



Plan Commission Legal Notice

MEETING DATE: March 9, 2026 at 5:30 PM

MEETING PLACE: Madison City Hall, 101 W. Main Street Madison, IN 47250

STREAMING LINK: www.youtube.com/@CityofMadisonIndianaGovernment

- A. Roll Call
- B. Approval of minutes
- C. Tabled Applications - None
- D. New Applications - None
- E. New Business
 - 1. Updated PC Rules and Procedures
- F. Public Hearing
 - 1. Updated Fee Schedule (Resolution 2026-PC-2)
- G. Adjournment
- H. Next Meeting: April 13, 2026 at 5:30 PM

For the purpose of hearing oral comments concerning the listed applications, a public hearing will be held on March 9, 2026 at 5:30 PM in City Hall, 101 W. Main St., Madison, IN 47250. You are hereby advised that a copy of said proposal is on file for examination before the hearing in the Office of Planning, Preservation, & Design, 101 W. Main Street, Madison, IN 47250. Written objections to the proposal that are filed with the secretary of the commission before the hearing will be considered. The hearing may be continued from time to time as may be found necessary.

BY ORDER OF THE MADISON CITY PLAN COMMISSION

Tony Steinhardt, Deputy Mayor

Commission Members	Appointing Authority	Term of Appointment
Patrick Thevenow	City Council	01/18/2024 - 12/31/2027
Joel Storm	City Council	01/23/2024 - 12/31/2027
Josh Wilber	City Council	01/23/2024 - 12/31/2027
Jerry Ralston	Mayor	01/16/2024 - 12/31/2027
Van Crafton	Mayor	01/16/2024 - 12/31/2026
Mike Armstrong	Mayor	01/13/2025 - 12/31/2028
Karl Eaglin	Mayor	12/19/2024 - 12/31/2028
Rick Farris	County	03/06/2023 - 12/31/2026
Zac Laughlin	County	03/06/2023 - 12/31/2026

City of Madison acknowledges its responsibility to comply with the Americans with Disabilities Act of 1990. In order to assist individuals with disabilities who require special services (i.e. sign interpretative services, alternative audio/visual devices, etc.) for participation in or access to City sponsored public programs, services and/or meetings, the City requests that individuals make requests for these services forty-eight (48) hours ahead of the scheduled program, service and/or meeting. To make arrangements, contact ADA Coordinator at 812-265-8300.

MINUTES:

January 12, 2026 PC Meeting

MADISON CITY PLAN COMMISSION

Minutes

January 12, 2026

The Madison City Plan Commission held a regular meeting on Monday, January 12, at 6:00 p.m. in City Hall. Josh Wilber presided over the meeting.

Roll Call:

- Present- Josh Wilburn (Chairman), Patrick Thevenow, Jerry Ralston, Rick Farris and Zach Laughlin
- Absent – Josh Storm, Mike Armstrong, Karl Eaglin and Van Crafton
- Staff Present; Tony Steinhardt (Director of Economic Development), Amy Williams (Interim Planning Administrator) and Joe Jenner (City Attorney)

Minutes:

There were no corrections or additions to the September 8, 2025, meeting minutes. P. Thevenow made the motion to approve September 8, 2025, minutes as written and Z. Laughlin seconded the motion. Unanimous Consent Vote (5 in favor 0 against)-Motion carries.

The minutes for September 8, 2025 were approved.

Election of Officers

1. Chairman
2. Vice Chairman

J. Wilber asked for any nominees. Z. Laughlin nominated J. Wilber for Chairman and P. Thevenow as Vice Chairman. J. Wilber asked if there were any other nominations and there were not. Unanimous Consent Vote (5 in favor 0 against)- Motion carries.

Election of Officers: Chairman Josh Wilber. Vice Chairman Patrick Thevenow

Public Hearing (Proposed UDO & Zoning Map)

T. Steinhardt requested that the UDO and Zoning Map hearing be tabled after receiving a letter from an attorney challenging the appointments and composition of the Plan Commission. To review the claim thoroughly, T. Steinhardt asked that the hearing be postponed and rescheduled for January 26, 2026, at 5:30 p.m. J. Wilber asked if there were any objections from the board to move the hearing to January 26, 2026, at 5:30 p.m. at City Hall. Ralston made a motion to reschedule the hearing to January 26, 2026. Unanimous Consent Vote (5 in favor 0 against)- Motion carries

Public Hearing for public hearing for the UDO and Zoning map was tabled

Tabled Applications:

1. **SDVA-25-1:** Jim Pruett on behalf of D&W Realty Holdings LLC – Application for a Variance from Subdivision Standards to allow for a smaller right of way for a future road.

