

The Thorntown Plan Commission met in a special session on August 29, 2022 at 6:00 PM in the Town Hall.

Members in attendance were as follows:

- Don Gray, President – Citizen Member.
- Ben Strong, Vice President – Citizen Member.
- Erick Smith – Citizen Member.
- Frank Clark – Town Employee.
- Shawn McClintock – Council Representative.

Members absent: Nic White – Citizen Member.

Others in attendance: Planning Administrator, Oksana Polhuy; Town Attorney, Amy Nooning; Building Inspector, Jerry Seymour.

President Gray calls the meeting to order at 6:00 PM.

## **OPENING CEREMONIES**

President Gray leads the Plan Commission in the Pledge of Allegiance.

## **DETERMINATION OF QUARUM**

President Gray commences with the roll call and declares a quorum with the members present.

## **AGENDA CONSIDERATIONS**

President Gray asks what should be discussed during this agenda block.

Ms. Polhuy, Planning Administrator, states that this is an opportunity to amend the current agenda. For example, Ms. Polhuy just found out today that the Plan Commission had already voted on Plan Commission's Vice President, and it is Ben Strong, so today's first agenda item can be amended to remove the "election of vice president" from the agenda. This is an example of agenda considerations.

President Gray motions to remove "election of vice president" from the agenda.

## **MINUTES**

President Gray states that there are no minutes for approval. He states that the previous public meeting on August 8<sup>th</sup> was an educational session about planning held by Ms. Polhuy. He states that having Ms. Polhuy here is a huge help for Plan Commission.

## **PUBLIC COMMENT FOR ITEMS NOT ON THE AGENDA**

President Gray asks what should be discussed during this agenda block.

Ms. Polhuy states that if there were members of the public present and they wanted to discuss items not currently on the agenda, this would be the time to do so. The public could request to add

something to the agenda and the Plan Commission would discuss whether it's something within their powers and duties to discuss, and if it is, then decide whether to add it to the agenda.

No members of public were present, so no public comment happened.

## **OLD BUSINESS**

None

## **NEW BUSINESS**

### **ITEM #1. Adoption of Plan Commission Rules and Procedures**

Ms. Polhuy states that her research of town files and conversations showed that Plan Commission most likely hasn't adopted their Rules and Procedures. She states that under the state statute, one of the duties of the Plan Commission is to supervise and make rules for the administration of the affairs of the commission. Ms. Polhuy states that the proposed Rules and Procedures were prepared by the town attorney Ms. Noonung a few years ago and the Plan Commission was supposed to vote on them then. However, there is no record of such vote, so the same Rules and Procedures are presented today. Ms. Polhuy points to the Exhibit that contains Rules and Procedures and goes over some examples of such rules. She asks Ms. Noonung whether the Plan Commission has to strictly follow these rules.

Ms. Noonung states that this document is a living document of the rules that the Plan Commission thinks are appropriate to guide their work. She thinks that the Plan Commission should stick to these rules and if there is a need for a change, the Plan Commission might be able to vote to amend a rule for a particular reason.

Mr. Smith clarifies that the rules need to be followed and any change to the rules should be voted on.

Ms. Noonung replies yes.

Ms. Polhuy states that it is important to stick to the rules. She says that the government should be transparent and trustworthy, and following the same rules and procedures brings public trust in the process. She states that the public knows what to rely on during the public hearing. She states that it is good for the Plan Commission to know what to do and for the public to know what to expect. She states that there is even a section within the Rules and Procedures on orderly conduct during the meeting meant for the public.

Ms. Polhuy states that some sections copy the language from the zoning ordinance, for example, how the public notice should be published, how far in advance, etc.

Ms. Noonung states that this is an example of a rule that Plan Commission cannot change by a simple vote. She states that because it is an ordinance regulation, only the legislative body of the town, the Town Council, can amend this regulation.

