

PLYMOUTH PLAN COMMISSION

March 4, 2025

The Plymouth Plan Commission met in regular session in the Council Chambers of the City Building, 124 North Michigan Street, Plymouth, Indiana, on March 4, 2025, at 7:00 p.m.

Commission Vice-President Alex Eads called the meeting to order for Commissioners Randy Longanecker, Beth Pinkerton, Angela Rupchock-Schafer, Linda Secor, and Fred Webster answering roll call who were physically present. Commissioners Mark Gidley and Paul Wendel attended virtually. Commissioners Shiloh Carothers Milner, Dan Sellers and Doug Feece were absent. Others present were Advisory Member Stan Klotz, Building Commissioner Dennis Manuwal Jr., City Attorney Jeff Houin, Plan Director Ty Adley, and Mayor Robert Listenberger. The public was able to see and hear the meeting through Microsoft Teams.

Deputy Clerk-Treasurer Williams Administered an Oath of Office to Angela Rupchock-Schafer.

Commissioners Webster and Longanecker moved and seconded to approve the minutes of the last regular meeting on January 7, 2025. The motion carried.

The following legal notice was advertised in the Pilot News newspaper on February 20, 2025:

116 Legals		116 Legals
<p>NOTICE OF PUBLIC HEARING</p> <p>The Plan Commission of the City of Plymouth, Indiana will hold a hearing on March 4th, 2025, at 7:00 p.m. in the Council Chambers of the City Building, 124 N. Michigan St. (Garro St. entrance), Plymouth, Indiana on the following matters:</p>	<p>PC 2025-02: Plymouth Plan Commission, 124 N. Michigan Street, Plymouth, IN 46563: An Amendment to the following:</p> <ul style="list-style-type: none">• Article 3 R-2 Suburban Residential Maximum Lot Coverage: from 30% to 40%• Article 3 R-3 Traditional Residential Minimum Lot Width: from 60' to 50' Maximum Lot Coverage: from 55% to 65%Special Use: Residential: to now include Multi-Family• Article 3 R-4 Multi-Family Residential Front Yard Setback: from 30' to 10'• Article 3 C-1 General Commercial Maximum Lot Coverage: from 70% to 80%• Article 3 C-3 Corridor Commercial Maximum Lot Coverage: from 70% to 80%	<p>or worn paint, etc.), on a permanent foundation, and a second container is permissible for lots greater than 5 acres with additional containers being reviewed by the Board of Zoning Appeals. Containers are to only be used for cold storage and shall not be permitted in the front yard(s). Information on these matters may be obtained at the office of the Clerk-Treasurer, 124 N. Michigan St., Plymouth, IN and telephone #574-936-2124. Written objections to the proposal filed at the Clerk-Treasurer's office will be considered and oral comments will be heard. The hearing may be continued from time to time as may be found necessary. If you are disabled and need special accommodations, please call the ADA Coordinator at 574-936-2948. Kyle Williams, Recording Secretary, Plan Commission, February 20th, 2025.</p> <p>PC 2025-03: Plymouth Plan Commission, 124 N. Michigan Street, Plymouth, IN 46563: An Amendment to the following:</p> <ul style="list-style-type: none">• Article 6.010 Accessory Structures and Use Standards: To add new subsection F. to include regulations for Shipping Containers.F. Shipping Containers Allow 1 cargo container within R-1, C-1, C-3 and I districts regardless of parcel size with the conditions that it would be maintained as the same color as adjacent structure, kept in good repair (ie. no rust, holes,

PC 2025-02: Plymouth Plan Commission, 124 N. Michigan Street, Plymouth, IN 46563: Certified Proposal to Amend the Zoning Ordinance for the City of Plymouth. (Various Article 3 Amendments including but not limited to setback, impervious coverage, lot size and land uses.)

Plan Director Adley presented his report and reviewed the various Article 3 Amendments as shown below.

Section 1. Zoning Ordinance, Article 3 Standard Zoning District Intent, Uses, & Standards; R-2 Suburban Residential District; Maximum Log Coverage, shall be amended as follows:

Maximum Lot Coverage:

- 30% 40%

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Section 2. Zoning Ordinance, Article 3 Standard Zoning Districts Intent, Uses, &

Standards; R-3 Traditional Residential District, shall be amended as follows:

Minimum Lot Width:

- ~~60-Foot~~ **50 Feet**

...