Location: 2629 N Michigan Rd; 4-88 Century Lane; and 200+ State Road 62

Zoned: GB General Business (GB)

J. Wilbur asked A. Williams for the staff report. A. Williams stated that the applicant has two applications on the agenda and the first is to establish setbacks within the General Business zoning district, which are determined on a case-by-case basis rather than by a standard setback requirement. She further explained that the request is technically a waiver, not a variance, because it varies from the subdivision standards. A. Williams noted that because the development does not serve single-family lots, a public right-of-way is not required and that access may be provided by a private drive serving a multi-family development rather than a public right-of-way. A. Williams stated that the road could be a city street but recommended that the road should likely be a private driveway and if the plan commission does accept something that does not meet standards, it should be carefully considered. If the driveway is private, it may be constructed to private standards, and then the 50-foot right-of-way requirement would not apply. J Wilber noted that the setbacks for this site fall under the second application, PCGB-25-3, and it will be discussed next.

J. Pruett stated that he had previously provided original designs for the 19 residential rentals on one property and it is not a subdivision and they were led to believe they could build a driveway that did not need approval and they could build a street to meet city specifications so it could be open to the city for their maintenance. Plans have been drawn up 3 times per request from September's meeting for more details. The proposed road is 26 ft from gutter to gutter / curb to curb with a 40ft right of way; this would allow 17 ft from the buildings. Each structure would be 1300-1400 sq ft so it will not be a 2,000 sq ft building which should meet regulations.

J. Ralston asked J. Pruett if all the parking was going to be in the street; J. Pruett responded that there would be a driveway for each building. J. Pruett discussed that the applications had been tabled a few times for him being out of town or only having 5 plan commission members in attendance. J. Pruett asked to table them again until more members are present because he did not like that it would require a unanimous vote with only 5 members present.

Z. Laughlin made a motion to table the application (SDVA-25-1) to the next regular meeting (March 9, 2026 at 5:30 pm at City Hall) and J. Ralston seconded the motion. Motion failed (4-1) with 4 votes in favor and P. Thevenow voting against. P. Thevenow indicated a preference to proceed with a decision rather than table the application since this has been on the agenda for months and that they need to make a decision. He could not support continuously tabling it since there is a new ordinance being adopted.

P. Thevenow also questioned if the use was allowed within the current ordinance. J. Pruett stated it was previously confirmed that this was considered multi-family by the previous administrator. A. Williams stated that this was previously interpreted by the previous administrator as a permitted use in this district and that there is a process to appeal an administrative decision if there was disagreement. P. Thevenow also asked if they resubmitted an application would they have to comply with the new UDO. A. Williams clarified that applications submitted prior to the adoption of the new UDO would be reviewed under the previous guidelines, while applications submitted after the new UDO's effective date would be subject to the updated regulations. Additionally, an application could be resubmitted if this was denied if there was a substantial change. A. Williams also clarified that if this was a private driveway, this application for a waiver would not be needed.

J. Wilber then proceeded with the public hearing for the application.

- Patrick Magrath, 11 W. 6th St., stated that he was representing several landowners who oppose the proposal. He explained that the property is no longer considered a subdivision, which falls under the purview of the Plan Commission. He further stated that seeking a variance from the Subdivision Control Ordinance would not be appropriate, as the ordinance no longer applies to this parcel. According to Mr. Magrath, the intent is to maintain the property as a single parcel rather than a subdivision. Additionally, he asserted that the zoning ordinance does not permit the development of 20 single-family rental homes on a single parcel. He noted that single-family dwellings are not permitted within a General Business district; only multifamily dwellings are allowed. He also stated that he does not think an administrative decision on if the use is permitted was made.
- Daryl Detmer, owner of GranBrazil located at 140-180 Clifty Drive, expressed concerns that the development of residential homes in the area could negatively impact property values within the business district.
- Cher Austin, owner of Englewood Motel at 2629 Michigan Road, raised concerns regarding the sewage infrastructure in that area. She noted that the intersection near Taco Bell is already congested and stated that the addition of approximately 20 homes could further exacerbate traffic issues. She asked if they would need a permit from INDOT.
- J. Pruett, the applicant, came forward and read the Oxford Dictionary definition of an apartment: "a set of rooms forming one residence, typically in a building containing a number of these." He further stated that a neighboring property is operating a business under a variance.

J. Wilber stated that they need a motion to either approve, deny, or table it to the plan commission special meeting on January 26th.

P. Thevenow made a motion to reject the application (SDVA-25-1) for the smaller right-of-way and J. Wilber seconded the motion. Motion failed (4 -1) with 4 votes in favor of the motion and Z. Laughlin voting against the motion.

Z. Laughlin made a motion to approve the application (SDVA-25-1) for the smaller right-of-way and J. Wilber seconded the motion. Motion failed (4 -1) with Z. Laughlin voting in favor of the motion and 4 voting against the motion.