Ms. Polhuy points out to the question marks in the table on the second page of the Rules and Procedures under Article 2. Membership. She states that the table summarizes the length of the

term that the members serve. For example, the three members who are town employees or officials can serve as long as they work for the town. She states that the other four members are citizen members who are appointed by the Town Council, but it is not clear how long their initial service term is because there are question marks in the table instead of the time indication. She asks whether it is something that Plan Commission would like to discuss and establish.

Mr. McClintock states that those terms were established in the past and email was sent with the names and initial terms.

Ms. Noonung checks the past bylaws and ordinances to see whether the initial terms were mentioned in those documents. She doesn't find the language specific to the initial terms.

Mr. McClintock states that when the initial terms were established in the past, they were for three and four years to stagger service terms, so that if there was a change of members, it wouldn't be a complete turnover.

Ms. Polhuy asks Commissioners to forward her that email with the initial terms to use them for the table in the Rules and Procedures. She states that the table has two columns: one is for the length of the initial term and one is for the subsequent terms.

Ms. Noonung states that the initial term can be the staggered terms according to the lengths decided on in the past and the following term could be four years.

Ms. Polhuy asks if the Plan Commission members have any questions about the Rules and Procedures before they vote.

President Gray asks what TAC is.

Ms. Polhuy states that it is an abbreviation for Technical Advisory Committee (TAC). She states that Plan Commission can establish such committee by adopting a resolution. She states that TAC should be comprised of the members of different utilities and relevant government officials, so that when a big development project comes in, all parties can review such project and give comments to the applicant to change plans before these plans reach a review at the Plan Commission public hearing. She gives examples of TAC members: a planner, an engineer, utility companies, and county government officials if the project involves county's jurisdiction somehow, and so on.

Mr. Smith asks if TAC members should be picked and codified in advance or if they could be changed/added. He gives an example of a challenging project coming in where some special expertise would be needed, like a nuclear plant or something like that, and it could necessitate a review from an engineer knowledgeable in nuclear engineering. He asks if Plan Commission could hire an engineer with nuclear engineering expertise for review.

Ms. Polhuy states that there are typical members on TAC and that there can be language added about the ability of Plan Commission to add TAC members to the review based on the needs of a specific project. She states that she hasn't written who TAC members are or should be in the proposed zoning ordinance amendments, so this discussion of TAC is helpful for her to figure out how to write it.

President Gray says that he recollects seeing somewhere that the petitioner will be paying for TAC reviews. He asks if it means that the petitioner would pay for nuclear engineer review.

Mr. Smith says that it might have been a bad example.

Ms. Polhuy explains that TAC meetings and reviews happen during regular working hours and people serving on such committee are already paid by their jobs for spending their time on this committee or conducting a review. She states that the reason why TAC fees typically exist is to defray the administrative cost of the town connected with the reviewing and hearing applications, reviewing them, attending meetings, etc. by the town employees or contractors. She states that she added TAC fees to the proposed fees amendment [this amendment is for the Council to review]. She explains the fee structure: the flat fee should cover a certain amount of hours of review and if the engineer goes over these hours, then additional per hour fee is going to be charged. She states that this structure is meant to encourage the applicant to give good plans right away.

**Motion by Vice President Ben Strong, second by Mr. Smith, to approve Rules and Regulations of the Plan Commission with the following amendments: the initial term of citizen members shall be staggered: the initial service term of two citizen members shall be three (3) years, the initial service term of the other two citizen members shall be four (4) years, and the following service term shall be four (4) years for all citizen members.**

**AYES: Don Gray, Ben Strong, Shawn McClintock, Eric Smith, Frank Clark. NAYS: Zero. ABSTAIN: Zero. Motion carries 5, 0, 0.**

There is a discussion of what kind of members, town employees/town officials versus citizen members, the Plan Commission had in the past and has in the present. It is revealed that Mr. White has never showed up to a Plan Commission meeting.

