



**MONROE COUNTY BOARD OF COMMISSIONERS'
WORK SESSION AGENDA**

April 13, 2022

Nat U. Hill Meeting Room - 3rd Floor, Courthouse and Zoom Connection

1. Health – Penny Caudill

Discussion regarding PPS/SNS storage.

2. Planning – Jackie Nester-Jelen

Ordinance 2022-09: Amendment to Zoning Ordinance Chapter 815; Site Plan Review



Monroe County Board of Commissioners Agenda Request Form

Date to be heard Formal Work session Department

Title to appear on Agenda: Vendor #

Executive Summary:

The MCHD would like to discuss the need to secure storage facility for PPE and similar items. The PHEP grant can cover the costs. This will reduce the need to store much in the lower level storage area and risk damage. See estimated costs below. If this sounds reasonable then the department will get an agreement, have legal review it, and schedule for formal session.

Specific Unit
Large - 10x20
Drive Up Access
Outside Gate - No Gate Access
(outside gate is preferred to easily be able to distribute PPE as needed)

Cost
Online rental with auto-pay \$228/month
50% 1st months rent
\$25 Admin fee
Insurance starts at \$9
Costs may vary slightly if not renting online but comparable according to sales rep

Fund Name(s):	Fund Number(s):	Amount(s)
<input type="text" value="Public Health Emergency Preparedness"/>	<input type="text" value="8104"/>	<input type="text" value="TBD"/>

Presenter:

Speaker(s) for Zoom purposes:

Name(s)	Phone Number(s)
<input type="text"/>	<input type="text"/>

(the speaker phone numbers will be removed from the document prior to posting)

Attorney who reviewed:



Monroe County Board of Commissioners Agenda Request Form

Date to be heard

Formal

Work session

Department

Title to appear on Agenda:

Vendor #

Executive Summary:

Fund Name(s):

Fund Number(s):

Amount(s)

Presenter:

Speaker(s) for Zoom purposes:

Name(s)

Phone Number(s)

(the speaker phone numbers will be removed from the document prior to posting)

Attorney who reviewed:

Monroe County Board of Commissioners Agenda Request - Grant

REQUIRED

Federal Agency

Federal Program

CFDA#

Federal Award Number and Year (or other ID)

Pass Through Entity:

Request completed by:

This document is to be submitted no later than the Friday at noon prior to the requested meeting date.

Each agenda request and all necessary documents to the Auditor's Office (Anita Freeman) at: afreeman@co.monroe.in.us AND to the Commissioner's Office e-mail: Commissionersoffice@co.monroe.in.us

ORDINANCE NO. 2022-09

The purpose of this ordinance is to amend the Monroe County Zoning Ordinance by the changing the criteria for certified site plan review, certified plot plan review, and scaled plot plan review standards in Chapter 815.

WHEREAS, Indiana Code 36-7-4-601 authorizes the Board of Commissioners of the County of Monroe, Indiana (Board of Commissioners), to adopt planning and zoning ordinances and amendments, including maps, for the following purposes: securing adequate light, air, convenience of access, and safety from fire, flood, and other danger; lessening or avoiding congestion in public ways; promoting the public health, safety, comfort, convenience, and general welfare; and otherwise accomplishing the purposes of Indiana Code Chapter 36-7-4;

WHEREAS, the Board of Commissioners adopted a comprehensive replacement Monroe County Zoning Ordinance on December 20, 1996 through the passage of Ordinance 96-36 and have subsequently amended that zoning ordinance ("Zoning Ordinance");

WHEREAS, Indiana Code 36-7-4-602 authorizes local plan commissions to prepare, conduct public hearings on, approve and certify planning and zoning ordinances, and amendments thereto, for consideration by the local board of commissioners;

WHEREAS, the Monroe County Plan Commission (Plan Commission) prepared amendments to Chapter 815 of the Zoning Ordinance, which it deemed necessary and advisable to promote the public health, safety, and welfare within the County Jurisdictional Area;

WHEREAS, the Plan Commission advertised for and conducted a public hearing on the proposed amendments to Chapter 815 – Site Plan Review at its February 15, 2022 meeting;