Joe Jenner stated that the application then died because a motion to table did not carry, a motion to deny did not carry, and a motion to approve did not carry.

Application SDVA-25-1 died because of failure to carry a motion

2. **PCGB-25-3:** Jim Pruett on behalf of D&W Realty Holdings LLC – Application to establish setbacks for the multi-unit single family development within general business. Setbacks will be 5ft from the North, South, and East property lines. Setbacks will be 30.18 ft from the west property line. Should the development include a public road, setbacks will be 5ft from its right of way.

Location: 2629 Michigan Rd and Century Ln Properties

Zoned: General Business (GB)

J. Wilber asked for any comments from staff. A. Williams stated that setbacks in the GB are on a case-by-case basis. She also stated that someone had asked what the setbacks were in the proposed UDO and she stated they are proposed as 40 foot front yard and 20 foot side and rear yards. She stated that if a setback such as 5-feet is considered by the plan commission, the surrounding uses should be considered.

J. Pruett presented and asked if this was denied, could he come back with another application with different setbacks. It was stated that the plan commission could deny a future application if it was not substantial. The applicant asked if the board would consider tabling the application to the next meeting.

J. Wilber then proceeded with the public hearing for the application.

- Patrick Magrath, 11 W. 6th St., asked that his prior comments be considered and requested the board deny the application.

P. Thevenow made a motion to approve the application (PCGB-25-3) for setbacks and J. Wilber seconded the motion. Unanimous Consent Vote (5 in favor 0 against)-Motion carries.

Application PCGB-25-3 is denied

New/Old Business: No further business was brought before the Board.

Adjourn: P. Thevenow made the motion to adjourn, and Z. Laughlin seconded the motion. Unanimous Consent Vote (5 in favor 0 against)-Motion carries.

BY ORDER OF THE MADISON CITY PLAN COMMISSION

Josh Wilber, President

Amy Williams, Interim Secretary

NEW BUSINESS:

Updated Rules and Procedures

Fee Schedule

CITY OF MADISON
PLAN COMMISSION
RULES & PROCEDURES



MADISON
Indiana

Adoption Draft 2-2-2026

SECTION 1.1 PC POWER & AUTHORITY

A. Statutory Authority

1. The Madison Advisory Plan Commission (PC) exists as an advisory plan commission under the authority of the IC 36-7-4-100 series, including any amendments. These Rules are adopted in accordance with the requirements of IC 36-7-4-401.
2. The PC shall have jurisdiction as specified in the Madison Unified Development Ordinance (UDO) that includes all land within the limits of the City of Madison, Indiana and all parcels within the city's extraterritorial jurisdiction as allowed by IC 36-7-4-205 and Ordinance 1963-66: An Ordinance to Amend and Supplement the Zoning Ordinance of the City of Madison, Indiana.

B. PC Powers and Duties

1. The PC shall have all powers and duties as set forth in the IC 36-7-4 series and the City of Madison Unified Development Ordinance (UDO). This shall include, but not be limited to, making recommendations on the Comprehensive Plan, map and text amendments, and making decisions regarding development plans, plats, and waivers.

C. Delegation of Authority

1. The PC shall delegate ministerial authority to the Administrator pursuant to IC 36-7-4-402, and delegate authority to its employees to perform ministerial acts in all cases except where final action of the PC is required by law.

SECTION 1.2 PC MEMBERSHIP & STAFF

A. PC Membership

1. Composition. Because Madison has a city Parks Board but not a city Civil Engineer, the PC shall consist of nine members in accordance with IC 36-7-4-207(b) and additional members in accordance with IC 36-7-4-214(a) because the city has jurisdiction outside city limits.
2. Members. The PC shall have plan commission members in accordance with IC 36-7-4-213.
3. Terms. Each member shall be appointed for a term of four years, expiring on the first Monday of January of the fourth year. In accordance with IC 36-7-4-214 and IC 36-7-4-218. A member of the PC shall serve until their successor is appointed.
4. Qualifications for Citizen Members. All citizen members appointed to the PC shall meet the qualification set forth by IC 36-7-4-216.
5. Certification. The appointing authority shall certify their appointments, and they shall be sent to and made a part of the records of the PC.

B. Alternate Members

1. The appointing authority may appoint an alternate member In accordance with IC 36-7-4-220(a) (who meets the same requirements as the disqualified member) to participate in any PC hearing or decision if the regular member has a disqualification or is otherwise unable to participate in the hearing or decision.
2. An alternate member shall have all of the powers and duties of a regular member while participating in the hearing or decision.