Maximum Lot Coverage:

- ~~55%~~ **65%**

...

Special Uses

Residential Uses

- Assisted Living Facility
- Group Home
- Home Based Business
- Two-family residential
- **Multi-family residential**

Section 3. Zoning Ordinance, Article 3 Standard Zoning Districts Intent, Uses, & Standards; *R-4 Multi-Family Residential District; Minimum Front Yard Setback*, shall be amended as follows:

Minimum Front Yard Setback:

- ~~30-Foot~~ **10 Feet**

Section 4. Zoning Ordinance, Article 3 Standard Zoning Districts Intent, Uses, & Standards; *C-1 General Commercial District; Maximum Lot Coverage*, shall be amended as follows:

Maximum Lot Coverage:

- ~~70%~~ **80%**

Section 5. Zoning Ordinance, Article 3 Standard Zoning Districts Intent, Uses, & Standards; *C-3 Corridor Commercial District; Maximum Lot Coverage*, shall be amended as follows:

Maximum Lot Coverage:

- ~~70%~~ **80%**

Section 6. Zoning Ordinance, Article 3 Standard Zoning Districts Intent, Uses, & Standards; *Section 130 Land Use Matrix; Table 3-A, Land Use Matrix*, shall be amended to incorporate the amendment in Section 2, above.

Section 7. Zoning Ordinance, Article 3 Standard Zoning Districts Intent, Uses, & Standards; *Section 140 Zoning District Distance Standards; Table 3-B, Distance Standards*, shall be amended to incorporate the amendments in Section 3, above.

Section 8. Zoning Ordinance, Article 3 Standard Zoning Districts Intent, Uses, & Standards; *Section 140(A) Setback Requirements*, shall be amended as follows:

A. Setback Requirements

...

2. Visual Setback on Corner Lots

A visual setback shall be provided for all lots located at road right-of-way intersections in all zoning districts **except R-3 Traditional Residential District and C-2 Downtown Commercial District**.

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Section 9. Zoning Ordinance, *Article 3 Standard Zoning Districts Intent, Uses, & Standards*; *Section 150, Zoning District Area Standards*; *Table 3-C, Area Standards*, shall be amended to incorporate the amendments in Sections 1-2, and 4-5, above.

Section 10. Pursuant to Indiana Code §§ 36-7-4-605, 607(c), after determining its favorable recommendation, the proposed amendments to the Zoning Ordinance for the City of Plymouth, set forth in the attachment, are now certified to the Plymouth Common Council for consideration.

Pinkerton asked what the purpose was for the change in Section 3 from a 30 ft. minimum front-yard setback to a 10 ft. minimum front-yard setback.

Adley replied when they look at multi-family housing, the thought would be an apartment complex when you are trying to densify a given space and make it more urban. He stated when a structure was set back 30 ft. then that space would often not be used for much of anything outside of green space or parking. He stated by bringing those structures up closer to the road, they are also going to be able to assist fire departments in being able to gain better access to those structures, as well as the ability to promote more parking in the rear.

Webster asked regarding multi-family, how many units would be considered multi-family.

Adley replied that it began at 3-4 units.

Webster believed this would allow for more availability to put triplexes and quadruplexes.

Adley stated with this being considered as a special use, context was important as it would not open the doors to everyone but rather provide the opportunity to have those discussions.

Webster remembered when it used to be taboo to put a triplex or quadruplex in.

Houin explained without this amendment that multi-family would require a complete rezoning to R-4, but this would streamline the process. He explained that it would keep a review in place with the Board of Zoning Appeals, but this would be much simpler. He stated that the table in the zoning ordinance already listed it as a special use, so it was clearly contemplated.

Rupchock-Schafer added that these were exciting updates and thanked Adley.

Webster asked how many cases they had that were impacted by these changes.

Houin replied that he was not sure but one of the first things that former Plan Consultant Ralph Booker did was compile a list of BZA cases over several years to get a pattern down. He stated all the amendments he had brought to them over the past year were based upon that review as well but with Adley being able to focus on this full time, they had been able to streamline the process.

Commissioners Webster and Rupchock-Schafer moved and seconded to open the public hearing. The motion carried.

There were no comments at that time.

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Commissioners Longanecker and Rupchock-Schafer moved and seconded to close the public hearing. The motion carried.

Commissioners Rupchock-Schafer and Webster moved and seconded to provide a favorable recommendation of PC 2025-02 to the city council. The motion passed by roll call vote.

