

## I. CALL TO ORDER

The Pendleton Plan Commission (PC) met on March 6, 2024 at 7:00 pm at 100 W State Street, Pendleton, Indiana. The meeting was called to order by Tim Pritchard at 7:00 pm.

## II. ROLL CALL AND DETERMINATION OF QUORUM

Commission members present in-person were Tim Pritchard, Kyle Eichhorn, Carol Hanna, Jenny Sisson, Andrew Holloway, Brad Ballentine, Cheryl Ramey-Hunt. A quorum was established.

Representing the Town in-person was Hannahrose Urbanski Planning Director, Denise McKee Assistant Planning Director, Evan McMullen Town Counsel.

Others present: Cody Pratt; Petitioner, Lynne Lawyer of 1163 W US 36

## III. APPROVAL OF February 2024 MEETING MINUTES

**Tim Pritchard requested a motion to approve the February 2024 Meeting Minutes; motion made by Carol Hanna, seconded by Brad Ballentine. Roll call vote taken and all members present in person voted in favor of the motion. Motion carried.**

## IV. OLD BUSINESS

## V. NEW BUSINESS

A. PC03062024-01: 401 S East St. Parcel ID: 48-14-21-204-032.000-013. Proposed rezone of residential use parcel from Institutional to Residential Core Conservancy. Cody Pratt.

Hannahrose Urbanski presented Current Use/Site Detail:

- Zoned: Institutional (I)
- Property is .12 acres
- Currently used as a single-family residential home
- The four parcels to the south are also part of the property, and only contain the driveway
- Home was built c. 1945; Oldest zoning map available (2008) shows this parcel as Institutional
- Petitioner is requesting a Rezone from Institutional (I) to Residential Core Conservancy (RC)

Hannahrose Urbanski provided Staff Analysis

- Has been a residential use since construction in 1945
- Was likely a part of the school property and parceled off but never rezoned to reflect residential
- Rezone is not injurious to public health, welfare of safety
- The surrounding neighborhoods are classified with RC zoning, and this rezone fits the general character of the area
- Structure fits all current setback/lot width requirements for RC. The parcel is 12,000 sqft, which is larger than the maximum size for a newly platted RC parcel (10,000 sqft). However, this is a parcel that was platted well before the new UDO, and while slightly larger than the allowance, does not subtract from the character of the RC district. Many surrounding parcels are larger than 10,000 sqft.

Tim Pritchard opened for Discussion or Questions

- There were none

Plan Commission recommendation, based on Indiana Code and the Town of Pendleton's Unified Development Ordinance, considers the following criteria:

- The Comprehensive Plan
- Current conditions and the character of current structures and uses in each district
- The most desirable use for which the land in each district is adapted
- The conservation of property values throughout the jurisdiction
- Responsible development and growth

**Tim Pritchard made a motion to approve PC03062024-01: 401 S East St. Parcel ID: 48-14-21-204-032.000-013. Proposed rezone of residential use parcel from Institutional to Residential Core Conservancy as presented. Motion seconded by Brad Ballentine. Roll call vote taken and all members present voted in favor of the proposed amendments. Motion carried**

B. Review and vote on possible amendments to the 2021 Unified Development Ordinance

Hannahrose Urbanski presented:

- Beekeeping: Chapter 2 and definitions updates due to new State legislation
  - Make all currently non-permitted zones into conditional use (CU)
  - Update the definition in Chapter 10 - Definitions of "Beekeeping" as follows:  
BEEKEEPING - No more than 5 hives per allowable beekeeping residences; Odor, noise and unsightly shall comply with the town's applicable ordinances; Beekeeper to conform to standards established by IAC Article 18. Per Title 312 IAC 18-1-7, Sec. 7. "Elements of beekeeping" includes the following:
    - Bees
    - Hives
    - Combs
    - Combless packages of bees or queens
    - Beekeeping equipment or appurtenances
- Mechanical Equipment Landscape Standards: Pg 90
  - Screening requirement may be excessive at 15ft in all directions, suggest 5-6ft on front and sides, and no required plantings in the rear, as a wall will already be shielding it on 3 sides.
  - Shrub and tree requirement may be excessive, should consider the safety of requiring planting around a transformer box; plantings are not suggested to be within a 3ft radius minimum on front and sides for safe access by utility services; may be safer to not allow trees at all, and instead only evergreen and deciduous shrubs
  - Possible include other materials besides masonry
  - Discussion regarding location and type of box and requirements; Urbanski to research further
- Subdivision Covenants; Pg 155-156
  - With rentals in subdivisions becoming more prominent, require HOA's to address rentals in their covenants/bylaws, for these topics:
    - process for rentals to be established
    - minimum lease length
    - percentage rentals allowed within subdivision
- Ownership and Maintenance of Open Space; Pg 157

- Previously discussed being a requirement for HOA's to have a maintenance bond in place for open space Best Maintenance Practices of storm features
- Issue addressed in Chap 6; add language for "maintenance plan" in 5.b.
- Additional discussion regarding dissolution of HOA's and potential ordinance requiring an HOA to address maintenance; more research to be done

**Tim Pritchard requested a motion to approve amendments for Bee Keeping and Subdivision Covenants as discussed. Motion made by Carol Hanna. Seconded by Brad Ballentine. Roll call vote taken and all members present voted in favor of the proposed amendments. Motion carried.**

Discussion regarding Gateway Overlay

## **VII. ADJOURNMENT**

Meeting adjourned by Tim Pritchard at 8:02 pm.

Next meeting April 3, 2024 at 7:00 pm.