PC MEMBERSHIP SUMMARY			
IC 36-7-4-207(b); IC 36-7-4-214; IC 36-7-4-216; IC 36-7-4-218			
Appointing Authority	Residency Qualification	Citizen Member Qualification	Term
Mayor	<ul style="list-style-type: none"> • Must be a resident within the City of Madison or "buffer" area 	<ul style="list-style-type: none"> • Must be a citizen member who does not hold an elected office (as defined in IC 3-5-2.1-34); or any other appointed office in municipal, county, or state government, except as permitted by IC 36-7-4-902 • A maximum of 2 members can be of the same political party 	<ul style="list-style-type: none"> • 4 years expiring the first Monday of January of the fourth year
Mayor			
Mayor			
Mayor	<ul style="list-style-type: none"> • May be a resident within the City of Madison or "buffer" area OR a resident of Jefferson County who owns real property located in the City of Madison or "buffer" area 		
City Council	<ul style="list-style-type: none"> • N/A 	<ul style="list-style-type: none"> • Must be elected or appointed City officials or City employees 	<ul style="list-style-type: none"> • Concurrent with Office/ Appointment
City Council			
City Council			
County Commissioners	<ul style="list-style-type: none"> • Must be a resident within the "buffer" area 	<ul style="list-style-type: none"> • Must be a citizen member who does not hold an elected office (as defined in IC 3-5-2.1-34); or any other appointed office in municipal, county, or state government, except as permitted by IC 36-7-4-902 • Must be different political parties 	<ul style="list-style-type: none"> • 4 years expiring the first Monday of January of the fourth year
County Commissioners	<ul style="list-style-type: none"> • May be a resident within the "buffer" area OR a resident of Jefferson County who owns real property located in the "buffer" area 		

A. Removal of Members

1. An appointed member may be removed from the PC by the respective appointing authority for cause in accordance with IC 36-7-4-220(c)
2. An appointed member who misses three consecutive regular meetings of the PC may be treated as if the member has resigned and may be removed at the discretion of the appointing authority in accordance with IC 36-7-4-220(c).

B. Officers

1. Elections. Pursuant to IC 36-7-4-303 and IC 36-7-4-304, the PC shall elect a President, Vice President, and Secretary from its members at its first meeting each year. Vacancies in offices shall be filled immediately by regular election procedure.
2. President. The President shall preside over PC meetings, supervise over the determination of points of order and procedure (including any procedures not outlined in these Rules), and be responsible for the signing of all official documents. The President shall have the privilege of discussing all matters before the PC, voting on all decisions, and may make or second a motion before the PC.
3. Vice President. The Vice President shall have authority to act as President of the PC during the absence or disability of the President.
4. Secretary. The PC shall appoint the Administrator or other City Staff as the Secretary. The Secretary shall be responsible for conducting roll call, attesting to all official documents, maintaining all records of the PC, recording accurate records of all hearings and PC actions through the minutes, and preparing all reports and materials relating to the PC.
5. Absence. In the event that both the President and Vice President are absent or unable to participate in a meeting or a public hearing, the attending PC members shall elect a temporary President to preside of that specific meeting.

C. PC Committees

1. Technical Review Committee (TRC). The TRC is established as a committee of the PC. The purpose, duties, and membership of the TRC shall be consistent with the Madison UDO.
2. Madison Historic District Board of Review (HDBR). The PC may use the HDBR as necessary and as outlined in the Madison UDO.

D. Conflicts of Interest and Bias

1. In accordance with IC 36-7-4-223, a member of the PC shall have a conflict of interest with regard to an application if the member is biased or prejudiced or otherwise unable to be impartial; or the member has a direct or indirect financial interest in the outcome of the decision.
2. If during presentation and discussion of the subject application a member has a conflict of interest, he/she shall not sit as a member of the PC for that specific presentation, application, or discussion nor vote on the particular matter. PC members with any conflicts of interest shall not remain in the room during the disposition of the application.
3. No person (including applicants, remonstrators, and others) should communicate with any citizen member of the PC (who is not an elected official) before a hearing with the intent to influence the member's action on a matter pending before the PC. All communication about an application must go through the Administrator so it can be placed in the public record.
4. PC members are strongly discouraged from engaging in communication with applicants, remonstrators, or others regarding a pending application that is intended to influence the member's action. All inquiries should be directed to PC staff and all documents or materials received by a PC member regarding an application should be provided to the PC staff for inclusion in the application's public file.

