

PLYMOUTH PLAN COMMISSION

August 5, 2025

The Plymouth Plan Commission met in regular session in the Council Chambers of the City Building, 124 North Michigan Street, Plymouth, Indiana, on August 5, 2025, at 7:03 p.m.

Commission President Doug Feece called the meeting to order for Commissioners Mark Gidley, Randy Longanecker, Shiloh Carothers Milner, Beth Pinkerton, Angela Rupchock-Schafer, Linda Secor, Dan Sellers, and Fred Webster answering roll call who were physically present. Commissioners Alex Eads and Paul Wendel were absent. Others present were Building Commissioner Dennis Manuwal Jr., City Attorney Jeff Houin, Mayor Robert Listenberger, and Plan Director Ty Adley. The public was able to see and hear the meeting through Microsoft Teams and streamed live at <https://www.youtube.com/@CityofPlymouth>.

Commissioners Sellers and Gidley moved and seconded to approve the minutes of the last regular meeting on July 1, 2025. The motion carried.

The following legal notice was advertised in the Pilot News newspaper on July 24, 2025:

NOTICE OF PUBLIC MEETING

The Plan Commission of the City of Plymouth, Indiana will hold a meeting on August 5th, 2025, at 7:00 p.m. in the Council Chambers of the City Building, 124 N. Michigan St. (Garro St. entrance), Plymouth, Indi-

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ana on the following matters:
PC 2025-09: Plymouth Plan Commission, 124 N. Michigan Street, Plymouth, IN 46563: An Amendment to the following:
Article 6.010 Accessory Structure
• B. Where Permitted
• Accessory Uses, Buildings, and Structures shall be permitted in all districts, provided that the primary use which is supported by the accessory use, building, or structure is a permitted use within the district to which a lot is zoned.
• "Adding" Accessory structures are permitted on adjacently owned lots, used in common, provided they meet remaining development standards.
Article 13. Adjusting definition

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to read as below:
• Lot
• A contiguous area of land separated from other areas of land by separate description for purpose of sale, lease, transfer of ownership or separate use. The boundaries of a lot shall be determined by its lot lines.
PC 2025-10: Plymouth Plan Commission, 124 N. Michigan Street, Plymouth, IN 46563: An Amendment to the following:
Article 6.200.B.7 Exterior Murals and Wall Graphics
Replacing existing regulations to now be read as:
• Murals also known as wall art are divided into two categories:
• Mural (Work of Art/Noncommercial)
• Does not require a sign per-

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mit, but requires a Plan Director letter of approval meeting the associated definition and below standards. The Plan Director may consult with local artist(s) for best practices and technical information.
• In certain instances, the Plan Director may defer the request to the Technical Review Committee or Board of Zoning Appeals.
• The applicant shall submit a sketch of the proposal along with the existing wall material and list of media seeking to be used in the project for review.
• Shall remain static.
• May protrude no more than 1' (1 foot) from the face of the building.
• Sign, Wall Sign (Commercial)
• Sign, Wall Sign are regulated by the requirements listed below.

Article 13

• Amending the Mural definition to read as:
• An image or work of art that is painted or affixed onto the side of a building, wall, or structure; or a painting on the ground. Murals are works that are non-commercial and do not include business names, phrases or logos.
• Amending the definition Sign, Mural to be replaced with Sign, Wall Sign and read as:
• A sign painted or affixed onto the side of a building, wall, or structure.
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.
If you are disabled and need special accommodations, please call the ADA Coordinator at 574-936-2948.
Kyle Williams, Recording Secretary, Plan Commission, July 24th, 2025.

PC 2025-09: Plymouth Plan Commission, 124 N. Michigan Street, Plymouth, IN 46563: Amendments to the Zoning Ordinance for Accessory Structures.

Plan Director Adley reviewed the proposed amendment to the Zoning Ordinance.

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PC 2025-09

CERTIFIED PROPOSAL TO AMEND THE ZONING ORDINANCE FOR THE CITY OF PLYMOUTH

Statement of Purpose and Intent

On March 11, 2024, the Plymouth Common Council adopted a Resolution to Establish a Comprehensive Plan Advisory Committee. Since then, a subcommittee of the Comprehensive Plan Advisory Committee has been meeting regularly to review the Plymouth Zoning Ordinance and formulate recommendations for possible amendments to the zoning ordinance to achieve the goals outlined in the Plymouth Forward 2040 Comprehensive Plan.