WHEREAS, following the public hearing, the Plan Commission voted to forward the amendments to Chapter 815 – Site Plan Review to the Board of Commissioners with a **favorable** recommendation;

WHEREAS, the Plan Commission certified the amendments to Chapter 815 – Site Plan Review and forwarded its recommendation thereon to the Board of Commissioners for consideration pursuant to Indiana Code Sections 36-7-4-602 through 605;

WHEREAS, in accordance with Indiana 5- I 4-1.5-5, the Board of Commissioners provided public notice of its intention to consider the amendments to Chapter 815 – Site Plan Review in ordinance form and accepted public comment on the proposed amendments during its _____, 2022 meeting;

WHEREAS, based on public comment received by the Plan Commission and the Board of Commissioners on this ordinance, the Board of Commissioners finds that the proposed amendments to Chapter 815 – Site Plan Review if adopted, would reasonably and efficiently advance the statutorily recognized zoning ordinance purposes. Which include, among other purposes, the promotion of health, safety, morals, convenience, order, and general welfare of the

citizens of Monroe County, Indiana, and that the proposed amendments should be adopted;

WHEREAS, the Board of Commissioners finds and confirms that in the preparation and/or consideration of the proposed amendments to Chapter 815 – Site Plan Review, both the Board of Commissioners and the Plan Commission gave reasonable regard to: the Comprehensive Land Use Plan of Monroe County, Indiana; 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; and responsible development and growth;

NOW, THEREFORE, be it resolved by the Board of Commissioners as follows:

Section 1. Monroe County Zoning Ordinance Chapter 815 – Site Plan Review shall be, and hereby is, amended as follows:

Section 2. Effective Date. This ordinance shall be in full force and effect upon passage.

SO APPROVED AND ADOPTED by the Board of Commissioners of Monroe County, Indiana, this ___th day of _____, 2022.

BOARD OF COMMISSIONERS OF MONROE COUNTY, INDIANA

"Yes" Votes

"No" Votes

Julie Thomas, President

Julie Thomas, President

Lee Jones, Commissioner

Lee Jones, Commissioner

Penny Githens, Commissioner

Penny Githens, Commissioner

Attest:
Catherine Smith, Monroe County Auditor

CHAPTER 815

ZONING ORDINANCE: SITE PLAN REVIEW

815-1. Purpose

The purpose of the site plan review procedure set forth in this chapter is to regulate the development of structures and sites in a manner which considers the following concerns and, where necessary, requires modification of development proposals to eliminate or minimize potential problems and nuisances. The principal areas of concern are:

- (A) The balancing of landowners' rights to use their land, with the corresponding rights of abutting and neighboring landowners to live without undue disturbances (e.g., noise, smoke, fumes, dust, odor, glare, storm water ~~run-off~~runoff, etc.).
- (B) The convenience and safety of vehicular and pedestrian movement within the site, and in relation to adjacent areas or roads;
- (C) The adequacy of water supply, waste disposal methods and protection from pollution of surface or ground water; and,
- (D) The protection of natural, environmental, historic, or archaeological features on the site under review and in adjacent areas.

815-2. Site Plan Review Requirement

No permit or certificate for the construction, exterior alteration, relocation, demolition, occupancy, or change in use of any building, structure or parcel shall be given and no existing use shall be established or expanded in floor area except in conformity with a site plan approved by the Administrator. Site plan review shall also be required for the resumption of any use discontinued for more than six (6) consecutive months or for the expansion of any existing use.

815-3. Site Plan Review Process

(A) Applicable standards. See table below for requirements for certified site plans, certified plot plans, or scaled plot plans depending on the use and type of construction as it relates to the Ordinance. Where a use is listed in multiple categories (i.e. residential structure and accessory structure) it will be at the Administrator's Discretion to determine whether the structure is an accessory or principal use. For circumstances where details required under the provisions of this ordinance are deemed unnecessary, the Administrator may waive this requirement.

