

**COMMON COUNCIL OF THE CITY OF HOBART, INDIANA**  
**Ordinance No. 2017- 08**

**An Ordinance Amending the Municipal Code of the City of Hobart  
Concerning Site Plan, Tree Preservation and Landscaping**

WHEREAS, the Common Council (“Council”) of the City of Hobart, Indiana (“City”) has been informed that there is a need to regulate Site Plan, Tree Preservation and Landscaping within the City; and

WHEREAS, the Hobart Plan Commission has requested a specific rule to be embodied in an ordinance included in the Hobart Municipal Code amending Site Plan, Tree Preservation and Landscaping; and

WHEREAS, the Council through this Ordinance, to address these matters legislatively and to spread same upon the public record.

THEREFORE, BE IT ORDAINED by the Common Council of the City of Hobart as follows:

*SECTION ONE.* The Municipal Code of the City of Hobart (“Code”), in Chapter 154 entitled “ZONING,” is hereby amended by striking out subsection (C) of §154.424, entitled “REVIEW FACTORS,” and inserting in lieu thereof the following new subsection:

*(C) Utility impact.*

- (1) The utilities servicing the development must have sufficient current and potential capacity.
- (2) The potential benefits of over sizing for future use must be weighed against cost.
- (3) The development shall not have an adverse effect on the downstream storm water outlet.
- (4) The off-site utilities must be installed consistent with the capital improvements program.
- (5) All developments must result in a storm water management system which simulates the pre-developed condition, or better.
- (6) Pond design and placement shall be regionalized when possible, but otherwise shall result in an aesthetically pleasing architectural amenity.
- (7) Utility location shall result in maximizing maintenance access and avoiding backyard or side yard locations.

(8) No large-scale development shall occur which is reliant on individual septic systems.

(9) When developments are phased, each phase must be viewed as the last phase, and shall therefore not rely on any future phase in order to satisfy the provisions of this policy.

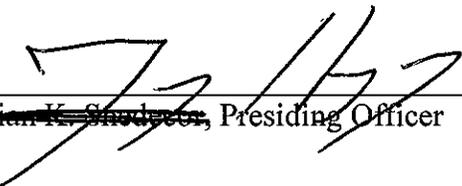
(10) All utilities, except power transmission lines, shall be installed underground

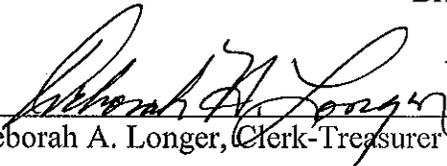
(11) All wireless communication facilities and services shall comply with SECTIONS 154.395 through 154.411 of the Hobart Municipal Code.

*SECTION TWO:* This ordinance shall become effective upon its adoption in the manner required by law, and upon publication thereof pursuant to I.C. §36-3-4-6-14(b) in two newspapers of general circulation published within the City pursuant to I.C. §5-3-1-4 (a).

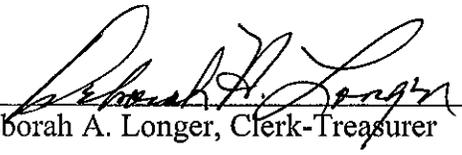
*SECTION THREE:* All ordinances or portions thereof in effect prior to the effective date and in conflict with the provisions of this ordinance are hereby repealed.

ALL OF WHICH is PASSED and ADOPTED by the Common Council of the City of Hobart, Indiana on this 7<sup>th</sup> day of JUNE, 2017.

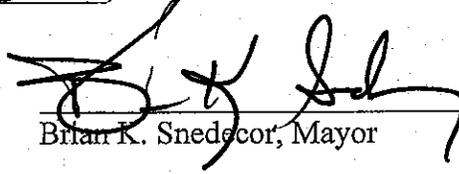
  
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~~Brian K. Shuddecocker~~, Presiding Officer

ATTEST:   
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Deborah A. Longer, Clerk-Treasurer

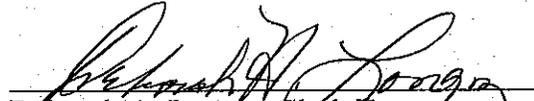
PRESENTED by me to the Mayor of the City of Hobart on the 16<sup>th</sup> day of JUNE, 2017 at the hour of 9:00 AM.

  
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Deborah A. Longer, Clerk-Treasurer

APPROVED, EXECUTED and RETURNED by me to the Common Council of the City of Hobart on this 19<sup>th</sup> day of June, 2017.

  
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Brian K. Snedecor, Mayor

ATTEST:

  
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Deborah A. Longer, Clerk Treasurer