

The Thorntown Plan Commission met in a regular meeting on December 8, 2025, at 6:00 PM at the Thorntown Town Hall.

Members in attendance were as follows:

- President Don Gray – Citizen Member
- Nancy Durkin – Citizen Member
- Erick Smith – Citizen Member
- VP Gene Doctor – Citizen Member

Others in attendance: Marcellus Johnson, Planning Administrator.

President Gray calls the meeting to order at 6:02 PM.

## **OPENING CEREMONIES**

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

## **DETERMINATION OF QUORUM**

President Gray declares a quorum.

## **ADOPTION OF MINUTES**

Motion by Mr. Smith, second by VP Doctor, to adopt the minutes from the meeting on November 10, 2025

AYES: Don Gray, Erick Smith, Nancy Durkin, Gene Doctor. NAYS: Zero. ABSTAIN: Zero. Motion carries 4, 0, 0.

## **AGENDA CONSIDERATIONS**

There are none.

## **COMMENTS FROM THE PUBLIC ON ITEMS NOT ON THE AGENDA**

There are none.

## **NEW BUSINESS**

### **Item #1 APC Discussion: Thorntown UDO**

The Plan Commission discusses the current draft of the UDO in no particular order and with no particular regard to the chapters. Only Chapter 9 Non-conformances is left out because the commissioners did not receive a copy of that chapter prior to the meeting. The discussion below is organized by subject matter, not necessarily by the order of discussion.

#### **General Comments**

President Gray expresses appreciation for the way the code is written. He says that he found the language easy to understand and that it did not use jargon too often. Ms. Durkin agrees with this opinion.

President Gray also says that he likes the flowcharts for the various subdivision processes and that they are helpful for more visual-oriented people to get a quick idea of each process.

#### Home Occupations/Businesses

President Gray mentions that there is a couple in town who wanted to run a pet grooming business out of a detached garage and he recalls telling them that that is not allowed in the current ordinance. He is glad to see that there is a section of the new UDO that allows and creates standards for such home businesses.

#### Manufactured Homes and Manufactured Home Parks

President Gray asks how these standards interact with the state's procedures for regulating manufactured homes and their parks. Mr. Johnson explains that municipalities (like Thorntown) may adopt standards for regulating things that the state also regulates as long as those standards are allowed by law (meaning state law empowers municipalities to pass their own regulations and/or state law does not forbid municipalities from passing such regulations) and do not contradict or conflict with state laws.

#### Alleys

Ms. Durkin says that a common problem in town is that people park in the alleys, which blocks them from public use. VP Doctor describes a location nearby where a school bus is occasionally parked in the alley. The implied question is whether the new ordinance says anything about this.

Mr. Johnson says that there is not an explicit prohibition on parking in the alleys, but the parking standards in all of the zoning districts require that parking be off-street (including alleys) and that the design of new parking areas require that parking spots be arranged such that cars don't need to enter public rights-of-way to maneuver into any spots.

VP Doctor raises the point that a lot of utilities enter properties from the alleys and that they need to be clear of obstructions so that wires/cables in particular can be properly maintained and repaired if downed. President Gray adds to this point, saying it is important for first responders to be able to use the alleys to get where they are needed quicker. Mr. Smith says that there was a sweep conducted in the last few years to clear the alleys of parked vehicles as police were concerned that block alleys would make it harder to get around town quickly. He mentions that they did issue tickets as well.

Mr. Smith looked in the Thorntown Code of Ordinances and found that section 92.01 Definitions defines public nuisance to include blocking or obstructing public rights of way, including alleys. Ms. Durkin says.

#### UDO Adoption Procedures

Mr. Johnson explains his proposal for a public information session and Q&A about the UDO prior to the public hearing for commission's recommendation. The proposal is to present an overview of the draft ordinance and what changes it will bring and then provide attendees with the opportunity to ask questions about the ordinance. Mr. Smith says that he thinks it's a good idea and that he generally supports efforts to further educate the public.

President Gray asks if this info session can occur during a regular meeting or if it needs to be scheduled separately. Mr. Johnson says that it can occur during the regular public meeting on January 12, which would move the public hearing back to the February 10 meeting. [Note: After the meeting but before the writing of these minutes, it was decided that the public hearing would occur during a special meeting on January 26.]