<div style="border: 2px solid red; padding: 2px; display: inline-block;">Com</div> (Commercial Structure)	<div style="border: 2px solid blue; padding: 2px; display: inline-block;">Res</div> (Residential Structure)	<div style="border: 2px solid black; padding: 2px; display: inline-block;">Acc</div> (Residential Accessory Structure)
<p>Applicability: Requires a certified site plan for any proposed Commercial construction for a site that are identified as any of the following uses below:</p>	<p>Applicability: Requires a certified plot plan for any new principal use structures that are identified as any of the following uses below:</p>	<p>Applicability: Requires a scaled drawing for any expansions to principal use structures, replacement of existing structures utilizing the same foundation, remodels, or new construction of accessory structures</p>
<p>Includes:</p> <p>Agricultural Uses-</p> <ul style="list-style-type: none"> • Agriculture –related industry; • Agritourism/ Agritainment; • Aquaculture; • Agricultural Event Center; • Christmas Tree Farm; • Commercial Facilities for the sale...; • Composting Operation; • Confined Feeding Operations; • Equestrian Center; • Feed Lot; • Feed Mill; • Kennels...; • Nursery/Greenhouse; • Pick-your-own operation; • Winery <p>Residential Uses-</p> <ul style="list-style-type: none"> • Elderly housing; • Manufactured Home Park; • Multifamily dwelling <p>Public and Semipublic Facilities (ALL)</p> <p>Business and Personal</p>	<p>Includes:</p> <p>Agricultural Uses-</p> <ul style="list-style-type: none"> • Agriculture and Accessory use to Agriculture; • Agriculture Uses, Land Animal and Non-Animal Related; • Commercial Non-Farm Animals; • Equine Services; • Horse Farm; • Orchard; • Roadside Stand Permanent and Temporary; • Stockyard; <p>Residential Uses –</p> <ul style="list-style-type: none"> • Accessory Apartments • Accessory Dwelling Units • Boarding House • Guest House • Historic Adaptive Reuse • Residential Storage Structure • Accessory Livestock • Accessory Use • Home Based Business • Home Occupation 	<p>Includes:</p> <p>Agricultural Uses-</p> <ul style="list-style-type: none"> • Agriculture and Accessory use to Agriculture; • Agriculture Uses, Land Animal and Non-Animal Related; • Commercial Non-Farm Animals; • Equine Services; • Horse Farm; • Orchard; • Roadside Stand Permanent and Temporary; • Stockyard; <p>Residential Uses –</p> <ul style="list-style-type: none"> • Accessory Apartments • Accessory Dwelling Units • Boarding House • Guest House • Historic Adaptive Reuse • Residential Storage Structure • Accessory Livestock • Accessory Use • Home Based Business • Home Occupation

<p><u>Services - All except: Bed and Breakfast; Temporary Seasonal Activity; Tourist Home or Cabin;</u></p> <p><u>Retail and Wholesale Trade (ALL)</u></p> <p><u>Automotive and Transportation Services (ALL)</u></p> <p><u>Amusement and Recreational Services (ALL)</u></p> <p><u>Manufacturing, Mining, Construction, and Industrial Uses (ALL)</u></p> <p><u>Adult Oriented Business (ALL)</u></p> <p><u>Multi-Use (ALL)</u></p> <p><u>Chapter 833- All except: Bed and Breakfast, Crops and Pasturage, Home Occupations, Single Family Detached Dwellings</u></p>	<p><u>House</u></p> <ul style="list-style-type: none"> • <u>Historic Adaptive Reuse</u> • <u>Residential Storage Structure</u> • <u>Single Family Dwelling</u> • <u>Temporary Dwelling</u> • <u>Two Family Dwelling</u> <p><u>Business and Personal Services</u></p> <p>=</p> <ul style="list-style-type: none"> • <u>Bed and Breakfast;</u> • <u>Temporary Seasonal Activity;</u> • <u>Tourist Home or Cabin;</u> <p><u>Chapter 833 uses:</u></p> <ul style="list-style-type: none"> • <u>Bed and Breakfast</u> 	<ul style="list-style-type: none"> • <u>Single Family Dwelling,</u> • <u>Temporary Dwelling</u> • <u>Two Family Dwelling</u> <p><u>Business and Personal Services –</u></p> <ul style="list-style-type: none"> • <u>Temporary Seasonal Activity;</u> <p><u>Chapter 833 uses:</u></p> <ul style="list-style-type: none"> • <u>Crops and Pasturage</u> • <u>Home Occupations</u>
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Com	Res	Acc
B, D, E, F, G, H, I, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z	C, D, E, F, G, J, K, M, P, Q, R, V, W, X, Y, Z	A, D, E, G, J, K, M, R, X, Y, Z

815.3. ~~Site Plan Review Process~~

(BA) Application and Requirement for Site Plan Review

- (1) An applicant for site plan review under this chapter shall file with the Administrator an application for site plan approval upon forms made available in the Commission's office along with the original and two (2) copies of the site plan.