E. PC Staff

1. Staff. The Administrator (as defined in the Madison UDO) and/or their designee shall have the principal responsibility for the administration, interpretation, and enforcement of the UDO except where final action of the PC is required by law. These duties of the Administrator and/or their designee shall include, but not be limited to:
 - a. Clerical and Technical Assistance. Providing clerical and technical assistance as may be required by the PC, Committees, City Council, City Executive, or other body in the execution of its duties as established by the UDO and Indiana Code. Technical and professional assistance from outside consultant may be used as required.
 - b. PC Applications. Receiving, processing docketing, and referring all appropriate applications to the PC.
 - c. Record Keeping. Supervising the management and maintenance of an accurate and complete record of all proceedings, applications, hearings, and meetings of the PC, including the keeping of records and minutes, findings of fact, and preservation of all papers and documents of the PC and the maintenance of a current roster with the qualifications of members.
 - i. The Administrator shall prepare a detailed report of all PC hearing proceedings; setting forth in writing a record of the PC's final decisions and a record of voting of individual members.
 - d. Permits. Issue building permits, improvement permits, and certificates of occupancy (in conjunction with the Building Inspector).
 - e. Inspections. Conducting inspections of structures and properties to determine compliance with the requirements of the UDO and all approvals granted by the PC, City Council, Committees, or other body in the execution of its duties as established by the UDO and Indiana Code.
 - f. Referral to PC. The Administrator may refer applicants for permits and applications to the PC for review and approval as needed.
2. PC Legal Counsel. The PC shall contract with independent legal counsel as needed.

SECTION 1.3 PC ACTIONS & DECISIONS

A. Official Action and Quorum

1. A quorum is a majority of the full voting membership of the PC, which is five members.
2. No vote or action of the PC shall be official unless authorized by a vote of the majority of the voting membership of the PC at a regular or special meeting, which is five members.
3. All official actions shall be made in an open public hearing or meeting.

B. PC Votes

1. All decisions or actions shall be by voice vote unless the President deems it necessary for a roll call vote. The vote of each member of the PC shall be recorded in the minutes of the meeting.
2. When a vote of the PC results in a tie or where a vote of the PC does not result in official action (such as a motion to approve does not get a majority “aye” vote), a different motion may be made to reconsider the matter and followed by a re-vote.
3. Absentee or proxy voting shall not be permitted. Members must be present in-person or through qualified electronic/virtual participation (compliant with the city’s electronic meetings policy – Resolution 1C-2023) for the public hearing in order to be eligible to vote on any matter. In the event a member is absent for part of a public hearing, such member’s eligibility to vote on the matter shall be at the discretion of the President.
4. Any amendment to the UDO text must be provided in writing either prior to or during the PC meeting prior to a PC vote.

C. Written Commitments

1. The PC may allow or require the applicant or the owner of a parcel to make written commitments concerning the use or development of the applicant’s property, pursuant to IC 36-7-4-1015(a), as a condition to the following:
 - a. Adoption of a rezoning proposal;
 - b. Primary approval of a proposed subdivision plat or development plan; or
 - c. Approval of a vacation of all or part of the plat.
2. The PC may require or allow the owner of a parcel to make a commitment to the PC concerning the use or development of a parcel in accordance with IC 36-7-4-1015. Such commitment shall be binding upon the owner and all successors and shall be recorded in the Jefferson County Recorder’s Office by the applicant. The form and terms of any commitment shall be subject to the approval of the PC and its counsel.
3. Any PC approval or decision that included a commitment shall not be effective until the commitment is written in a recordable form, signed by the property owners, and recorded in the Jefferson County Recorder’s Office.

D. Continuance/Tabling of an Application

1. **Improper Notice.** If the required notice was not completed for an application, the PC may continue the application to the next regularly scheduled meeting. In such case, the application shall complete all required public notices again and bear the cost of all notices. If required notice is not completed at subsequent meeting, the PC may dismiss the application.
2. **Automatic Continuance.** In the event that the PC does not achieve the required minimum votes to approve or deny an application, it shall be automatically continued and placed on the agenda for the next regularly scheduled meeting.
3. **Requested Continuance.** A continuance may be requested for sufficient cause by the applicant, an interested party, or a member of the PC. It shall be within the discretion of the PC to grant or deny any request for continuance. Re-notification shall not be required if an application is continued at a properly noticed public hearing/meeting to a specified future hearing/meeting date of the PC.
 - a. **Continuance Request by the Applicant.** A request for continuance by the applicant may be filed in writing prior to the PC's hearing/meeting or made orally at the beginning of the PC meeting when the agenda is considered. However, the applicant shall be prepared to move forward with their application until the continuance request is granted by the PC.
 - b. **Continuance Request by an Interested Party of Public.** A request for continuance by an interested party or member of the public may be filed in writing prior to the PC's hearing/meeting or made orally at the beginning of the PC meeting when the agenda is considered. The interested party or member of the public shall be prepared for the application to move forward until the continuance request is granted by the PC.
 - c. **Continuance Request by a Member of the PC.** A member of the PC may make a motion of continuance for consideration by the PC.

E. Withdrawal or Dismissal of Application

1. An application cannot be withdrawn by the applicant after a vote has been ordered by the President at the meeting. Any application withdrawn shall not be heard or considered for one year from the withdrawal date unless approved by a majority vote of the PC. The filing fee for a withdrawn application shall not be refunded.
2. The PC may dismiss a case for want of prosecution, for lack of jurisdiction, or if the application has been continued for three months by any party. Any application dismissed by the PC shall not be heard or considered for one year from the dismissal date unless approved by a majority vote of the PC. The filing fee for a dismissed application shall not be refunded.