Ms. Polhuy states that if a member of the Commission misses more than three meetings, the Commission can request that the Council removes such a member.

Mr. McClintock states that the town appointees are himself, Frank Clark, and Jerry Seymour. He says that Jerry Seymour first used to be a Citizen Member on the Plan Commission. He states that after he had been employed by the town, Mr. Seymour became a town employee appointee to the Plan Commission, and that is his current role.

Mr. Seymour states that he is not a town employee anymore, but a contracted worker.

Ms. Noonung states that Mr. Seymour cannot serve as a town employee appointee on the Plan Commission, so he technically is not serving on the Commission right now. She asks if he owns property in town.

Mr. Seymour responds yes.

Ms. Noonung suggests to the Commission to request that the Council removes a Citizen Member Nic White due to his absences, declare his position open, and recommend appointing Jerry Seymour as a Citizen Member instead to the Plan Commission instead of Mr. White. She also recommends declaring a vacancy of the town employee/official appointee.

**Motion by Vice President Strong, second by Mr. McClintock, to ask the Town Council to remove Nic White, Citizen Member, from his Commission position because of his constant absenteeism and declare a vacancy in Citizen Member position.**

**AYES: Don Gray, Ben Strong, Shawn McClintock, Eric Smith, Frank Clark. NAYS: Zero. ABSTAIN: Zero. Motion carries 5, 0, 0.**

**Motion by Mr. McClintock, second by Vice President Strong, to recommend Jerry Seymour to the Town Council to fill in a position of a Citizen Member of the Plan Commission.**

**AYES: Don Gray, Ben Strong, Shawn McClintock, Eric Smith, Frank Clark. NAYS: Zero. ABSTAIN: Zero. Motion carries 5, 0, 0.**

**Motion by Mr. McClintock, second by Vice President Strong, to ask the Town Council to declare a vacancy in a position of a town employee/official of the Plan Commission.**

**AYES: Don Gray, Ben Strong, Shawn McClintock, Eric Smith, Frank Clark. NAYS: Zero. ABSTAIN: Zero. Motion carries 5, 0, 0.**

Mr. McClintock brings up a point about the rule that allows removal of a Commissioner if they are absent from three or more meetings. He says that he might not be able to attend several meetings due to his possible travels for work in the future. He states that the Council allows joining the meeting through video conferencing like Zoom.

Ms. Noonung states that the current draft of Rules and Procedures for Plan Commission was developed before the pandemic, so it doesn't have the rules on how commissioners can participate in a meeting through a video call. She recommends adopting such rules in the future as an amendment to the Rules and Procedures.

## **ITEM #2. Election of Officers: Secretary**

Ms. Polhuy states that according to the Rules and Regulations, Plan Commission's administrator shall be their Secretary. She states that she serves as their Planning Administrator so they can vote for Ms. Polhuy to become their Secretary. She adds that the Rules and Procedures already state what Secretary's and Administrator's duties are, so the Plan Commission doesn't have to come up with the duties from scratch.

Mr. Smith wants to clarify whether the scope of Secretary's duties is something that the Town Council agreed to when they signed an on-call planning contract with ms consultants, inc. for Ms. Polhuy to be town's planner. He wants to make sure that the Commission would not be prescribing new duties to Ms. Polhuy beyond the contractual obligations.

Ms. Polhuy states that she is already performing a lot of the duties of the Administrator and Secretary due to the scope of work permitted under the on-call planning contract.

Mr. Smith wants to make sure that addition of Secretary's duties would not be adding on the functions beyond what has been agreed on in the contract.

Ms. Noonung clarifies that the Plan Commission doesn't need to vote on Ms. Polhuy becoming their Administrator. She already is one by the terms of her contract. She states that the Plan Commission needs to vote that their Administrator also serves as their Secretary.

