

**AREA PLAN COMMISSION OF TIPPECANOE COUNTY
ORDINANCE COMMITTEE
MINUTES OF PUBLIC MEETING**

DATE.....APRIL 4, 2018
 TIME.....4:40PM
 PLACE.....COUNTY OFFICE BLDG.
 20 N. 3RD STREET
 LAFAYETTE, IN 47901

MEMBERS PRESENT

Larry Leverenz
 Tom Murtaugh
 Carl Griffin
 Greg Jones
 Gerry Keen
 Gary Schroeder
 Jerry Reynolds

MEMBERS ABSENT

Jackson Bogan

STAFF PRESENT

Sallie Fahey
 Ryan O’Gara
 Kathy Lind
 Zach Williams, Atty.

OTHER APC MEMBERS PRESENT**OTHER ATTENDEES**

Steve Clevenger
 Julie Peretin
 Betsy Blair
 Bill Miller
 Allen Hoffman
 Doloros Charlesworth
 Chris Shelmon
 Adam Regich
 Ed Purdy
 Jeff Smaga
 Mike McTague

President Tom Murtaugh called the meeting to order.

I. APPROVAL OF MINUTES

Carl Griffin moved to approve the minutes from the March 7, 2018 Ordinance Committee meeting. Gary Schroeder seconded and the motion passed by unanimous voice vote.

II. PROHIBITING MINING IN THE FLOOD PLAIN ZONE:

Quick update as to where this proposal stands

Sallie Fahey said work on this amendment is at a standstill partly because there is going to be a 2-day special session of the legislature. All indications are that the legislature will not take up anything except what the governor has asked them to come back and take care of but you never quite know if that is what the legislature will do. Staff and counsel feel it is prudent not to spend any time doing all the background work the Committee has asked for until after the legislative special session. After the special session she and Kathy Lind will be working with Zach Williams and county attorney Doug Masson on the factual basis for the

proposed amendment. She anticipates this issue will not come back to the Committee for a major discussion until the July meeting. If the legislature does not do anything in the special session they will not be doing anything until January 2019 so that gives us to the end of 2018 to make a decision about what we want to do with regard to an ordinance amendment.

III. PREVIEW OF NEXT MONTH'S MEETING:

The May Ordinance Committee meeting will be a joint meeting with the Bylaw Committee to discuss changing the procedure for letters to be read into the record at APC and BZA meetings.

Sallie Fahey said this agenda item came out of APC discussions about reading large numbers of letters at meetings. She and Zach Williams have talked about ways we might want to do this and added that it will be a bylaw amendment and not an ordinance amendment. Staff should be able to have something drafted for the May 2nd Ordinance and Bylaw Committee joint session.

Zach Williams said he has received requests from several APC Commissioners about addressing what they think is the sometimes a bit unfair letter process. He and staff are considering proposing something that would require letters to be submitted before hand so they are not read into the record the day of the hearing. He said we routinely have to limit the topics those speaking at the meeting can cover because we do not want the topics repeated. Often we have letter after letter that basically says the same thing and covers the same topics. One of the ideas we plan to bring forward is to move up the letter submission date so the letters can be included in the packets and admitted into the record but not read aloud at the meeting. That should eliminate repetition and the need to cut off speakers who have showed up to voice their opinions. He and Sallie Fahey agree that something like this will need to occur the second half of 2018 to give people time to understand and get accustomed to the new policy and procedure. He hopes we will be ready to discuss this topic at the May joint committee meeting and make a decision on moving forward.

Tom Murtaugh asked about the process if we decide to make a change like this.

Zach Williams said a change like this will be a change to our Bylaws.

Tom Murtaugh asked if the APC has to approve a Bylaw amendment. He also asked who chairs the By-Law Committee.

Sallie Fahey said APC needs to approve its own Bylaw amendments but that decision does not affect the Board of Zoning Appeals (BZA) because they have authority over their own by-laws. She thinks this subject is a little touchier with the BZA because it is a quasi-judicial body. She believes that letters to the BZA may have to be read into the record because all testimony is supposed to happen at the meeting. APC will not be affecting anything of the BZA because the BZA is in charge of its own bylaws.

Zach Williams concurred and said Sallie Fahey makes a very good point and that is something that will be discussed. At this time we are not considering a change with regard to the BZA.

Carl Griffin asked how long it will take to make a by-law amendment to APC once the joint committee recommends a change.

Zach Williams said the timeline will depend on the decision of the joint committee. He knows a sunset date on the old rules will be established and he thinks the second half of 2018 is the earliest a change could take effect.

Gary Schroeder answered an earlier question by informing the Committee that Jackson Bogan is chair of the Bylaw Committee.

IV. CITIZEN COMMENTS:

Chris Shelmon, 250 Main, Suite 590, Lafayette, IN 47901, said he would like the Committee to look at parking in downtown Lafayette. West Lafayette has a University-proximate parking ordinance but Lafayette has one general parking requirement. He would like to open a dialog regarding a different residential parking requirement for downtown Lafayette projects.

Carl Griffin asked Chris Shelmon for more information on what he is talking about.

Chris Shelmon said his goal is to find a balance between a decreased parking standard for those living in downtown Lafayette but not the low standards we are seeing for student-oriented planned developments in West Lafayette. He basically is talking about one+ parking spot per unit but not as high as 1.5 spaces per unit. He added that almost every conversion and/or newly constructed downtown Lafayette residential development is requesting some type of parking variance. The ordinance might not fit the requirements of the community if almost every residential project in downtown Lafayette needs some sort of parking variance,

VI. ADJOURNMENT:

Carl Griffin moved to adjourn the meeting. Greg Jones seconded.

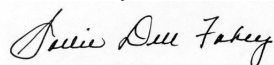
The meeting adjourned at 4:55p.m.

Respectfully submitted,



Linda Underwood
Recording Secretary

Reviewed by,



Sallie Dell Fahey
Executive Director