PC DECISION SUMMARY				
Application Type	Staff Role	TRC & HDBR Role	PC Action	City Council Action
Comprehensive Plan	<ul style="list-style-type: none"> Review application Make Staff Recommendation to PC 	<ul style="list-style-type: none"> Review application Provide comments to Admin/PC 	Recommendation to City Council: <ul style="list-style-type: none"> Favorable Recommendation (with or without conditions or commitments) Unfavorable Recommendation (with or without conditions or commitments) No Recommendation (with or without conditions or commitments) 	Final decision: <ul style="list-style-type: none"> Approve Approve with conditions or commitments Approve with modifications Deny
UDO Text Amendment				
Zoning Map Amendment & PUD				
Primary Plat	<ul style="list-style-type: none"> Review application Make Staff Recommendation to PC 	<ul style="list-style-type: none"> Review application Provide comments to Admin/PC 	Final decision: <ul style="list-style-type: none"> Approve Approve with conditions or commitments Approve with modifications Deny 	<ul style="list-style-type: none"> N/A
Minor Plat				
Plat Vacation				
Waiver				
Secondary Plat	<ul style="list-style-type: none"> Review application Final decision: <ul style="list-style-type: none"> Approve Deny Undecided or Contested Decision (Forward to PC) 	<ul style="list-style-type: none"> Review application Provide comments to Admin/PC 	<ul style="list-style-type: none"> N/A 	<ul style="list-style-type: none"> N/A
Development Plan				

SECTION 1.4 PC MEETINGS & HEARINGS

A. PC Meeting Schedule

1. Schedule. Regular meetings of the PC and filing deadlines shall be published annually, including the date, time, and location. Regular meetings shall be held on the 2nd Monday of each month at the Madison City Hall at 5:30 pm or at another mutually agreed upon time, unless otherwise publicly announced.
 - a. Regular meetings may be canceled due to lack of agenda items, lack of quorum, and/or natural disaster (such as snow emergency, etc.).
 - b. If a meeting is canceled, all business before the PC shall be automatically continued to the next regular or special meeting.
2. Special Meetings. Special meetings of the PC may be called by the President or by two of the voting members of the PC upon request (written or electronic) to the Administrator.
 - a. Special Meeting Notice to PC Members. The Administrator shall send notice to all members at least three days before the special meeting stating the time and place of the meeting. Notice of a special meeting is not required to be provided if the date, time, and place of a special meeting are fixed in a regular meeting and all members of the PC are present at that regular meeting.
 - b. Special Meeting Public Notice. All special meetings shall be advertised in a newspaper of general circulation in Madison as required by Indiana Code.
3. Executive Sessions. The PC may meet in executive session consistent with the provisions of IC 5-14-1.5-6.1.
4. Agenda. The Administrator shall prepare an agenda for each meeting and may limit applications to a reasonable number as determined by the Administrator. The Administrator shall provide (mail or electronically transmitted) the agenda and all supporting materials to all PC members at least five days prior to the meeting.

B. Public Records & Minutes

1. All meetings, as set forth in IC 5-14-1.5, will comply with Indiana Open Door Law except executive sessions.
2. All records and files for the PC shall be made available to the public in accordance with IC 5-14-3, Indiana Access to Public Records. Any associated costs with printed copies shall be paid by the person requesting the copies in accordance with the adopted fee schedule.
3. All minutes of the proceedings, findings of fact, recordings of the hearings, plans, maps, and all other exhibits submitted by the applicants, remonstrators, and Administrator shall be public records and shall be filed in the Administrator's office. These materials shall become a part of the case and all such materials shall be preserved in accordance with the Indiana Access to Public Records Act.
4. A draft of minutes shall be made available to each member of the PC, and public if requested, before the next scheduled regular meeting. Minutes are not official until voted upon by the PC and the vote is recorded.
5. The PC shall keep minutes of all proceedings, which are public record that shall be filed in the office of the PC, that include:
 - a. PC members and PC staff in attendance
 - b. Start and end time of the meeting
 - c. Votes of all members (including abstentions and those absent) for each action
 - d. Detailed summary of discussions pertaining to an official action, public hearing, and/or application

C. Order of Business

1. The order of business at regular meetings shall be as follows. The PC has the discretion to change the order in which applications or items on the agenda are heard with a majority vote of the members present.
 - a. Call meeting to order
 - b. Roll call of members
 - c. Approval and signing of minutes of previous meeting(s)
 - d. Applications (listed by application type and consecutive application numbers)
 - i. Tabled applications
 - ii. New applications
 - e. Other business
 - f. Adjournment