**Motion by Mr. Smith, second by Mr. Clark to appoint Plan Commission's Administrator, Ms. Polhuy, to serve as their Secretary.**

**AYES: Don Gray, Ben Strong, Shawn McClintock, Eric Smith, Frank Clark. NAYS: Zero. ABSTAIN: Zero. Motion carries 5, 0, 0.**

President Gray opens public hearing on item #3.

Ms. Noonung asks if the item was properly advertised.

Ms. Polhuy shows a newspaper with the notice published on August 18, 2022 in the Lebanon Reporter. Mr. Smith also looks at the newspaper to confirm the date and the publication.

**ITEM #3. TEXT-001-2022. Zoning Ordinance Text Amendment.**

*Text Amendment to TCO §150 and §152 to a) the Definitions section, b) the subchapter "Subdivision Control" to reflect the change in the regulating planning government body from "county" to "town", "area plan commission" to "advisory plan commission", and "Council" to "Plan Commission" where appropriate and to update the regulations and reference codes to make this subchapter up-to-date; c) include a subchapter that describes the application procedure for various types of zoning applications (i.e., rezone, planned unit development, development plan, etc.); d) include a subchapter that adds a special zoning district called "planned unit development" with a description of its regulations; e) to remove some zoning standards from chapter 150 and move them to chapter 152; AND to f) restructure some existing zoning regulations and add some necessary development standards.*

Ms. Polhuy, Planning Administrator, starts a presentation on the item. She states that the job of the Planning Commission is to protect the health, safety, and welfare of the community. She says that the main instruments at their disposal to guide their work is a Comprehensive Plan and a Zoning Ordinance. She shows Thorntown's Comprehensive Plan and states that the Comprehensive Plan is a guide of land use development that in general terms describes what kinds of development is preferred in town, where and why. She states that the plan is a guide, and not a law. She states that the Zoning Ordinance, on another hand, is a law that regulates how the development of land and infrastructure happens. She says that the proposed text amendment in the current item #3 is to the Zoning Ordinance of the Town of Thorntown contained in its Town Code under chapters 150 and 152. Ms. Polhuy states that she mentions both documents because the state statute says that when the Zoning Ordinance is amended, the amendment shall be consistent with the Comprehensive Plan.

Ms. Polhuy goes over the procedure of reviewing and adopting the text amendment. She states that the Plan Commission's role in reviewing zoning text amendments is to review them at the public

hearing and give a favorable, unfavorable, or no recommendation to the Town Council. She states that the Town Council, as the legislative body, has the power to adopt or not adopt these amendments.

Ms. Polhuy starts the presentation about the proposed amendments to the ordinance. She states that the state statute requires two things to be present in the zoning ordinance: a) designate the geographic area over which the plan commission shall exercise jurisdiction; and b) incorporate by reference into the ordinance zone maps, as prepared by the plan commission under subsection (e). She states that the first one is needed to make it clear which land falls under Plan Commission's jurisdiction and which one doesn't. She states that the proposed new section 152.03 designates the planning jurisdiction to be the town limits. As for the second point, she states that she hasn't prepared any maps and instead proposes to keep the current zone district description that is present in Thorntown Code and use that as the official zoning map. She states that it has a legal description of the borders of the Business zoning district and then states that the rest of the area inside of Thorntown town limits, but outside of the Business zoning district is considered to be Residential zoning district. She states that this legal description can currently serve as the official zoning map.

Ms. Polhuy states that the state statute says that when the legislative body adopts or amends the zoning ordinance, it shall act for the purpose of 1) securing adequate light, air, convenience of access, and safety from fire, flood, and other danger; 2) lessening or avoiding congestion in public ways; and 3) promoting the public health, safety, comfort, morals, convenience, and general welfare. Ms. Polhuy states that she added these points under the proposed 152.02 Purpose and Intent subchapter and says that this is a typical language in many Indiana zoning ordinances.

