, on the proposed textual amendments to the DeKalb County Unified Development Ordinance regarding revisions to:

Article 11: Definitions: Short Term Rentals

Article 2: Zoning Districts: Short Term Rentals

Article 5: Development Standards: Home Based Business

and all other related sections, if applicable;

WHEREAS, The DeKalb County Plan Commission did send a favorable recommendation for the text amendments to the DeKalb County Board of Commissioners; and

WHEREAS, The DeKalb County Board of Commissioners believes there is 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 amended according to the amendments, as follows:

**Definitions (Article 11):**

Short-Term Rental (IC 36-1-24): the rental of a single-family home; a dwelling unit/bedroom in a single-family home; a dwelling unit/bedroom in a two-family or multifamily dwelling; or a dwelling unit/bedroom in a condominium cooperative, or time share for terms of less than thirty (30) days at a time through a short-term rental platform (such as Airbnb). This includes, where permitted, a detached accessory structure, including a guest house, or other living quarters that are intended for human habitation, if the entire property is designated for single-family residential use. This term does not include property that is used for any non-residential use (IE: commercial or industrial buildings or buildings permitted for storage). This does not include Bed & Breakfast Facility, Hotel or Motel uses as defined.

Short-Term Rental, Owner Occupied: property that is the owner's primary residence and is offered to the public as a short-term rental.



Short-Term Rental, Not Owner Occupied: property that is not the owner's primary residence but is offered to the public as a short-term rental.

**Zoning Districts (Article 2):** Add Short-Term Rental, Owner Occupied & Short-Term Rental, Not Owner Occupied as a permitted use to A1, A2, RE, R1, R2, R3, M1, M2, MP

**Development Standards (Article 5):**

5.47: SH-01: Short Term Rentals, General

This Short-Term Rental, Owner-Occupied & Short-Term Rental, not Owner-Occupied section applies to the following districts: A1, A2, RE, R1, R2, R3, M1, M2, MP

The following standards apply:

- A. Permit Required: It shall be unlawful for any property to have a Short-Term Rental, Owner Occupied or Short-Term Rental, not Owner Occupied without first obtaining an Improvement Location Permit from the Zoning Administrator. The Zoning Administrator may require additional information on the permit that meets the requirements of IC 36-1-24-11. Permits shall be renewed yearly, on or around January 1.
- B. Number of Rentals: No more than one short-term rental shall be on a property.
- C. Setbacks: Any short-term rental shall meet the setbacks for a primary structure.
- D. Signage: The property with a short-term rental may have signage no greater than 20 sq. ft.
- E. Address Sign: The property address sign shall be displayed per County Ordinances.

SECTION 2: That this amendment be in full force and effect upon its passage by the DeKalb County Board of Commissioners.

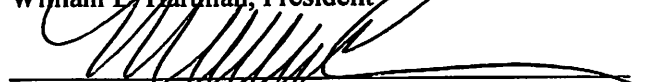
*DULY PASSED, ORDAINED AND ADOPTED* on this 30<sup>th</sup> day of December 2024, by the County Commissioners of DeKalb County, Indiana  
by a vote of, 3 in adopting and/or \_\_\_\_\_ in rejecting and/or \_\_\_\_\_ in amending, the Plan Commission recommendation.

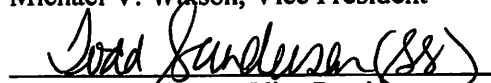
If adopting, the Ordinance takes effect immediately.

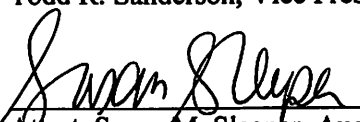
If rejecting, the Commissioners shall state their reason to the Plan Commission.

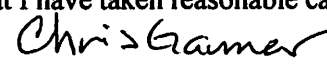
If amending, the Commissioners shall send an amendment back to the Plan Commission.

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

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

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

  
\_\_\_\_\_  
Attest, Susan M. Sleeper, Auditor

Prepared by: Chris 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 OF A PROPOSED TEXTUAL AMENDMENT TO THE  
UNIFIED DEVELOPMENT ORDINANCE TO THE  
DEKALB COUNTY COMMISSIONERS:**

**Article 11: Definitions: Short Term Rental;**

**Article 2: Zoning Districts: Short Term Rental;**

**Article 5: Development Standards: Short Term Rental**

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 text of an adopted zoning ordinance according to IC 36-7-4-602(b), and Section 9.05 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 November 20, 2024 and did consider the textual amendments to:

Article 11: Definitions: Short Term Rental;

Article 2: Zoning Districts: Short Term Rental;

Article 5: Development Standards: Short Term Rental;

And various minor revisions necessary to make these amendments (IE: page numbers, section numbers, etc.)


in the DeKalb County Unified Development Ordinance;

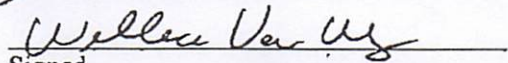
and now, therefore be it

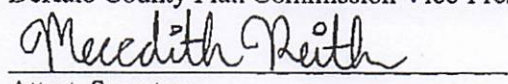
**RESOLVED**, That in accordance with IC 36-7-4-605, the DeKalb County Plan Commission certifies with a X favorable, \_\_\_\_\_ unfavorable, \_\_\_\_\_ no recommendation for the attached text amendment(s) to the County Commissioners of DeKalb County, Indiana.

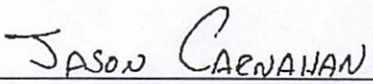
Certified this 20 day of November 2024.

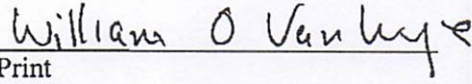
DEKALB COUNTY PLAN COMMISSION:

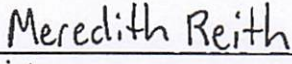
  
Signed  
DeKalb County Plan Commission President

  
Signed  
DeKalb County Plan Commission Vice-President

  
Attest, Secretary  
DeKalb County Plan Commission

  
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