D. Procedures for Applications

1. Procedure. The order of and procedures for presentations on any application heard by the PC shall be as follows:
 - a. Presentation by applicant (5 minutes maximum unless extended by the President)
 - b. Questions, if any, by PC members (no time limit)
 - c. Presentations by interested parties (3 minutes maximum per each interested party)
 - d. Presentations by nonparties at the discretion of the President (1 minute maximum for each nonparty)
 - e. Presentation of staff report, if any, by the Administrator (no time limit)
 - f. Discussion by PC members, including follow-up questions to any speaker
 - g. Close of public hearing and official action by PC, which shall include, when required, findings of fact for each required criteria defined in the Madison UDO.

E. Orderly Conduct

1. Every person appearing before the PC shall abide by the order and direction of the President. Discourteous, disorderly, or contemptuous conduct shall be regarded as a breach of the privileges and the President may remove any person from the meeting who disrupts the meeting, displays discourtesies, or displays disorderly or contemptuous conduct towards the members or any other person in attendance.
2. The President may terminate any repetitious or irrelevant presentation. Every person appearing before the PC shall abide by the order and directions of the President.
3. All comments and discussion at a public hearing shall be directed to and addressed by the PC through the President. Discussion between the public and applicant shall not be allowed unless approved by the President.

F. Public Comment at Hearings

1. Time Limits
 - a. The PC shall have the authority to extend the time periods specified in these Rules and Procedures with a majority vote of the members present.
 - b. All rebuttal time shall be included in the time allotted, and time cannot be reserved for rebuttal during a later point in the meeting.
 - c. Unused time cannot be reserved or allocated to another person.
2. Public Comment
 - a. Any person or party speaking shall provide their name and address prior to making a presentation.
 - b. Any party may appear in person or by representative (person, agent, attorney, etc.) at PC meetings. A representative may testify to the facts that they have particular knowledge of that relate to the issues of the application. In so testifying, the representative shall be subject to cross-examination and questions by the PC.
 - c. All exhibits presented or provided at the meeting, by an applicant or public, shall become property of the PC and part of the public file. Any party presenting an exhibit that has not been filed prior to the meeting shall provide at least 14 copies.
 - d. Public comment shall not be permitted after the close of the hearing by the President, including discussion of a motion, unless allowed by the President.
3. Written Comments. Written comments submitted to the PC prior to the hearing date shall be included in the public file and provided to the PC members.
4. Other Business. If a member of the public wishes to address the PC regarding a matter that is not an application or item on the agenda, they shall submit in writing to the Administrator a request to be placed on the next available PC agenda at least 10 business days prior to the meeting. The request must include a written description of the item(s) the speaker wishes to address. The requested item shall only be heard at the discretion of the PC President and limited to five minutes.

SECTION 1.5 PC APPLICATIONS

A. Filing Applications

1. Applications shall be submitted by the property owner unless written notice is provided authorizing the application to submit the application.
2. Any person who wishes to file an application with the PC must file it with the Administrator using the current application forms.
3. Complete applications must be received by the specified deadline, including all application requirements and attachments.
4. When the application is submitted, the Administrator shall review the application and determine if it is complete and fee payment shall be made by the applicant in accordance with the adopted fee schedule. An application is not considered complete until the filing fee has been paid in full.
5. Each application that is complete (including payment of filing fee) and filed in proper form shall be assigned an application number and docketed for an initial hearing before the PC. Case numbers shall be assigned consecutively as determined by the Administrator.
6. Failure of the applicant to submit any information required/requested by the Administrator or the PC shall delay the application's placement on the agenda and may be grounds for the PC to deny application's request.
7. A PC application cannot be approved for a property that has a previously documented and unresolved code violation until the violation has been resolved, as outlined in the Madison UDO.

B. Amended Applications

1. Amendments and/or additional materials to applications shall be filed in a timely manner and may be continued to the next scheduled meeting date if the PC determines that there was not sufficient time for PC staff, PC members, and/or the public to adequately review the amendments or additional materials.
2. If an amendment changes the application type, adds additional parcels, increases density or intensity, or substantially changes the intent of the application, it shall be continued and the applicant shall be required to complete all public notices again and bear the cost of all notices.

C. Previously Denied Applications

1. A map amendment application (rezoning and PUD) that is denied by the PC or City Council may not be re-filed for one year from the date of the denial decision unless there is a substantial change to the application. The Administrator shall determine if a new application substantially differs from the previously denied application.

D. Site Visits by PC Members and Staff

1. PC members and staff shall have the right to inspect land involved in any application to be heard by the PC. No more than four members shall inspect the subject land at any one time.