Ms. Polhuy states that all other components included in the Zoning Ordinance are optional, but to an extent. She states that they are optional, because the state statute says that the legislative body "may" include the following regulations, so it is a choice. However, she explains that if the local government decides to include certain land use and zoning regulations, then the state might prescribe some minimum standards that the local zoning ordinance shall/must include into its law. For example, if the municipality decides to permit Planned Unit Developments and adopt PUD regulations, then it shall include the minimum standards prescribed by state statute of PUDs (IC 36-7-4-1500).

Ms. Polhuy states that she proposes to repeal a few sections in Chapter 150. Building Regulations, because those sections should be located inside of the zoning regulations. She states that sections 150.105 and 150.106 have legal descriptions of the zoning districts that serve, as was stated before, as the official zoning map of the town. She recommends that these sections be repealed in chapter 150 and added under the zoning regulations in chapter 152.

President Gray wants to clarify if the six repealed sections are going to be moved into chapter 152.

Ms. Polhuy says yes.

Ms. Noonung asks if the only section that remains in chapter 150 is 150.072 Addresses Display Requirements.

Ms. Polhuy says that it's a newly added section to Chapter 150.

Ms. Noonung asks if Exhibit 3 that summarizes Chapter 150 amendments is the restatement of a proposed full chapter 150, or if it's a list of proposed repealed and added sections.

Ms. Polhuy responds that it is a list of repealed and added sections, not a full chapter 150. She adds that the section on Addresses is a newly adopted section in 2017 and is currently located under chapter 152. However, in Ms. Polhuy's opinion, it is better for it to be located under the Building Regulations because it is concerned with fire safety of the buildings. She says that she wanted to make sure that good regulations currently located under chapter 152 do not disappear after its amendment, so she proposes to keep the language about the Addresses, but move to a place within the code where it makes more sense for it to be.

Ms. Polhuy states that chapter 152.99 Penalty will remain intact.

Ms. Polhuy proposes to repeal subchapters 152.01, 152.02, 152.03, 152.15, 152.16 and replace them with new subchapters that are better, more detailed, and follow the logical order of subsections in the newly proposed amended chapter 152. She states, for example, the old ordinance has definitions under subsection 152.01, but the proposed location for the definitions now is subsection 152.09. She says that subsection 152.03 Address is the one that is proposed to be repealed here and moved into chapter 150 as discussed before. She states that the old subsection 152.15-16. Administration is repealed and replaced with several subchapters 152.10-19. Zoning Application Procedures that is a lot more detailed, goes over several kinds of planning applications, or has placeholders for the regulations of some kinds of planning applications.

Ms. Polhuy asks if the Commission members have any questions.

Mr. Smith states that it looks like Ms. Polhuy is shuffling things around, and to do it, she has to repeal a regulation in one place and add it elsewhere.

Ms. Polhuy agrees with his statement.

Ms. Polhuy continues that the current zoning ordinance has two solid chapters 152.30-39 Thoroughfare Plan and 152.50-59 Subdivision Control Regulations. She proposes the following amendments to subchapters 152.30-31: to update the citation to a more up-to-date Boone County's Thoroughfare Plan (2017 instead of 1976), to designate the types of roads within the Town of Thorntown (local, collector, etc.); and to cite Boone County's Thoroughfare Plan's design standards of ROW measurements, lane widths, etc., so that there are some basic standards for new road measurements.

Ms. Polhuy states that she made similar amendments to the Subdivision Control Ordinance by updating citations to the more up-to-date codes for certain standards: road construction standards, drainage, stormwater, and so on. She states that the current Subdivision Control Ordinance includes everything related to the subdivision: general regulations, application procedure, site and design standards, and inspections. Ms. Polhuy proposes to move the application procedure into the new 152.10-19 Zoning Applications subchapter that includes all planning application procedures. She also proposes to separate site and design regulations into a stand-alone chapter 152.70-89. She says that those standards could be applied to a PUD or a big development, so it would be easier to have them as a stand-alone chapter to refer to within the ordinance.

