

## TITLE XXXI-AMENDMENT OF THE ZONING ORDINANCE AND ZONE MAP

### **SECTION 1: Power of Amendment:**

The Town Council may, from time to time, amend, supplement, change, modify, or repeal this Zoning Ordinance, including the Zone Map, by proceeding in the manner prescribed herein.

Such changes or amendments shall be considered as Amendments to the Comprehensive Master Plan of the Town of Cedar Lake, as provided for in the Indiana Code, as amended from time to time, and shall be reviewed accordingly.

### **SECTION 2: Initiation of Amendment:**

A Zoning Ordinance Text Amendment may be initiated by the Town Council or the Plan Commission. An amendment to change the zone map may be initiated by the Plan Commission or by a petition signed by property owners who own at least fifty (50%) percent of the land involved.

### **SECTION 3: Form of Application:**

Any request for Zoning Ordinance Zone Map change shall be in compliance with the provisions of Indiana Code 36-7-4-600, et. Seq., as amended from time to time. A Zone Map change request shall be submitted in writing to the Plan Commission in a form prescribed by the Plan Commission, by the first day of the month for informal review. Evidence shall be attached, in manner satisfactory to the Plan Commission, which shows the following:

- A. Payment of fees and charges as established herein when the application is filed.
- B. Sufficient graphic material, in triplicate, to adequately assist the Plan Commission in understanding the nature of the request.
- C. Any petition for amendment to the Zone Map shall be accompanied by a legal description and, if the land is unplatted, a Plat of Survey by a registered land surveyor or engineer, showing dimensions of the property in question or county records.

The Plan Commission and Town Council shall not consider any proposed Zone Map change which is substantially the same as any other proposed amendment submitted within the previous twelve (12) months.

Any proposes for Zoning Ordinance text amendment shall be in compliance with the provisions of Indiana Code 36-7-4-600, et. Seq., as amended.

**SECTION 4: Procedure:**

The Plan Commission and Town council shall study such proposals for Text and Zone Map change to determine:

- A. The general conformity and consistency with the various elements of the Comprehensive Master Plan;
- B. The need and justification for any proposed change of the Text of this Zoning Ordinance or the Zone Map;
- C. Current conditions and the character of current structures and uses in each Zoning District;
- D. The effect of a use District Zone change, if any, on the property and on surrounding property;
- E. The most desirable use for which the land in each Zoning District is adopted;
- F. The amount of undeveloped land in the general area and in the Town having the same Zoning District classification as that requested or affected by an Ordinance Amendment;
- G. The effect of a Use District Zone change in view of responsible growth and development.

**SECTION 5: Public Hearing and Commission Action:**

Before acting on any proposed amendment, the Plan Commission shall hold a public hearing, as required by Indiana Code 36-7-4-600, et. Seq., as amended from time to time. The rules of procedure of the Plan Commission for notice and proof shall be complied with.

Any action of the Plan Commission shall be advisory only. No recommendation of the Plan Commission shall be effective, however, unless acted upon by a full majority of Plan Commission membership.

**SECTION 6: Action by Town Council on Amendment or Zone Map Change:**

The Town Council shall be guided by the advice of its Plan Commission when considering a Zoning Ordinance Text Amendment or recommendation of the Plan Commission concerning a Zone Map change.

**SECTION 7: Questionable Zoning Districts:**

If any property is judicially determined or otherwise determined to be without zoning, or exists without a clearly designated Zoning District classification, then in such case, said property shall be zoned Agricultural (A) Zoning District.