(2) The site plan or plot plan shall include any of the following elements that are deemed necessary by the Administrator in order to properly evaluate the proposed project in accordance with the provisions of this ordinance, taking into consideration the nature of the project, its magnitude, uses and overall community impact:

Acc (a) A plot plan to scale. Some sites may require a certified plot plan at the administrator's discretion if they contain non-buildable area per Chapter 804-4(E), or if our best available data shows a discrepancy in regards to lot boundaries, easements, utility infrastructure locations, or other limitation(s);

Com (b) ~~(p)~~ Certified Site plan and a subscribed statement of an engineer, land surveyor, or architect, licensed by the State of Indiana, certifying that the proposed activity will satisfy the performance standards of Chapter 802 of this ordinance;

Res (c) Certified plot plan that includes a subscribed statement of an engineer, land surveyor, or architect, licensed by the State of Indiana, certifying that the proposed structure meets all design standards and includes all necessary information listed below.

Com Res Acc (d~~a~~) the name and address of the owner and developer, engineer, surveyor, architect;

Com Res Acc (b~~e~~) the location of the project by public way, township and section;

Com Res (e~~f~~) the legal description of the subject property;

Com Res Acc (d~~g~~) a map including date, legend, scale bar and North arrow, which shows the location, size, capacity, and use of all buildings and structures existing or to be placed on the subject property, including the septic tank and field;

Com (h~~e~~) the nature and intensity of the operations involved in, or conducted in connection with the project;

Com (f~~i~~) the site layout of the project including the property boundaries, location, lot size, arrangement and capacity of the area to be used for yards, setbacks, and all buildings including accessory structures, vehicular access, parking, and loading; illustrate any visible or apparent karst features, floodplain, or wetlands;

Res Acc (j) the site layout of the project including the location, lot size, arrangement and capacity of the area to be used for yards, setbacks, and all buildings including accessory structures, vehicular access, parking, and loading. Illustrate any visible or apparent karst features, floodplain, or wetlands. For sites equal to or greater than 2.5 acres, deed of record illustrative property boundary is adequate; for sites less than 2.5 acres, property

boundaries must be surveyed.

- Com Res Acc (~~g~~k) the names of public ways giving access to the subject property and the location, width and names of existing platted public ways, railroads, parks, ~~utility~~ easements if shown on deed or recorded plat, sidewalks, driveways, utilities, and other public open spaces associated with the project;
- Com (~~h~~l) the layout of proposed public ways, their names and width, and the width of alleys, walkways, paths, lanes and all easements;
- Com Res Acc (~~m~~i) the location, dimensions and design of all signage for the project;
- Com (~~n~~j) the location, height, intensity, direction of illumination and bulb type (i.e., florescent, sodium incandescent, etc.) of all external lighting fixtures;
- Com (~~o~~k) a landscape plan that complies with Chapter 830 and showings all existing natural land features, trees, forest cover and water sources, and proposed changes to these features including the size and type of plant material;
- Com Res (~~p~~) a parking plan that complies with Chapter 806;
- Com Res (~~q~~l) ~~the two foot~~ contours ~~with or~~ spot elevations of the finished grade, finished first floor elevations, and the directions of storm water runoff. Certification shall include a statement that says positive drainage away from structures will be complied with. To verify positive drainage, the ground adjacent to all sides of a building shall fall a minimum of six inches in the first ten feet from the building. Driveways which lead to garages shall fall a minimum of three inches in the first ten feet away from the garage.
- Com Res Acc (~~r~~) Show 15% slope lines in relation to proposed structures. If located in the Environmental Constraint Overlay, then show applicable slope line in addition.;
- Com (~~s~~ff) the layouts of proposed lots with their numbers and dimensions;
- Com (~~rs~~t) the land use density factors;
- Com (~~ot~~u) outside storage and/or product display area if allowed;
- Com Res (~~v~~uq) construction plans, if any;
- Res (~~v~~w) construction plans or floor plans;