Ms. Polhuy continues that the Subdivision Control Regulations have some language on Variance, but she proposes something more detailed to match the statutory requirements. She states that giving waivers to subdivision control regulations is one power that the Plan Commission has. She states that the Plan Commission cannot grant variances that the Board of Zoning Appeals has jurisdiction over. She states that she kept the section on "Inspections" intact.

Ms. Polhuy asks if anyone has questions so far.

Ms. Nooning states that the current subdivision control ordinance has provision that says that if the lot is split into five or less lots and the new lots front on an existing street, then the subdivision procedure can be simpler for this minor plat than for a major subdivision. She asks if this was preserved.

Ms. Polhuy states that the proposed regulations include a definition of a "Minor Subdivision" and a different procedure for its review and approval than for a "Major Subdivision" and that the review of Minor Subdivision doesn't involve a public hearing. She reads the definition of Minor Subdivision and the review procedure.

Ms. Nooning says that it is good to have this to ensure that small lot splits do not have to go through a full long subdivision procedure with the public hearing.

President Gray talked about a current need for a lot split of one developed residential lot into two residential lots. The Commission, Ms. Nooning and Ms. Polhuy discusses the procedures for this case and conclude that this applicant would need to 1) apply for a minor subdivision to get approval from Plan Commission; 2) then record the split with the county.

Ms. Polhuy continues to talk about the newly added subchapters. She states that subchapters 152.01-09 are general regulations like the title of the Ordinance, its purpose and intent, severability statements, and so on. She points out section 152.08 Non-conforming lots, uses, structures. She says that one of the repealed sections under the Building Code is the one that has the "grandfathered" clause. Ms. Polhuy proposes to replace it with this new subsection explaining that "non-conforming" is the legal term for "grandfathered" things. She states that the proposed section on non-conforming lots, uses and structures is a lot more extensive and detailed. She states that this section clarifies the difference between illegal vs non-conforming, it explains what situations would allow for a non-conformance to continue to exist, what actions would cause non-conformity to turn into illegality, and so on. She wants to make sure to talk about this section because any passed amendment to the Ordinance can potentially cause a property to have a non-conformity, and so it is important to understand what it means.

Ms. Polhuy states that another batch of new regulations is subchapter 152.10-19 Zoning applications and procedures that includes the procedures for all planning types of cases, including subdivision application procedure that already exists in the current town code. She states that the current draft has language for subchapters 152.10, 152.11, 152.12, 152.13, 152.18 and 152.19. The procedures for Development Plans and Improvement Location Permits are going to be written later.

Ms. Polhuy goes into explaining what newly proposed subchapters 152.20-29 are. They are zoning districts: Residential, Business, and PUD. She states that this is where the legal description of the

zoning districts is located. She states that the development standards relevant to each district are listed under each district. She states that the setback, lot coverage regulations, minimum floor area per dwelling unit, minimum lot area, and so on – all of these standards are listed now under the Residential zoning district.

Mr. McClintock points to the side setback under the residential zoning district to be listed at 5 feet. He believes that it is currently 10 feet in the current ordinance.

Several Commission members say that it is 5 feet.

Ms. Polhuy confirms that the current ordinance states that the minimum side setback is 5 feet. She didn't change it. However, she proposes to change the rear setback for primary buildings (meaning houses) to 20 feet instead of 10 feet, but keep the 10-ft rear setback for outbuildings and other accessory structures.

Ms. Polhuy points out some added development standards under the Residential zoning district based on the use: single family, two family, or multi-family. She states that the current ordinance doesn't propose any restrictions on the kinds of residential uses within the district, which means that one could build a one-family house or an apartment complex within the Residential zoning district. To somehow add a way to control the development of various residential uses, Ms. Polhuy proposes a series of standards: requirement of a certain lot area per dwelling unit, an off-street parking requirement based on the number of dwelling units, different lot coverage requirements based on the number of dwelling units per lot, and so on.