The Zoning Subcommittee has received information from the Plymouth Planning Director regarding standards for Accessory Structures. After review, the subcommittee recommends certain amendments to the Plymouth Zoning Ordinance. Based upon these recommended changes, the Plan Commission initiated this Proposal to Amend the Zoning Ordinance for the City of Plymouth, pursuant to Indiana Code §§ 36-7-4-601, 602, 603.

The Plan Commission scheduled a public hearing on the proposed amendments on Tuesday, August 5, 2025, 7:00 p.m. at the Plymouth Common Council Chambers, with notice of said hearing being published pursuant to Indiana Code § 36-7-4-604 and Indiana Code § 5-3-1 *et seq.* At the public hearing, the proposal was discussed, with the Commission hearing input from Planning Director Ty Adley, and pursuant to Indiana Code § 36-7-4-605, the Commission voted to approve the proposed amendments to the Zoning Ordinance for the City of Plymouth, giving the proposed amendments its favorable recommendation.

The purpose and intent of this document is to certify the proposed amendments to the Zoning Ordinance for the City of Plymouth to the Plymouth Common Council for its consideration.

NOW, THEREFORE, BE IT ORDAINED, by the Plymouth Plan Commission, as follows:

Section 1. Zoning Ordinance, Article 6, Development Standards; Chapter 010, Accessory Structures and Use Standards, shall be amended as follows:

A. Definition

A use, building, or structure, the permanent or temporary use of which is customarily incidental and subordinate to the use of the primary building or primary use of the land on which the accessory use, building, or structure is located. By way of example only, some typical accessory uses, buildings, and structures

...

Section 3. 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.

SO CERTIFIED, BY THE PLYMOUTH PLAN COMMISSION

include: garages, carports, porches, decks, awnings, canopies, mini-barns, storage sheds, outdoor fireplaces, outdoor furnaces, children's playhouses, swings, game courts, swimming pools, hot tubs, grain bins, grain dryers, solar systems, and storage buildings. Some uses that shall not be considered accessory uses, buildings, or structures and therefore are not permitted include mobile homes, manufactured homes, construction trailers, recreational vehicles, box trucks, semi-trailers, and any other structure or equipment used for a use in which it was not designed.

B. Where Permitted

Accessory Uses, Buildings, and Structures shall be permitted in all districts, provided that the primary use which is supported by the accessory use, building, or structure is a permitted use within the district to which a lot is zoned.

Accessory structures are permitted on adjacently owned lots, used in common, provided they meet remaining development standards.

C. Development Standards

Accessory uses, buildings, and structures shall comply with all development standards of the applicable zoning district unless an exception is specifically provided for in this section.

D. Dumpsters, Compactors, and Trash Receptacles

Dumpsters, compactors, and other trash receptacles are not regulated as accessory structures.

E. Swimming Pools

Swimming pools must abide by this zoning ordinance as well as Indiana Administrative Code (675 IAC 20) and Indiana Residential Code (675 IAC 14-4.3 *et seq.*), as they may be amended from time to time.

Section 2. Zoning Ordinance, Article 13, Definitions, shall be amended as follows:

...

Lot

A contiguous area of land separated from other areas of land by separate description for purpose of sale, lease, transfer of ownership or separate use. The boundaries of a lot shall be determined by its lot lines. ~~It may be a single parcel separately described or a combination of such parcels when adjacent to one another and used as one (1) lot.~~

Gidley asked if the accessory structure had to be used by the owner. Adley agreed. Gidley asked for clarification that they could not allow someone else to build and use it for something other than the use.

Adley replied that it came down to the definition of accessory as it was incidental to the house itself, so it had to be in association with the primary building. He stated you could not have your house in one lot and a building in the other and lease it out to someone else. He stated that it would make it a primary structure for that lot whether it be commercial, storage, etc.

Pinkerton asked about the structures already in place with fences already up. She asked if it would all be grandfathered in.

Adley replied when you make a zoning ordinance amendment, and it changes how rules are interpreted so anything in existence prior to that runs under the "grandfathering" aspect or the legal non-conforming aspect.

Pinkerton asked what would happen if the property was sold.