- Com ~~(xwf)~~ ~~erosion control/grading plan~~ Stormwater Management Plan that complies with Ch 761, if any; and,
- Com Res Acc ~~(y*)~~ Location of proposed erosion control measures (tree protection, silt fence, sinkhole protection, concrete washout area, temporary construction entrance, storm drain and inlet protection, seed/straw narrative/timeline, off-site borrow areas, stockpile areas, etc)
- Com Res Acc ~~(zys)~~ all other permits, certificates and/or approvals required from any State or local agency relative to the use or improvement of the subject property or to the use or installation of public improvements which may serve the subject property (e.g., Indiana Department of Transportation approval of State highway improvements, Monroe County Highway activity in the right-of-way permits, private sewage disposal system permit from the Monroe County Health Department, etc.).

(CB) The Administrator shall consider and evaluate such application and associated site plan, and thereupon render a decision in writing, which decision shall consist of either:

- (1) approval of the site plan based upon the determination that the proposed plan complies with the general, design and performance standards set forth in this ordinance;
- (2) Disapproval of the site plan based upon the determination that the proposed project does not meet the general, design or performance standards set forth in this ordinance; or
- (3) Approval of the site plan subject to any conditions, modifications and restrictions as required by the Administrator which will ensure that the project meets the general, design and performance standards set forth in this ordinance.

(DC) Site plans submitted to the Administrator under this chapter shall become a permanent public record.

815-4. General Standards for Review

The Administrator shall review the site plan and supporting documents, taking into consideration the following general standards for site plan approval:

- (A)** Compatibility with surrounding land uses;
- (B)** Availability and coordination of sanitary sewer, water, storm water drainage, and other utilities as deemed appropriate;
- (C)** Management of traffic in a manner which creates conditions favorable to the health, safety, convenience and harmonious development of the community, particularly considering each of the following factors:
 - (1)** the design and location of proposed street and highway access points and

sidewalks to minimize safety hazards and congestion;

- (2) the capacity of adjacent existing streets and highways to safely and efficiently handle traffic projected to be generated by the proposed development; and,
 - (3) the coordination of entrances, streets, sidewalks and internal traffic circulation facilities in the site plan with existing and planned streets and adjacent developments.
- (D) Compliance with the performance standards set forth in Section 802-5 of this ordinance and any general standards provided in this ordinance.

815-5. Phasing of large projects

(A) The purpose of this section is to facilitate the establishment of larger, more complex projects with significant infrastructure requirements by establishing a procedure which allows applications proposed consistent with the requirements of this title to complete infrastructure and other improvements in phases. Proposed phasing plans will be reviewed and adopted in a manner which ensures that each phase is self-sufficient and is not dependent on subsequent phases to fulfill infrastructure requirements and other conditions of approval. Phased development which is approved consistent with the requirements of this section may proceed with a minimum of additional review, unless otherwise specified in this chapter or ordinance.

(B) Applicability. Phased development plans may be considered for those proposed projects which meet the following requirements:

- 1) The proposed project includes a land area of five acres or greater.

(C) Phasing plan required. Applications for site plan approval which propose to complete the required infrastructure improvements in phases must include a preliminary phasing plan. A final phasing plan which incorporates all required conditions of approval and details infrastructure improvements and sequencing of the phases must be submitted before any ground disturbing activities.

- 1) Preliminary phasing plans must be submitted concurrently with the land use application. Preliminary phasing plans must include the following information:
 - a. Illustrative maps for each proposed phase which clearly mark in heavy lines the boundaries of the subject phase, the size (in acreage) of the phase area, label the phase alphabetically (to avoid confusion with lot numbers), and depict roads, lots, infrastructure (including stormwater facilities), easements, dedications and open space which are included within the subject phase. The plan must also illustrate those proposed improvements which mitigate impacts associated with the unbuilt portions of the project which are not located within the boundaries of the subject phase. Previously established phases, including roads, lots, infrastructure, easements, dedications, and open space, should be shown on the map shaded or gray-

scaled. All phasing maps must be drawn at the same scale.

