

DELPHI PLAN COMMISSION

Nov 20, 2023 – 6 PM

Second Floor, City Building, 201 S. Union Street

Vice President Spencer Kingery opened the meeting at 6p.m.

Attendance:

PC Member	Present	Absent
Sandy Flora (P)		X
Spencer Kingery (VP)	X	
Christina Langsdorf (S)	X	
Dick Bradshaw	X	
Brian Garrison	X	
Jacob Grist	X	
Cody Nelson	X	

Introductions were made by members present.

The Aug 21, 2023, meeting minutes were reviewed. No additions or corrections were made. Cody Nelson made a motion to approve the Aug 21, 2023, minutes as presented. Second by Dick Bradshaw. Motion passed unanimously.

The agenda was reviewed, and no changes were made.

Old Business (none)

New Business

1. PC23-005-MS Vine Minor Residential Subdivision.

The Hammonds provided an overview of what they are requesting. They would like to subdivide the parking lot area and build a duplex on the site.

Deb Luzier presented Docket PC23-005-MS. The petitioner is requesting approval of a primary plat and secondary plat for a minor residential subdivision with two lots. The subject property contains 0.358 acres and is located on the northeast corner of Washington Street and Vine Street at 921 S Washington Street. The petitioner and owner are Hammons Development, LLC.

The proposed minor subdivision plat is in compliance with the standards of the Delphi Zoning Ordinance and Subdivision Control Ordinance that is currently in effect for the U-1 Urban Residential District, including:

- Lot Size: Lot 1 with the single-family home is at least 6,000 sqft (6,656 sqft). Lot 2 for the two-family dwelling is at least 8,000 sqft (8,778 sqft).

- Setbacks: The front setback from Washington Street is 35 feet. The front setback from Vine Street is 25 feet. Side setbacks on the remaining sides is 7 feet. Note that these are corner lots, so there are no rear setbacks.

Additional lot standards were requested and have been added to the plat:

- A 5-foot "no-access easement" was added along Washington Street in order to prevent any new driveways from accessing Washington Street.
- A deed restriction is placed on the subdivision that prevents the lots from being further subdivided in the future. This would prevent the two-family dwelling from being divided and the units sold separately from each other.

Additional development standards will be reviewed when an application for a building permit is received:

- The minor residential subdivision plat will need to be executed with the city and recorded before a permit can be issued.
- There will be space for at least 1.5 off-street parking spaces per unit. These may be covered (garage) or uncovered.
- Each unit is at least 1,200sqft of living area (not counting the garage)
- Note that the address of 921 S Washington St applies to the existing single-family residence.
- The proposed two-family unit will have new addresses assigned off of Vine Street at the time a building permit is issued.

Staff recommends approval without any additional conditions.

Plan Commission Discussion:

- Dick Bradshaw asked about off street parking coming off of Vine St. There will be an area drive leading to the parking pad/garage for each unit. Vehicles will have to back onto Vine. Garages will be single car with room outside of the garage to park additional vehicle. Drive pad will be poured concrete, it is undetermined what will be done with additional driveway.
- Brian Garrison asked about separate driveways on Vine. When applying for a building permit, there will be a determination by the city on placement. It will be at least 35 feet from Washington.
- Next step for the Hammonds will be to record subdivision and apply for building permit. They plan on starting this year and finishing in the spring.

Dick Bradshaw made a motion to approve. Cody Nelson provided the second. Motion to approve passed unanimously.

2. Proposed Building Permit Fees Worksheet

Deb Luzier presented the proposed fee schedule which includes inspections. Inspections are not currently part of the permit fee. Proposed fees are based on having an outside entity complete the work and charging an hourly rate. Time would be needed for site and structural review and the necessary inspections. A minor remodel would not be as costly as building a new structure. Commercial properties may require more than one inspection for rough-ins, etc.

Plan Commission discussion:

- Dick Bradshaw asked about the line between residential and commercial. Deb noted it would be based on the zoning code that impacts the property.
- Cody Nelson asked if this fee schedule was similar to other communities. Deb confirmed that it was the fee schedule she uses in other communities.
- Deb noted that there is an effort to minimize the number of times an inspector comes out/reinspection.
- Dick Bradshaw asked about conflicts between inspectors and property owners. Deb noted that building codes are largely mandated by the state and she has not experienced conflicts. The property owner has the right to bring in their own inspector.

Jacob Grist made a motion to adopt the permit fee schedule as presented. Second by Cody Nelson. Motion passed unanimously.