Adley replied that the property would not have changed at that point so that it was not to be confused

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with the difference between a legal nonconforming use and an illegal nonconforming use. He explained illegal nonconforming means when the ordinance was written at that time when that structure went in, it did not meet that code and still did not meet that code. He stated a legal nonconforming use means that at one point it met the code, the code changed, and it now did not meet the code. He provided an example with setbacks. He stated if you were to change it substantially that you would then have to come into conformance today.

Webster asked if someone came in and asked if people would still be encouraged to put both lots together even though they did not have to.

Adley replied he would always encourage people to bring lots together for simplicity, especially if you planned on using properties together. He stated this would allow you to use your property as you intend to when owning two lots as you shouldn't have to go through the whole Board of Zoning Appeals process when majority of the time there is no issue with it. He stated this amendment would streamline the process instead of drawing it out for the homeowners.

Gidley asked if this applied to the two-mile zone.

Adley replied that this applied to anyone under their zoning jurisdiction.

Gidley asked if he owned a house in a subdivision and bought the lot next door and the subdivision has a restriction that states. Adley interrupts that it would be a private restriction. Gidley asked about the size of the structure.

Adley replied that the caveat was that it would be just an accessory structure for you to store your items in. He explained that the setbacks, impervious coverage, etc. all still had to be met regardless. He stated this just allowed the structure itself to be permitted on the property. He stated the use of it still comes under question whether it would be used for business, meeting the setbacks, etc. as the lots were still independent in nature. He stated most accessory structures would not be able to move easily so it would have to meet those setbacks in case the property was sold in the future.

Gidley asked if this involved the movement to allow garages to be converted into housing.

Adley replied that they were not related as it had nothing to do with Accessory Dwelling Units (ADU). He stated this was for commercial businesses and residences seeking to permit accessory structures or building additions and to clarify what was permissible to be on an adjoining lot when a lot combination occurred. He stated this would allow for less variance requests as it shouldn't take you two months in order to get approval that had a greater than likely approval rating.

Commissioners Webster and Sellers moved and seconded to open the public hearing. The motion carried.

There were no comments at that time.

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

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Commissioners Webster and Milner moved and seconded to provide a favorable recommendation of PC 2025-09 to the city council. The motion passed by roll call vote.

In Favor: Longanecker, Milner, Pinkerton, Rupchock-Schafer, Secor, Sellers, Webster, and Feece

Opposed: Gidley

Absent: Eads and Wendel

PC 2025-10: Plymouth Plan Commission, 124 N. Michigan Street, Plymouth, IN 46563:
Amendments to the Zoning Ordinance for Murals.

Plan Director Adley reviewed the proposed amendment to the Zoning Ordinance.

PC 2025-10

CERTIFIED PROPOSAL TO AMEND THE ZONING ORDINANCE FOR THE CITY OF PLYMOUTH

Statement of Purpose and Intent

On March 11, 2024, the Plymouth Common Council adopted a Resolution to Establish a Comprehensive Plan Advisory Committee. Since then, a subcommittee of the Comprehensive Plan Advisory Committee has been meeting regularly to review the Plymouth Zoning Ordinance and formulate recommendations for possible amendments to the zoning ordinance to achieve the goals outlined in the Plymouth Forward 2040 Comprehensive Plan.

The Zoning Subcommittee has received information from the Plymouth Planning Director regarding standards for Murals and Wall Signs. After review, the subcommittee recommends certain amendments to the Plymouth Zoning Ordinance. Based upon these recommended changes, the Plan Commission initiated this Proposal to Amend the Zoning Ordinance for the City of Plymouth, pursuant to Indiana Code §§ 36-7-4-601, 602, 603.

The Plan Commission scheduled a public hearing on the proposed amendments on Tuesday, August 5, 2025, 7:00 p.m. at the Plymouth Common Council Chambers, with notice of said hearing being published pursuant to Indiana Code § 36-7-4-604 and Indiana Code § 5-3-1 *et seq.* At the public hearing, the proposal was discussed, with the Commission hearing input from Planning Director Ty Adley, and pursuant to Indiana Code § 36-7-4-605, the Commission voted to approve the proposed amendments to the Zoning Ordinance for the City of Plymouth, giving the proposed amendments its favorable recommendation.

The purpose and intent of this document is to certify the proposed amendments to the Zoning Ordinance for the City of Plymouth to the Plymouth Common Council for its consideration.