- b. A narrative description or table which describes each phase and its associated improvements. In addition, the narrative or table must demonstrate that each phase would comprise a “stand-alone” development which, should no subsequent phases be constructed, would meet or exceed the standards of this title and all other conditions of approval. The narrative should also describe the proposed timeline for completion of the entire project.

- 2) The final phasing plan must be submitted to the Planning Department before any ground disturbing activity, and must include the following:

- a. Illustrative maps for each proposed phase which clearly mark in heavy lines the boundaries of the subject phase, label the phase alphabetically (to avoid confusion with lot numbers), and depict roads, lots, infrastructure, easements, dedications and open space which are included within the subject phase. The plan must also illustrate those proposed improvements which mitigate impacts associated with the unbuilt portions of the project which are not located within the boundaries of the subject phase. Previously established phases, including roads, lots, infrastructure, easements, dedications, and open space, should be shown on the map shaded or gray-scaled. All phasing maps must be drawn at the same scale. The final phasing plan map should be drawn at the same scale as the preliminary plat map.
- b. The final narrative description or table which describes each phase and its associated improvements. The final narrative must also include the proposed timeline for completion of the entire project.

- (D)** Approval. The administrator may approve phasing plans only if the phasing plan does not erode the intent of the criteria for approval of the site plan. In addition, phasing plans must be reviewed to ensure that they meet or exceed the following criteria:

- 1) Each proposed phase must provide required open space, stormwater management measures, recreation facilities, landscaping, parking, utilities, and/or dedications for public use concurrent with development. In cases where construction of a proportionate fair share improvement is not feasible or would result in incomplete facilities which do not mitigate the impacts of the phase, construction of the entire improvement is required;
- 2) All required off-site improvements which mitigate impacts associated with the subject phase must be completed before final approval of that phase;
- 3) All phases must be stand-alone and proposed in sequential order. No proposed future phase can receive a Land Use Certificate before a Land

Use Certificate for the preceding phase is granted. Dependent phases may include such required approvals and/or conditions, including, but not limited to: the looping of roads and utilities; the provision of fire flow; stormwater management systems; and the mitigation of transportation, recreation and/or public services impacts. Landscaping, parking, and all other required improvements must be provided within each phase as required. In some cases, landscaping and parking improvements may be located in two overlapping phases with a supporting narrative; an example may be – Phase I to include the bioretention as sediment basins and parking areas, drives, aisles, etc. to have base asphalt coat. In Phase II, for example, it may again include bioretention and parking, but during this phase show full compliance with full bioretention plantings and final asphalt coat.

- 4) Phases must be constructed in the manner approved in the phasing plan to ensure orderly and planned development. Phases must be planned to ensure the efficient construction of adjacent future phases (those phases immediately next to the subject phase, sharing a common boundary line), and to ensure that phased development does not allow for leapfrog development;
- 5) Infrastructure improvements which are required to serve the entire project may be constructed within a nonadjacent phase.
- 6) In the case where multiple structures seeking Land Use Certificate are located in one phase, it is required that all improvements be completed before individual Land Use Certificates can be issued. An exception to this may be in a case where there are improvements tied to the construction of a building not yet built. In that case, the Improvement Location Permit and Land Use Certificate can be contingent upon the structure and required minimal improvements (i.e. foundation landscape plantings).

[end of chapter]

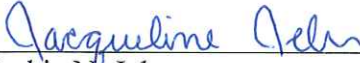
**OFFICE OF
MONROE COUNTY PLAN COMMISSION
501 N Morton Street, Suite 224
BLOOMINGTON, IN 47404**

TO: THE COMMISSIONERS OF MONROE COUNTY, INDIANA

CERTIFICATION

I, Jackie N. Jelen, hereby certify that during its meeting on February 15, 2022, the Monroe County Plan Commission considered petition # ZOA-21-8 for an amendment (Ordinance # 2022-09) to the Monroe County Zoning Ordinance and made a positive recommendation to approve thereon, based on the findings, Highway and MS4 Coordinator reports, with a vote of 7-1.

This proposed amendment is being forwarded for your consideration pursuant to I.C. 36-7-4-605(a).



Jackie N. Jelen
Planning Director

4-7-2022

Date