In Favor: Eads, Gidley, Longanecker, Pinkerton, Rupchock-Schafer, Secor, Webster, and Wendel

Opposed: None

Absent: Milner, Sellers, and Feece

PC 2025-03: Plymouth Plan Commission, 124 N. Michigan Street, Plymouth, IN 46563: Certified Proposal to Amend the Zoning Ordinance for the City of Plymouth. (Article 6 Amendment to regulate Shipping Containers)

Plan Director Adley presented his report and reviewed the amendments to Article 6 regarding regulation of shipping containers as seen below.

Section 1. Zoning Ordinance, Article 6 Development Standards; Section 010 Accessory Structures and Use Standards, shall be amended to add a new subsection F. Shipping Containers, to read as follows:

F. Shipping Containers

Allow one (1) cargo container within R-1, C-1, C-3 and I districts regardless of parcel size with the conditions that the cargo container shall be maintained as the same color as adjacent structure, kept in good repair (i.e. no rust, holes, or worn paint, etc.), on a permanent foundation, and a second container is permissible for lots greater than five (5) acres. Additional containers may be allowed after review and approval by the Board of Zoning Appeals. Containers shall be used only for cold storage and shall not be permitted within any front yard setback.

Section 2. Pursuant to Indiana Code §§ 36-7-4-605, 607(c), after determining its favorable recommendation, the proposed amendments to the Zoning Ordinance for the City of Plymouth, set forth in the attachment, are now certified to the Plymouth Common Council for consideration.

Webster asked if this was like what the county had. Adley agreed. Webster stated he understood the county spent some time on this topic. He prefaced that his next questions were from Doug Feece who was not able to make it to the meeting tonight.

Wester asked how “cold storage” was defined. He asked if they put meat and vegetables in there and sell it out like that.

Adley replied that the term cold storage was simply a storage building. He added that it would be a non-habitable structure.

Webster asked for clarification that it was not indicating whether it was heated or cooled.

Adley replied in agreement that it was not indicating that. He explained it would be as well as you could heat or cool a shed on your property. He stated he was sure you could cool a shipping container.

Webster stated he was trying to get a handle on the description because someone at some point in time

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would try to push the limit on this.

Adley explained if you do not have an ordinance then someone would push a limit regardless of what that it was. He stated that regardless of what they would try to do, that they would still need to meet the building code at the end of the day.

Webster asked what was considered as a permanent foundation.

Adley replied that there would be four points where the shipping container would make contact or there would likely be two trenches with one on the front and rear where it would be anchored down.

Rupchock-Schafer stated that it sounded like someone could put some cinderblocks on top of one another. She asked for clarification that that would not be considered permanent.

Adley replied that it would not be a permanent foundation as it was not tied down to anything. He stated it would secure the structure if they had heavy winds so that it would not become a moving object.

Rupchock-Schafer added that a permanent structure sounded like it would look better.

Webster asked Building Commissioner Dennis Manuwal Jr. if he had anything to add to this as he would be enforcing this.

Manuwal replied that a permanent foundation could be classified as crushed limestone compacted in or poured in concrete, but the biggest thing would be that they would have to be anchored to the ground.

Webster asked if places around the city that have them already would be asked to remove the extra ones they have or would they be grandfathered in. He stated Feece's comment to that was that they should not be grandfathered in as they should not be there in the first place.

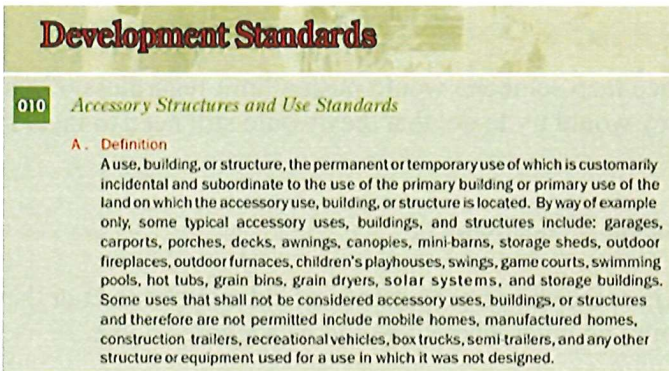
Adley replied that it would be something they would have to investigate the interpretation of the ordinance. He stated the difficulty would be because it was not spelled out well enough to begin with on what was permitted for a permanent structure versus a temporary structure. He explained it was not simple or easy to identify because they would not attend to every parcel every day to ensure that the same structure was there every time. He stated there was also an essence of difficulty with what was classified as grandfathered or what was technically termed as a legal non-conforming structure.

