

Minutes - Goshen Plan Commission
Tuesday, September 15, 2020 - 4:00 p.m.
Council Chambers, 111 E. Jefferson Street
Goshen, Indiana

I. The meeting was called to order with the following members present via electronic communication: Jim Wellington, Richard Worsham, Josh Corwin, Rolando Ortiz, Aracelia Manriquez, Hesston Lauver, and Betsy Poling. Member Jim McKee was physically present, along with City Planner Rhonda Yoder and Assistant City Attorney James Kolbus. Absent: Tom Holtzinger

Remote Meeting Statement

Ms. Yoder read the following emergency meeting notice: We begin this meeting during a declared public health emergency covering all of the State of Indiana.

Board members:

- Richard Worsham
- Josh Corwin
- Aracelia Manriquez
- Betsy Poling
- Tom Holtzinger (if he joins)
- Hesston Lauver
- Rolando Ortiz, and
- Jim Wellington

are participating in this meeting by electronic communication pursuant to Governor Holcomb's Executive Orders 20-04, 20-09, and 20-41, as well as guidance from Indiana Public Access Counsellor Luke Britt.

Board member Jim McKee is physically present in City Council Chambers as we begin this meeting.

Ms. Yoder reminded Commission members that because some members are participating via electronic communication, all votes must be roll call votes, including those for approval of the minutes, and filing ordinances and reports into record.

II. Plan Commission Appointment

Ms. Yoder announced that Hesston Lauver has been appointed to fulfill the remainder of Joe McCorkel's term, through 12/31/21.

III. Approval of minutes of 7/21/20 – A motion was made and seconded, Wellington/Manriquez, to approve the minutes as presented with the following outcome: Wellington, yes; Worsham, yes; Ortiz, yes; McKee, yes; Corwin, yes; Poling, yes; Manriquez, yes. The motion passed unanimously by a vote of 7-0.

Ms. Yoder noted for the record that Hesston Lauver was not a member of the Plan Commission in July so he did not vote for the approval of minutes. She also welcomed him as the newest Plan Commission member.

IV. The Zoning/Subdivision Ordinances and Official Staff Reports were unanimously filed into record: A motion was made and seconded, Wellington/Manriquez, to accept the Filing of the Zoning and Subdivision Ordinances and Official Staff Reports into record with the following outcome: Wellington, yes; Lauver, yes; Worsham, yes; Ortiz, yes; McKee, yes; Corwin, yes; Poling, yes; Manriquez, yes. The motion passed unanimously by a vote of 8-0.

V. Postponements/Withdrawals

None.

VI. Zoning Ordinance Text Amendment (public hearing)

20-01 OA – The Goshen Plan Commission requests an amendment to the Goshen Zoning Ordinance, Flood Control District (Overlay) Regulations and Definitions, based upon the State of Indiana Model Ordinance for Flood Hazard Areas. The amendment is proposed in order to make changes based on recent updates to the Indiana Model Ordinance, to continue compliance with the minimum participating criteria of the National Flood Insurance Program (NFIP). Most changes are in wording and terminology, but there is one substantive change which will remove the provision that allows only one non-substantial addition or improvement to an existing structure. With this provision removed, a structure could have more than one non-substantial addition or improvement.

Staff Report

Ms. Yoder explained that this text amendment is a recommendation to the City Council and affects Sections 2110 and 4270 of the Zoning Ordinance. She referred to the packets which contain the existing and proposed/added changes. She noted that Goshen participates in the National Flood Insurance Program (NFIP) which is required in order to make flood insurance available to property owners within the City of Goshen. She explained how participation and ordinance requirements are established, noting they are administrated by the Indiana Department of Natural Resources (INDR). She noted the last update to these regulations was in 2011 when new maps were adopted. She also noted because there have been changes to the model ordinance, the Plan Commission granted permission earlier this year for Staff to review and prepare updates. She pointed out that DNR provided the model ordinance and they have reviewed and approved the draft ordinance amendment.

Ms. Yoder also advised that a comparison was made, which found that most of the changes are minor wording and terminology. One substantial change removes the provision that only allows one non-substantial addition or improvement to an existing structure that is not in compliance with Flood Protection Grade (FPG). She explained this is no longer required under the new model ordinance and that this update will remove the restriction and allow successive, non-substantial additions or improvements.

Mr. Wellington asked how the determination is made if something is substantial.

Ms. Yoder responded that it is considered substantial if it is 50% or more of the market value of the structure at time the improvement is being made, meaning that non-substantial would be less than 50%.

Mr. Wellington commented that this would allow successive smaller improvements as opposed to one large substantial improvement.

Ms. Yoder agreed with Mr. Wellington's comment.

Mr. Lauver asked how this would be controlled and if multiple improvements could be made with each being less than 50%, or would all of the improvements have to total less than 50%.

Ms. Yoder responded that it would have to be reviewed as one project and Staff will likely need to make that determination. She pointed out it is important for property owners to be aware that if their property is not in compliance, that means it's more likely to flood and they'll need to determine what kind of investment they want to put into their building.

Mr. Lauver questioned if all improvements are limited to the original 50%.

Ms. Yoder replied that each project is reviewed separately.

Mr. Lauver asked if the 50% number increases with each improvement.

Ms. Yoder stated yes, possibly, because the market value could increase with each improvement.

Mr. Wellington pointed out in the past you were only allowed one improvement, but this will allow multiple improvements if you want.

Ms. Yoder agreed with Mr. Wellington, noting that currently owners must apply to the Board of Zoning Appeals (BZA) if they want more than one non-substantial improvement to their property. She pointed out that non-substantial improvements apply to internal renovations as well.

Audience Comments

There was no one to speak to the petition.

Close Public Hearing

Staff Discussion:

There was no discussion amongst Commission members.

Ms. Poling left the meeting at 4:15 p.m.

Action:

A motion was made and seconded, Wellington/Worsham, to forward a favorable recommendation to the Goshen Common Council for 20-01 OA. A roll call vote was requested with the following outcome: Wellington, yes; Lauver, yes; Worsham, yes; Ortiz, yes; McKee, yes; Corwin, yes; Manriquez, yes. The motion passed unanimously by a vote of 7-0.

VII. Audience Items
None

VIII. Staff/Board Items
• *Residency form for Hesston Lauver*

IX. Adjournment – 4:17 pm Wellington/Manriquez

Respectfully Submitted:

/s/ Lori Lipscomb

Lori Lipscomb, Recording Secretary

Approved By:

/s/ Jim McKee

Jim McKee, President

/s/ Tom Holtzinger

Tom Holtzinger, Secretary