

MINUTES
COLUMBIA CITY PLAN COMMISSION
REGULAR MEETING
NOVEMBER 1, 2021
7:00 P.M.

WHITLEY COUNTY GOVERNMENT CENTER
MEETING ROOM A/B, LOWER LEVEL

MEMBERS PRESENT

Walt Crowder
Doug Graft
Chip Hill
Jon Kissinger
Don Langeloh
Dennis Warnick
Dan Weigold
Larry Weiss
Patrick Zickgraf (E)

MEMBERS ABSENT

STAFF

Nathan Bilger

ATTORNEY

Dawn Boyd (E)
(E)lectronic participant

AUDIENCE MEMBERS

One visitor attended the meeting; the guest list is attached. There were no attendees on the webcast.

CALL TO ORDER/ROLL CALL

Mr. Weiss called the meeting to order at 7:00 P.M. Mr. Bilger read the roll call with members present and absent listed above.

CONSIDERATION OF PREVIOUS MEETING MINUTES

The August 2, 2021, and September 13, 2021, regular meeting minutes and the August 17, 2021, special meeting minutes were presented for review. Mr. Bilger stated that the August regular meeting minutes had actually been completed before the September meeting, but they had been erroneously labelled as incomplete and so were continued from September. Mr. Weiss then allowed time for the Commission members to review the sets of minutes.

Mr. Hill made a motion to accept the minutes as presented; Mr. Crowder seconded. Motion passed unanimously by roll call vote, with the exceptions that Mr. Kissinger abstained from voting on the August 17th and Mr. Weigold abstained from voting on the September meeting. Each had been absent for those meetings.

ADMINISTRATION OF THE OATH TO WITNESSES

There was no oath administered as there were no public hearings scheduled.

OLD BUSINESS

There was no old business.

NEW BUSINESS

There was no new business.

OTHER BUSINESS

1. 2022 meeting calendar

Mr. Bilger presented the meeting calendar for 2022. He stated that most meetings would fall on the regular first Monday of each month, with the exceptions of July and September due to holidays. In both months, the meetings would be moved to the following Monday. He stated that the January meeting date had been changed from what was printed in the 2021 calendar since January 3rd had not been designated as the New Year holiday.

Mr. Weiss asked for any comments. Mr. Warnick made a motion to accept the 2022 meeting calendar as presented; Mr. Kissinger seconded. Motion passed unanimously by roll call vote.

2. Extraterritorial jurisdiction discussion

Mr. Bilger introduced the topic of expanding or changing the City's extraterritorial jurisdiction (ETJ). He stated that the Commission should review what would make sense from a planning standpoint first, then rework that according to other perspectives. He then reviewed the purpose of an ETJ, emphasizing that the ETJ was a planning and zoning tool, not an annexation tool, although the two things were related. Its primary purpose would protect a municipality from inconsistent zoning, or a lack of zoning, in the surrounding unincorporated area.

He then provided details on the statutory requirements for an ETJ. He stated that an ETJ must have a reasonable relationship to the development of the municipality, and he provided examples of what might be reasonable relationships. For counties with their own Comprehensive Plan, any ETJ is established, modified, or rescinded by county ordinance. He then presented a map of the corporate limits, the current ETJ, and the maximum two-mile buffer. He showed a zoning map and the comprehensive plan map, noting significant parts to each. Finally, he described the steps to modify the ETJ.

Mr. Bilger suggested that the Commission start discussion on the ETJ by focusing on what was working well with the current ETJ. Mr. Weigold asked how many times cases had occurred in the ETJ. Mr. Bilger stated that he thought most cases had been minor plats and variances, but major development had been annexed. Mr. Weigold then questioned why there was a need to have an ETJ. He suggested that the County had more restrictive zoning codes now, so the need for an ETJ may no longer be there. Mr. Warnick suggested that not having an ETJ could result in no more land available for annexation. Mr. Weigold suggested that eliminating the ETJ might encourage annexation. Mr. Bilger referenced the recent case of Schrader Real Estate's property and noted that if the City's zoning was more desirable for development than the County's, the favorable zoning be used to leverage annexation.

Mr. Crowder made comments about the restrictions on annexation statutes now. He felt that the ETJ would be beneficial for allowing development that may not be contiguous and not possible to annex. Mr. Weigold stated that being in the ETJ was not a prerequisite for annexation, so contiguous properties could be annexed even if not in the ETJ. He again questioned if the ETJ had value.

Mr. Hill asked if a CAFO could hypothetically be located on the south side of 200 South, just outside the current ETJ. Mr. Bilger replied that it could. Mr. Hill stated that would have impacts on annexation and development. There was further discussion about differences between the County and City regulations.

Mr. Weigold stated that he felt that adding restrictions on properties was not fair for property owners. Mr. Crowder stated he thought the state legislature would be looking at annexation law changes again soon, which might change the application of ETJ rules.

Mr. Bilger refocused the discussion, again posing the question whether the current ETJ was working well. Mr. Langeloh discussed development that had occurred and could occur in the ETJ and the importance of infrastructure. Mr. Weigold suggested that utility service could be negotiated and leverage annexation as well. There was further discussion. Mr. Crowder pointed out the Regional Sewer District could also impact development in the unincorporated areas. Mr. Weigold asked if the ETJ could be deterring residential development because of added restrictions. Mr. Kissinger stated he thought that was not likely for any type of development.

Mr. Bilger suggested that changes to ordinances might be possible to require annexation for any rezoning more intense than A-1 or R-1, that would resolve some of the issues brought up. It was pointed out that properties would still need contiguity. The idea was discussed. Potential areas were then discussed for commercial and residential development, and the merits and availability of the properties. Mr. Hill said that properties near the high school campus would be most attractive for residential development, although there was not any commercial. It was noted that much of the area already in the ETJ around the school was zoned R-1, but not likely to be developed. There was further discussion about development area.

Mr. Bilger summarized the overall discussion as being split between rescinding the ETJ, keeping it the same, or expanding it. He suggested that changing zoning code regulations to mesh between the City and County could be another option that could be considered for the next discussion.

ADJOURNMENT

Having no further business, Mr. Weiss declared the meeting adjourned at 8:02 P.M.

GUEST LIST

1. Tom Maher.....365 W. Gates Road, Columbia City

GUEST LIST (WEBCAST)

2. No electronic attendees