Webster asked if they would need a building permit. Adley agreed. Webster asked if they would be on the tax rolls. Adley replied that he would defer taxing questions to the Assessor's Office.

Wendel stated that shipping containers do not have wheels on them, and they are put on trailers/trains, so he wanted to ensure that they are not mixing shipping containers with semi-trailers. He asked for clarification that semi-trailers have no part in this.

Adley replied in agreement and referenced the zoning ordinance that it was already addressed in the second to last line of the definition as seen below. He explained it would already be addressed that they were not permissible structures as accessory structures.

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Eads asked for clarification that this applied to C-3 zoning districts like Walmart. Adley agreed. Eads stated they had containers behind the building.

Manuwal commented that they were no longer there.

Wendel added that they come and go.

Eads asked for clarification that those would not be permanent then.

Adley replied in agreement and referenced that shipping containers were often used in the construction industry. He explained that those were usually used as a very large toolbox, and they fell into what their use was. He stated if they were put onto a construction site then the intention would be that it would be there for the life of the construction site and then it would go away.

Longanecker added that a lot of construction companies rent them so they would want them to be gone as soon as possible.

Webster asked Manuwal if he had anything else to add.

Manuwal stated the only thing he did not want was semi-trailers or van bodies allowed as they were not built structurally sound enough to be used for long-term use.

Commissioners Webster and Rupchock-Schafer moved and seconded to open the public hearing. The motion carried.

Stan Klotz (112 W. Jefferson Street, Plymouth, IN 46563)

Klotz stated he was a representative of the County Plan Commission, and they worked on this a couple years ago. He stated he was playing devil's advocate here by explaining that they have cold storage containers they can put on the ground, but they know they have the same thing with wheels on them. He stated if they leave the wheels on then the semi-trailer falls into but what do you do if you put the plate on them. He stated from the County's perspective, if they put a plate on them that they could not touch them. He stated they could be plated for \$70-\$80 for multiple years and asked how that would be handled. He explained he understood what the intention was but there would always be some guy, probably around the southwest corner of the county, that always wanted to find a loophole. He stated he wasn't in favor or against because he believed it was a good idea but that was one issue they ran into, and he was not sure if it had truly been addressed.

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Brent Martin (15413 12th Road, Plymouth, IN 46563)

Martin stated they had a lively discussion on the same topics discussed that night and believed that it was worth having that conversation. He stated he recommended approval of what was heard tonight from Adley.

Commissioners Webster and Longanecker moved and seconded to close the public hearing. The motion carried.

Pinkerton asked if they put wheels on it and got a license then would it still be considered a trailer.

Adley replied semi-trailers were not permitted and already expressly called out in the zoning ordinance. He stated it would lean towards that direction so as soon as you put wheels on it, you are looking at a semi-trailer. He stated if it becomes plated, then it can come down to the definition of what junk was and whether the vehicle was operable and to what degree. He stated an ordinance could not be full proof as much as they would love that, but they see this as the best first step. He stated they could look at adjusting in the future because the zoning ordinance was a living breathing document being updated multiple times a year. He explained he was not thrilled with having to bring 13 amendments in one night and he would like to make it much shorter.

Commissioners Webster and Longanecker moved and seconded to provide a favorable recommendation of PC 2025-03 to the city council. The motion passed by roll call vote.

In Favor: Eads, Gidley, Longanecker, Pinkerton, Rupchock-Schafer, Secor, Webster, and Wendel

Opposed: None

Absent: Milner, Sellers, and Feece

Comprehensive Plan Update:

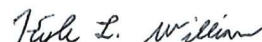
Adley stated with the first rough review of the Comprehensive Plan was that they were at the 50% mark of items completed or ongoing currently, so they were making substantial progress for the 15-month lifespan of the Comprehensive Plan.

Other Business:

Webster asked how far along the County was on their Comprehensive Plan.

Klotz replied that they were looking at an update rather than a total rewrite.

With there being no other business to come before the Commission, Commissioners Webster and Rupchock-Schafer moved and seconded to adjourn the meeting. The motion carried, and the meeting adjourned at 7:42 p.m.



Kyle Williams, Recording Secretary