NOW, THEREFORE, BE IT ORDAINED, by the Plymouth Plan Commission, as follows:

Section 1, Zoning Ordinance, Article 6, Development Standards; Chapter 200, Sign Standards, Section B, General Requirements, shall be amended as follows:

...

7. Exterior Murals and Wall Graphics

a. Murals, also known as wall art, are divided into two categories:

Include business names, phrases, or logos, that function as a sign are regulated in this Ordinance as a Wall Sign.

...

Sign, Mural-Wall Sign

A sign painted or affixed onto the side of a building, wall, ground, or structure. A mural sign is regulated as a wall sign in the Zoning Ordinance. Murals not meeting the definition of a sign are not regulated by the Zoning Ordinance.

...

Section 3, 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.

I. Mural (Work of Art/Noncommercial)

a) Does not require a sign permit, but requires a Plan Director letter of approval meeting the associated definition and below standards. The Plan Director may consult with local artist(s) for best practices and technical information.

b) In certain instances, the Plan Director may defer the request to the Technical Review Committee or Board of Zoning Appeals.

c) The applicant shall submit a sketch of the proposal along with the existing wall material and list of media seeking to be used in the project for review.

d) Shall remain static.

e) May protrude no more than one (1) foot from the face of the building.

II. Sign, Wall Sign (Commercial)

a) Sign, Wall Sign shall comply with the remainder of this chapter.

~~a. Except for area, a mural or wall graphic shall comply with this Chapter.~~

~~b. The area of a wall graphic or mural may not exceed thirty percent (30%) of the wall.~~

~~c. A mural or exterior wall graphic shall not be permitted as a Off Premise Sign and shall relate exclusively to the use of the building on which it is located~~

Section 2, Zoning Ordinance, Article 13, Definitions, shall be amended as follows:

...

Mural

An Image or work of art that is painted or affixed onto painting on the side of a building, wall, or structure; or a painting on the ground or the ceiling of a building or structure. A mural that does not function as a sign is not regulated by this Ordinance. Murals are works that are noncommercial and do not

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Pinkerton asked what they could and could not do.

Adley replied there was a balance between what was a work of art/mural and what was a wall sign. He listed under the ordinance currently there was a limitation of 30%. He stated if there was a 30-foot wall, you could only paint less than 10 feet of it. He stated that it seemed rather small when you consider murals around the area and nationwide. He stated for the other portion, if you had a building downtown and wished to paint something on it, he provided the example of if your daughter's favorite flower was a daisy, but you sold jewelry, that you could not put up the flower as it would have to be content specific to what you did in the building. He stated a lot of sign regulations had to be massively revamped in 2018 due to the regulation of what was said. He stated they could regulate how it looked, the height, size, opacity, etc. but the content of said sign was massively regulated and protected under the 1st Amendment. He explained they needed to be careful on how they worded that aspect, so they wanted to create a distinction between a mural and wall art as a non-commercial portion to that by limiting the use of logos, names of businesses, phrases, etc. He stated there would be an example in the Board of Zoning Appeals meeting that night of someone trying to do that. He stated it was a fine line to walk between what was intended to beautify whereas another was looking to commercialize and brand something else. He stated a lot of communities fell into a similar format of writing this so in order to open this up to regional or local artists, they were looking into updating this ordinance in order to allow for it.

Gidley stated he could think of one case in 16 years that they had a request to put a wall sign in. He stated that when WKVI came to Plymouth, they wanted to essentially put a painted billboard on the side of Lowry's Carpet Store and because it was an off premise sign it was denied. He asked if that would still be possible.

Adley replied if it was still a commercial sign advertising for a business elsewhere that you would still have to go through the Board of Zoning Appeals approval process as you had to meet certain standards.

Webster asked if the work of art could wrap around the corner of a building or if it had to be restricted to one side. Adley replied that it was not restricted to one side.

Sellers stated with the first part saying that the Plan Director decided this, if there was an appeal process.

Adley replied there was always an appeal process. He stated it would go through the administrative appeal process.

Webster asked what "may" was used instead of "shall" when it states, "The Plan Director may consult with local artist(s) for best practices and technical information." He stated he had the same question for, "the Plan Director may defer the request to the Technical Review Committee or Board of Zoning Appeals."