Mr. Johnson brings up the zoning map and asks two questions: does the commission want to see a map proposal with the new districts? And, what should the process be for creating and adopting a new zoning map? Mr. Johnson proposes separating the adoption of the map from the adoption of the text so that the two do not have to happen in the same meeting or at the same time. Mr. Johnson expresses concern about the possibility for discussion about the map to bog down the adoption of the text and delay the much needed zoning reforms. Mr. Smith asks what the time delay between adoption of the two might be, and Mr. Johnson says that it could be a couple of months, but by the middle of next year [2026], the map should also be adopted (assuming the text is adopted in February/March, this would be at most 4 months).

VP Doctor asks about how joining the Boone APC would impact the adoption process. Mr. Johnson says that the ideal process would be that the Thorntown APC recommends the text (with or without the map) before the ordinance dissolving it and placing the town under the Boone APC's jurisdiction is made effective. Otherwise, the recommendation would need to come from the Boone APC. Mr. Smith adds that if that happens, then it could mean delaying the adoption process as the Boone APC may need additional time to review the drafts and may have changes they would like to see made, which as the plan commission with jurisdiction over Thorntown, they have the right to request as a prerequisite to granting a favorable recommendation to adopt the ordinance.

Mr. Johnson provides an overview of the required procedure for adopting a replacement ordinance. VP Doctor poses a hypothetical scenario where Town Council wants to make changes to the proposed ordinance but does not want to provoke a second review by the Plan Commission or delay the passage of the ordinance and asks if they will have to accept the ordinance as is and try to amend it later. Mr. Johnson says that yes, Town Council can initiate a request to amend the text of the ordinance once it is adopted. After further explanation of what it means for Town Council to "act" on the commission's recommendation, VP Doctor emphasizes that this is something the Town Council needs to pay attention to.

#### Electricity Generation and Storage

Ms. Durkin asks what the proposed ordinance has to say about wind and solar energy. President Gray says that there are standards in the new ordinance and that now he might be able to install solar panels on his house. Mr. Johnson says that standards for these as accessory uses can be found in Chapter 4. [Additional information: solar and wind facilities are also allowed uses in some zoning districts.]

Mr. Smith wonders if the new ordinance has anything to say about batteries. Mr. Johnson says that the standards for wind and solar energy may touch on batteries. He adds that the use matrix in the new ordinance does include electrical generation facilities, which would apply to utility-grade batteries.

**Boone APC**

VP Doctor asks if the application processes for the various planning petitions will have to be doubled (one for the Thorntown advisory body, in whatever form that takes, and one for the Boone APC). Mr. Johnson explains that once membership in the Boone APC is established, it will be the Boone APC and Boone BZA that will have authority over planning and zoning petitions, so those meetings and application procedures are the ones that are required by law. A person from Thorntown will have to attend the public hearings in Lebanon as part of the process. It is yet to be determined, however, what powers any Thorntown advisory group would have and how that would impact the approval process.

Mr. Johnson looks up the meeting calendar for the Boone APC and BZA and it looks like they each meet once a month on Wednesday.

**Dimensions**

Mr. Smith asks how the new standards compare to the existing ones in terms of dimensions. Mr. Johnson says that most of the dimensions are the same, but there have been some changes. For example, the minimum rear seatback and minimum floor area have been reduced, while the maximum lot coverage has been increased.

**Gaps in the Existing Code**

Mr. Smith goes through his notes from previous meetings concerning missing or confusing standards and other issues that have been raised (often repeatedly) to the commission. The Plan Commission has previously discussed:

- Reductions in the minimum area for a dwelling unit
- An ordinance regulating the mounting/hanging of signs
- Standards for fences, including how they interact with the sight visibility triangle
- Standards for providing adequate outdoor lighting

These issues are all addressed in the new ordinance.

**Multi-family Dwellings**

Ms. Durkin asks about how the code will regulate converting a single-family home into a building with more than one apartment or dwelling unit. Mr. Johnson assures her that the lot and development standards in each zoning district will prevent such conversions from resulting in substandard or otherwise undesirable housing.

## **OLD BUSINESS**

There are none.

## **OTHER BUSINESS**

There are none.

## **ANNOUNCEMENTS**

There are none.

## **ADJOURNMENT**

President Gray adjourns the meeting at 7:15 PM.

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Donald Gray

President

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Marcellus Johnson

Secretary