3. Discussion on draft UDO

There will be a public hearing on the draft UDO at the December 18th meeting with the draft document being made public prior to that meeting.

Vice President Kingery suspended the DPC meeting at 6:18pm to reconvene at 6:30pm in joint session with the BZA.

Joint meeting of DPC and BZA opened at 6:32pm by DPC Vice President Spencer Kingery.

Deb Luzier provided a summary of the UDO. Delphi had a zoning ordinance and a subdivision control document. The UDO merged the zoning and subdivision control documents.

The draft UDO was developed over several months earlier this year via a steering committee made up of a diverse group of representatives from the city, real estate professionals and Delphi citizens. The steering committee meetings were open to the public. This document is comprehensive but allows for flexibility via requests for variances or special exceptions. The City Council will make the final decision in adopting the UDO.

The current "redline" version of the draft reflects the most recent changes made by the steering committee. At the request of the Plan Commission, Deb then provided an overview of the changes. Those changes include:

- Mayor is the administrator of the ordinances with the ability to delegate. The administrator will issue building permits, etc. until a building inspector is hired.
- New addresses are coordinated with GIS/County.
- Zoning districts have been renamed. For example, residential zoning is now reflected as low, medium, or high density.
- Noting that low density residential zoning is default for property that may not have been zoned (catch all in case something has been overlooked).
- Owner occupied short term rental is permitted by right in residential zone, but requires a special exception if not owner occupied
- New high density residential district has been added – allowing multi family, manufactured home parks by right. Not on the zoning map at this time.
- Downtown business district will support dwellings on the second floor by right, vs special exception.
- Accessory structures without permit need to be behind the façade of the main building.
- New fences in residential districts can be 6 feet high in rear yard and 4 feet high in side yard.
- Permits are required for new driveways.
- Buffer plants cannot be in drainage area.
- Lights for festivals should be approved by BOW.
- Expansion or new parking lots need a building permit.
- Added flexibility in parking requirements for developers. Gravel parking area can be installed for up to 6 months before final paving.
- Manufactured home occupancy. Long term RV occupancy is prohibited in city limits.
- Trash needs to be in a container/dumpster.
- New section on accessory dwelling units (ADU). No more than 2 persons can reside in an ADU. Also, said additional parking needs to be on-site as street parking does not count.
- Adult day care is a new use identified. This is not a loophole for nursing homes.
- Home based business vs home occupation. Home based businesses have extra employees vs residents of property. Home based business vehicles must be on paved surface. Home occupation no pickup/delivery outside of amazon, fed ex, etc. (no semis)
- Manufactured homes that are abandoned cannot be kept onsite. Abandoned is defined as not being occupied for at least 6 months.
- Minimal provisions on sexually oriented business – added screening around property.
- Short term rentals – incorporated existing city standards. Added a few more provisions. For example, must align with covenants associated with the property. Annual registration permit and new business permit required. Owner/operator information will be on file/accessible. The DPC will also review how the property is being marketed. The permit can be revoked for noncompliance.

- Small subdivision process is streamlined (1 – 4 lots).
- Subdivision design standards: covenants are required for all new subdivisions. HOA is mandated once the developer turns it over to the residents. HOA dues must be sufficient to maintain common areas.
- Guidelines for gang boxes, if they are required within a development, are provided by the local postmaster.
- If an HOA is dissolved, maintenance fees would be shared equally between the lot owners for continued maintenance of open spaces.
- Flow charts for PC and BZA process to be updated to ensure step by step instructions.

DPC and BZA discussion:

- Dick Bradshaw asked several questions about enforcement responsibility, day to day operational responsibility and what might be common problems the DPC will face if the UDO is adopted.
 - Deb noted that the ultimate responsibility for enforcement lies with the Administrator/Mayor with staff responsible for the day-to-day operations. Objections would be heard via the BZA appeal process. Amendments to the UDO would mirror the adoption process with the DPC making a recommendation and the City Council voting for or against the adoption/amendment.
 - Deb said a common problem might be a brand-new use that was not contemplated in the UDO or if there is a specific issue at a property that needs to be fit into the UDO.
 - Code enforcement continues to be managed by the city.
- Dick Bradshaw asked about liability and flexibility.
 - Deb noted that BZA decisions are appealed to courts. Staff will use the ordinance as a guide. A good practice could be to reevaluate the UDO after 6 months of administration to determine if any changes need to be made.

There was no other business from the floor and no announcements.

There being no other business, Dick Bradshaw moved to adjourn with a second by Brian Garrison and the motion carried. The meeting was adjourned at 7:20p.m.


Christina Langsdorf, Secretary