



Minutes

November 4, 2021

Tipton County Plan Commission

The Tipton County Plan Commission held its regularly scheduled meeting on Thursday, November 4, 2021, in the 1st floor meeting room of the Tipton County Courthouse, 101 East Jefferson Street, Tipton, Indiana.

President Jason Henderson called the meeting to order at 6:00 p.m.

Roll Call

Members in attendance: Jason Henderson, Tracey Powell, Carroll CoHee, Gary David, Kim Nunemacher, Jovon Rayl, and Mike Dollens (City Liaison).

Members absent: Matt Tebbe, Jim Purvis, and Grant Dunn.

Staff in attendance: Steve Niblick, David Langolf Smith and Judy Coker.

Staff absent: None.

Modifications to agenda

None.

Minutes of October 7, 2021

Tracey Powell made a motion to approve the minutes of October 7, 2021, as presented; seconded by Carroll CoHee. Motion carried 6-0.

Public Hearings

None.

Reports

a) Staff Reports

Steve Niblick presented the permit report for October. Judy Coker presented the complaint report for October.

b) PUD Discussion

Steve Niblick provided an overview of what a Planned Unit Development zoning district is, and how and why a PUD is formed through the Tipton County Zoning Ordinance. Steve Niblick also explained state statute concerning how PUD zoning districts are formed.

Jason Henderson asked if a PUD allows for adjustment to setback lines, density, and design standards. Steve Niblick explained that our ordinance states that Planned Unit Development districts may adopt regulations approving smaller lot sizes, lesser setbacks, and a variation of other standards set by the zoning code. Steve Niblick explained that the Plan Commission would provide a recommendation of favorable, unfavorable, or no recommendation to the Commissioners for adoption. Steve Niblick explained that, unlike a typical rezoning, after the

Commissioners approve a Planned Unit Development district, the ordinance would come back to the Plan Commission for secondary approval.

Jason Henderson asked if PUD is limited to only residential. Steve Niblick responded that a PUD is typically a mixed-use type of development with commercial, single family, and multi-family and/or duplex housing. Jovon Rayl stated that West Lafayette uses this zoning district frequently for multi-story residential and mixed-use development. Jovon Rayl explained that a PUD allows for specific design standards and allows for design criteria to be built directly into the PUD.

Steve Niblick explained that once a Planned Unit Development district is established, the Plan Commission would then move on to the platting process through a major subdivision. Steve Niblick stated that a major subdivision is a two-step process that starts with a public hearing for the initial plat with details in front of the Plan Commission. Once that is approved, the developer would come back with a secondary plat that would include construction plan and a lot more details. Steve Niblick stated that this may or may not come in front of the Plan Commission because it could be approved by the Plan Review Committee, depending on the size of the development. Steve Niblick stated that if the PUD is in the US 31/SR 28 overlay district, there would also need to be a development plan.

Mike Dollens asked if a property is involved in a PUD, can that same property be a part of a different PUD in the future. Mike Dollens asked if a property could be moved from one PUD to another. David Smith stated that this could be done through an amendment. Steve Niblick stated that our ordinance, under Article 6, does have provisions for an amendment.

Carroll CoHee asked what would prompt a PUD, and would a property go through a growing phase where it would need to be rezoned to a PUD. Steve Niblick stated that the County would never initiate a PUD. Steve Niblick stated that a PUD is initiated by a property owner, and the property owner would absorb all the costs associated with establishing the PUD. Jovon Rayl added that once a property is placed in a PUD, it remains in a PUD forever or until the zoning classification changes.

Steve Niblick explains that a PUD eliminates the need for variances. Steve Niblick a PUD addresses a project in its entirety and can address anything from building design features to streetlight design.

Carroll CoHee asked if the specification would have to agree with the county or state. Steve Niblick explained that the PUD could not be anything less than the state requirements, but the PUD would replace the county standards.

David Smith further elaborated on the reason for using a Planned Unit Development, and why the County would allow this zoning district.

Jason Henderson asked if a landowner has the opportunity to request a variance in a PUD, and who would make that decision. Steve Niblick responded that a change would not come through the BZA but would come through the Plan Commission as an amendment. Jason Henderson clarified his question by asking how a property owner would change a simple design feature, like the color of a house, to something that was not permitted inside the PUD. Jason Henderson asked

if this is something that would be addressed by the BZA. Steve Niblick responded that this would not go in front of the BZA and would be addressed in the CCRs as a part of the plat.

Old Business

a) Area Wide Planning Discussion.

Jason Henderson opened the discussion of forming a steering committee to begin the process of forming an Area Wide Plan Commission. Jason Henderson explained what he believed the composition of the committee should be and noted that formal request should be sent to the Commissioners asking for the funding to cover the expense of a consultant.

Discussion ensued concerning the cost of the consultant. Tracey Powell explained that the consultant stated that the more work the steering committee does, the more money the County will save. Tracey Powell noted that the consultant has offered to lower the price by \$25.00 per hour. Tracey Powell advised that the Plan Commission approach the Commissioners with the resolutions from the incorporated towns asking to join an Area Plan, as well as a request for the fund to hire a consultant that could help with the project.

David Smith expressed concerns that the County should obtain multiple proposals for the project. Discussion ensued concerning consultants.

Jason Henderson made the motion to recommend to the commissioners that they hire a consultant to assist in an Area Plan establishment; seconded by Carroll CoHee. Motion carried 6-0.

New Business

a) Bylaw discussion concerning virtual meeting policy

Jason Henderson provided an overview of changes that he would like to see made to the Plan Commission bylaws. Jason Henderson noted that the proposed changes are on the handout and are colored in red. Jason Henderson pointed out that, specifically under Article III in the meetings, it states that hearings and the business of the commission shall be at 7:00 p.m. on the third Thursday. Steve Niblick suggested that the language state that regular meetings will be established annually by the Plan Commission.

Jason Henderson explained the proposed electronic meeting policy. David Smith suggested coordinating this policy with the state statute. David Smith stated that he will research to make sure that the electronic meeting policy complies with state statute.

Jovon Rayl questioned who would run the meeting if the chair and vice-chair are remote. Tracey Powell questioned whether the members who were attending remotely had to attend visually, or could they attend with audio only.

Steve Niblick noted that having an electronic meeting policy would allow for members who could not attend in person to attend and vote, thus, avoiding a 4-1 vote that would result in no action.

Discussion ensued concerning the proposed electronic meeting policy.

b) 2022 Meeting Dates

Steve Niblick presented the proposed 2022 meeting and filing deadline dates for both the County Plan Commission and the Board of Zoning Appeals. Steve Niblick noted that since the holiday schedule for 2022 has not been adopted, the schedule may need to be amended in the future.

After discussion, Jovon Rayl made a motion to approve the 2022 meeting and filing deadline schedule as presented; seconded by Gary David. Motion carried 6-0.

Public Comments

None.

Adjournment

There being no further business, Jovon Rayl made a motion to adjourn the meeting at 6:49 pm; seconded by Tracey Powell. Motion carried 6-0.



President

12-2-21

Date



Executive Director

12-2-21

Date