

I. CALL TO ORDER

The Pendleton Plan Commission (PC) met on March 1, 2023 at 7:00 pm at 100 W State Street, Pendleton, Indiana. The meeting was called to order by Carol Hanna at 7:00 pm.

II. ROLL CALL AND DETERMINATION OF QUORUM

Commission members present in-person were Carol Hanna, Cheryl Ramey-Hunt, Jenny Sisson, and Andrew Holloway. A quorum was established.

Representing the Town in-person were Hannahrose Urbanski Planning Director, Denise McKee Planning and Zoning Administrator, Scott Reske Town Manager. Representing the Town via Zoom was Jeff Graham Town Attorney. Others present: Marissa Skaggs

III. APPROVAL OF FEBRUARY 2023 MEETING MINUTES

Carol Hanna requested a motion to approve the February 2023 Meeting Minutes; motion made by Jenny Sisson, seconded by Cheryl Ramey-Hunt. Roll call taken and all members present voted in favor of the motion. Motion carried.

IV. OLD BUSINESS

V. NEW BUSINESS

A. Vote on possible UDO amendments

- Hannahrose Urbanski presented the proposed amendments to the UD):
 - Extra-territorial Jurisdiction, page 8D: Add language for ET Jurisdiction that the Town may acquire in the future from the County; “or additionally, if/when the Town is granted Extraterritorial Jurisdiction, those areas will be included in the zoning designations as described by this UDO and must adhere to its development standards”
 - DB zoning-land uses, page 41: Upper floor dwelling is conditional; Second story residential is very typical for a downtown mixed-use area; Should likely be permitted use, as long as the unit is 500sqft minimum as necessary by the dev. standards table for DB multi-family and fits all current building codes, access, utility requirements etc.
 - Land Use Matrix and Zoning Tables, page 41 & 243: DB does not permit (by right OR by conditional use) a sit-down restaurant w/o alcohol; likely just been overlooked; should be permitted by right
 - Land Use Matrix and Zoning Tables, page 41 & 243: DB only allows sit down restaurant WITH alcohol by conditional use; this zone allows microbrewery and liquor store by right; permitting this would fit into currently allowable commercial uses
 - Land Use Matrix and Zoning Tables, page 43 & 243: NB only allows sit down restaurant WITH alcohol by conditional use. This zone allows microbrewery and liquor store by right, so permitting this would fit into the currently allowable commercial uses
 - HB Commercial Uses - sit down restaurant w/o alcohol and adult oriented business, page 47 & 243 /244: Land use table allows for both uses; Appendix A Matrix does not show P or CU; proposed revision to sit down restaurant w/o alcohol as permitted and adult oriented business as conditional
 - HB uses, page 47 & 248: Every item listed as a conditional use in HB zoning (EXCEPT for wireless comm. facility, auto and vehicle storage and mini warehouse/storage facility) is listed as PERMITTED in the land use matrix; this goes back as far as the original UDO

document from 9-9-21; all of these conditional uses seem appropriate for permittance in an HB zone when looking at the permitted uses by right; recommended revision to permitted

- Service areas behind front façade and/or rear load only adjacent to arterial or collector road, page 57(C)(2)(b & c): MF-2 is included; proposed to include MF-1
- Building facade design, page 58: section applies to MF, but does not designate MF-1, MF-2, or both; recommended revision to MF-2 only
- Additional regulations for DB architecture, page 61: the historic preservation design guidelines should be mentioned here for any structures/parcels in DB zoning that fall into the Local Historic District (which is currently all of them) and requires HPC approval
- Additional regulations for LOW-DENSITY Residential, anti-monotony standards, page 61: remove "low-density" as not clearly defined
- Anti-monotony criteria, page 62(i): replace "other criteria approved by the Plan Commission that confirms the house is different" with Administrator since PC does not see Secondary Plats or building permits
- RV storage, page 73(iv): add language that speaks to the allowance of RV parking unless "HOA or recorded covenants prohibit such RV parking"
- Landscaping – purpose, page 76(E)(1): add text section "j." - "Invasives. The use of invasive plantings is prohibited. Reference the Tree Care Manual for approved species list"
- Berms, page 90 (i.): change to reflect the highest berm standard of 6ft
- Post sign limits- institutional/Rec & open space/ A1/A-2, page 104: contradicting limits; recommended change to 2 in Table 3.19
- Home occupation permit, page 128: add the referenced necessary permit language to the "procedures" section of Home Occupation"
- Adequate public facilities/infrastructure, page 153: Add "included but not limited to" to "Public facilities and services to be examined for adequacy will include roads, septic/sewerage, well/water service, schools, police, and fire facilities"
- Required covenant language regarding visibility on secondary plats, page 165 (8): include this language in appendix B- "plat languages" regarding ensured safe movement of vehicles and pedestrian
- Findings of facts inconsistent, page 176 (v)((2)): Disapproval of Primary Plat states we must give petitioner a written "findings of fact" within 10 days of hearing, stating why they were denied; however, under primary plat approval, it only says "written notice of approval w/in 10 days" no language about FoF; written transmissions of approval/denial are not considered FoF, and the language needs to be removed from the disapproval section to reflect this
- Findings of facts inconsistent, page 177 (c)(1&2): same FoF issue as stated above for Secondary Plats that are denied
- Findings of facts inconsistent for minor residential subdivisions primary/secondary processes, page 180: same issues for disapproval, this is not a FoF, but just a written notice of the decision and why
- Subdivision waivers – written findings, page 190: change language from FoF to "written determination to be included on the Primary Plat approval form"
- Process chart for zone changes, page 199: "modify. requires PC review" language in the "town council" section of the flow chart (4) needs to be removed; per Jeff Graham this is not a legal option

- Accessory dwelling, page 241 & correlating zoning standard tables: ADU's are allowed by right in A-1, A-2, RR and SF-1, however they are by CU only in SF-2/SF-3/SF-4 and RC. All accessory dwellings have to fit all specific zoning district parameters and ADU standards as set forth in the UDO and by State Builders Code; they must fit access, utility, architecture, lot coverage, parking, size etc. requirements; recommended change to allow these by right in the CU only zones; Accessory Structures (garage/shed etc.) are allowed in all districts, but they have to follow all required standards
- Definitions – microbrewery, definition section: there is currently no definition but is listed as permitted use in some zones; more information will be gathered and refined for a proper definition
- Definitions – truck stop, definition section: there is no definition for truck stop or designated zones where this is permitted/CU; per discussion, recommended for CU in HB/LI/HI; defined as a gas station, usually at the side of a major highway, where truck drivers stop for fuel, and may include a restaurant, sleeping and showering rooms, a store selling basic items, mechanical services, overnight truck parking, etc.
- Scriveners errors, various areas: commas, periods, capitalizations, words switched, spelling errors, page cutoff's, his/hers (replaced with they or their), consistent use of the word "Administrator" etc.

Carol Hanna requested a motion to approve the proposed UDO amendments as discussed, omitting microbrewery for further research. Motion made by Andrew Holloway, seconded by Jenny Sisson. Roll call taken and all members present voted in favor of the motion. Motion carried.

VI. ADJOURNMENT

Meeting adjourned by Carol Hanna at 7:49 pm.

Next meeting April 5, 2023 at 7:00 pm.