Ms. Polhuy states that she kept the minimum floor area regulations as stated in the current ordinance and used similar floor area numbers that the current ordinance uses for single family one-story (1200 sf) and multi-story houses (900 sf) for two-family and multifamily uses.

Vice President Strong asks if the one-family multi-story house is meant to be 900 sf per floor.

Ms. Polhuy believes that the current ordinance's intent was to require 900 sf of finished floor area on the first floor of the multi-story single family house. She checks the old ordinance and confirms this. She reads the proposed draft for the square footage of the multi-story single family house and there is no note about the minimum floor area requirement "on the ground floor". She makes a note that this amendment would need to be added to the list of recommended amendments when the motion is made.

Ms. Polhuy moves to explaining amendments under the Business zoning district. She states that besides the legal description of the district itself, the current zoning ordinance does not have any standards about permitted uses (except for not allowing residential uses in it) or development standards like setbacks, height restrictions, parking or landscaping regulations, and so on. She states that with this text amendment, the new development standards are not proposed.

Ms. Noonung states that since the legal description drafted many years ago serves as the official zoning map, but the uses might have changed since the time when the legal description was drafted, she thinks that there might be a need to draw and update a zoning map regarding the current actual uses of the properties as well as any recommended uses of properties for the future.

Ms. Polhuy agrees and says that this kind of work of determining best zoning districts within the planning jurisdiction of the town is the kind of work that the Plan Commission should do. She states that the current Comprehensive Plan of the town, adopted about twelve years ago, has some recommendations regarding new zoning districts, so it could be used as a guide. She states that in her search for a zoning map in town, she was only able to find these legal descriptions inside of the Code, but not even a map that matches the legal description. She only found a map of existing uses, which is not equivalent to a zoning map. Due to that, she believes, that some permitting decisions could have been done based on the wrong map and more uses were permitted in the incorrect zoning districts mostly because the information on the districts might not have been available or communicated properly to the staff.

Ms. Polhuy states that the chapters on Floodplain Regulations (§152.40-49) and Development Standards (§152.60-69) are reserved for the future meaning that no amendments or standards are proposed under them at this time. She gives examples of development standards: parking, landscaping, lighting, and sign regulations. She states that these regulations depend on what the town wants to regulate and to what extent, what standards they want to apply and to what zoning districts, so some discussion is needed before the development regulations are formed.

Ms. Polhuy reiterates that the site design standards that are under the old Subdivision Control Ordinance are proposed to be moved into a separate chapter §152.70-89 in the proposed set of amendments. She states that the amendments include updating citations to the more up-to-date standards and proposal of some new standards like sidewalks standards, ADA compliance of sidewalks and street crossings, street landscaping, and anti-monotony standards. She explains what anti-monotony regulations are.

Ms. Polhuy mentions an amendment to Thorntown Code of Ordinance, Chapter 10.25 Schedule of Fines and Fees. She explains that this is something that is not for Plan Commission's review, but rather for the Council. However, because the fees are related to the planning cases, Ms. Polhuy wants the Commissioners to be aware of them.

Ms. Noonung wants to check that the text amendments to Chapter 152 reference the fees in chapter 10.25 as opposed to incorporate and state the fees directly in Chapter 152. She states that if the fees were proposed to be added to chapter 152 directly, then it would have to be a separate text amendment and would need to go through a new separate public hearing.

Ms. Polhuy states that the current text amendment proposes to reference fees in chapter 10.25.

Ms. Polhuy finishes her presentation on proposed text amendments in application TEXT-01-2022 and goes over the future amendments that she is working on or that she is proposing that the town should consider in the future.

President Gray asks if there is a comment from the public. There was no public and so, there was no public comment.

President Gray closes the public hearing on the item.

**Motion by President Gray, second by Mr. Clark, to send a favorable recommendation to the Town Council regarding the Application TEXT-01-2022 with the following amendments:**