E. Applicant Attendance at Meetings

1. The applicant (and/or their representative that is authorized in writing) shall attend all PC meetings where their application will be discussed or heard.
2. In the applicant or their authorized representative does not appear before the PC, the application will be continued to the next regularly scheduled meeting for the first occurrence. For subsequent "no-shows," the application may be disposed of as determined by the PC.

SECTION 1.6 PC INTERESTED PARTIES & PUBLIC NOTICE

A. Interested Parties for Applications

1. Interested parties shall include all parcels that abut the subject property in all directions of the parcel boundaries, including across a public right-of-way or private street and corners.
2. Property owners shall be determined through the Jefferson County GIS platform. The property owner name and mailing address shall be deemed to correct and used for all mailed notices.
3. All adjoining or abutting parcels that are owned by the applicant or subject property owner shall be considered part of the subject parcel for only the purpose of determining interested parties. For example, if an adjoining property is owned by the applicant, notice shall be provided to all parcels that abut both parcels that are owned by the applicant.

B. Required Forms of Public Notice for Applications

1. Applications. The required forms of public notice only applies to applications for map amendments (rezonings and PUDs), primary plats, minor residential and downtown subdivisions, plat vacations, and waivers as outlined in the Madison UDO.
2. Mailed Notice by Applicant. All applicants shall serve notice to all interested parties at their own expense by the following methods as outlined these Rules and consistent with IC 5-3-1.
 - a. The applicant shall send a copy of the legal notice via Certified Mail to all interested parties and postmarked at least 10 days prior to the hearing date.
 - b. The applicant must submit proof of notice (mailing stubs/receipts, signed certified cards, and/or returned letters) at least five calendar days prior to the public hearing.
3. Newspaper Publication by Administrator. The Administrator shall publish one legal notice in a newspaper of general circulation in Madison at least 10 calendar days prior to the public hearing. The applicant shall assume the cost of the public notice as outlined in the adopted Fee Schedule.

C. Required Information for Applications

1. All public notices and notifications for a public hearing shall include the following:
 - a. Name of the person or agency initiating the matter to be heard
 - b. Assigned street address of the parcel which is the subject of the application or if the parcel is not addressed, the parcel identification number of the subject parcel and a general location/description of the parcel as provided by the Administrator
 - c. Time, date, and place of the hearing
 - d. Pertinent information regarding the purpose of the application request
 - e. Any other information which may be required by law to be included in the notice.

SECTION 1.7 SUSPENSION AND AMENDMENT OF RULES AND PROCEDURES

A. Amendment of Rules and Procedures

1. Amendment to these Rules and Procedures may be made by the PC only upon the majority vote of the full membership of the PC.

B. Proposed Amendments

1. Any amendment to these Rules and Procedures must be provided to all PC members (mailed or electronically transmitted) at least 7 days prior to voting on the amendment.

C. Suspension of the Rules or Procedures

1. The suspension of any rule or procedure may be ordered at any meeting of the PC by a 2/3 vote of the quorum present as long as such suspension is not in conflict with the minimum requirements established by state statute.

D. Severability

1. If any article, section, subsection, sentence, clause, phrase, or portion of these Rules and Procedures shall for any reason be held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereunder.

E. Priority of Laws

1. These Rules and Procedures may be used as a guide by the PC and all interested parties. However, applicable state laws and city ordinances should be consulted if necessary. In the event that any provisions of these Rules conflict with applicable state law or city ordinance, the state law and city ordinance shall supersede these Rules. State law shall have priority, then city ordinance, and finally, these Rules.

NEW BUSINESS:

Fee Schedule

FEE SCHEDULE		
PLAN COMMISSION APPLICATIONS		
	CURRENT	PROPOSED
Primary Plat	\$115 + \$25/lot	\$500 + \$25/lot
Secondary Plat	\$115 + Engineering Fee	\$400 + Engineering Fee
Replat	\$15.00	See Primary/Secondary Plat
Minor Subdivision Plat	----	\$300
Vacations of Recorded Plats	----	\$300
Waiver	\$65	\$100 / waiver
Zone Map Change	\$115	\$500
Planned Unit Development	\$115	\$750
Development Plan	N/A	\$300
Development Plan (Solar/BESS/Wind)	N/A	\$1000
BOARD OF ZONING APPEALS APPLICATIONS		
Administrative Appeal	\$15	\$50
Use Variance	\$100	\$500
Development Standards Variance	\$100	\$200 Residential Districts \$400 Other Districts
Special Exception	\$100	\$250
Special Exception (Solar/BESS/Wind)	\$100	\$1000 + \$5/acre over 10 acres
MISCELLANEOUS		
Hillside	\$40	\$50
PC/BZA Application Resubmittal	----	Resubmittal #1-#3: \$0 Resubmittal #4: \$125/each
Zoning Verification	----	\$25
Other Request	----	\$40/hr