Adley replied that the difference comes to knowledge as some questions may become common. He stated there was no reason to go back and consult consistently if it was an obvious answer.

Rupchock-Schafer asked if there was any discussion on the longevity of the mural. Adley replied there was none. Rupchock-Schafer asked if they saw that in other municipalities. Adley replied that he did not recall seeing that. Rupchock-Schafer asked if this would be to the detriment of a historical district or would that be to the discretion of the Plan Director.

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Adley replied that it would be like any other building permit as they would be consulting the entirety of the zoning ordinance. He stated this put a procedure instead of having to go before the Board of Zoning Appeals or Technical Review Committee each time. He stated this would share some duties with the Building Commissioner without having to have him review every building permit, as well as every sign permit if the Plan Director was able to assist as it would be extremely beneficial to help share those duties.

Feece asked what the protocol was if someone had something offensive that they would like to put up. He asked if that could be denied or if that was freedom of speech.

Adley replied that would get into a conversation about whether something was deemed offensive and consulting the City Attorney on the value of that free speech regarding what was permissible and what was not and that would be a difficult conversation. He stated he had been in several conversations over the past decade on the first amendment right of free speech on signage and he had been right every time. They always have the right to appeal the determination of the Plan Director and Building Commissioner.

Rupchock-Schafer asked if this was written in a way where they were trying to mitigate that as much as possible. Adley agreed.

Houin stated when they were talking about whether content was offensive or not that it would apply in the same way that any restriction would apply to any other sign proposed. He stated any business was currently allowed to change the face of their sign without any sort of zoning approval and if they were to put something offensive on an existing sign as opposed to painting a mural on a wall, that they would have the same conversation and review process. He stated it was not different than the current standards that currently exist for signage.

Feece stated when you use the word “art,” they have all been to an Art Museum, and sometimes that was not something that you would want out in the streets. He explained he had grandkids and those were conversations that you did not want to have with a five-year-old.

Houin stated if that were to arise that it would be the same standards that currently apply to any of the existing sign regulations.

Commissioners Webster and Pinkerton moved and seconded to open the public hearing. The motion carried.

There were no comments at that time.

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

Pinkerton explained this was a start for some of these wonderful artists they have in the community and that it would be regulated well by the artists themselves.

Commissioners Sellers and Rupchock-Schafer moved and seconded to provide a favorable recommendation of PC 2025-10 to the city council. The motion passed by roll call vote.

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In Favor: Gidley, Longanecker, Milner, Pinkerton, Rupchock-Schafer, Secor, Sellers, Webster, and Feece

Opposed: None

Absent: Eads and Wendel

Comprehensive Plan Update / Other Business:

Adley stated they got to the point where much of the work that had been accomplished was fantastic but rather than meeting monthly, they would be reaching the point of lowering the number of meetings per year. He stated they may be looking at every other month or once a quarter simply because the newer updates would take significantly more time to accomplish. He stated the committees were still very active with the work that they were doing and he was proud of them for that.

Houin stated Anna Kietzman chaired their Marketing Subcommittee of the Comprehensive Plan, and they had been working on an online progress tracking dashboard that could be viewed online or on the phone. He stated it would include progress tracking bars, links to more information, and it would be a great tool for the city and public to see what they were working on based on the Comprehensive Plan and the progress being made toward achieving those goals.

Mike Delp (3746 W. Shore Drive, Bremen, IN 46506)

Delp stated he used to be a Plymouth resident but something he wanted to bring up was something that had been bothering him for a few years. He stated he wanted to ensure that this was something that was corrected with building codes, ordinances, etc. He thanked Manuwal for the work he had been doing for the buildings that he city had been putting up with. He stated the property at 300 Pennsylvania Avenue had never been sided and it had the insulation board with duct tape and most of the duct tape now was off. He believed it had been 8-12 years that it had been like this and they have since then put in a nice ellaborate pool. He thought it was weird that they had the money to do the pool but not the siding. He hoped that something like this would not happen again and if it was next to him that he would be pretty upset. He added that the property next door at 310 Pennsylvania Avenue was in great shape and had the same ownership.

With there being no other business to come before the Commission, Commissioners Webster and Longanecker moved and seconded to adjourn the meeting. The motion carried, and the meeting adjourned at 7:39 p.m.



Kyle Williams, Recording Secretary