

ORDINANCE 2014 -02
AN ORDINANCE AMENDING THE
ZONE MAP IN THE CASS COUNTY ZONING ORDINANCE

WHEREAS, The General Assembly of the State of Indiana granted powers to the counties to adopt zoning ordinances and zone maps for their jurisdiction according to IC 36-7-4-600 series; and

WHEREAS, The County of Cass County, Indiana adopted the Cass County Zoning Ordinance which became effective on October 3, 1986, and has had subsequent amendments as listed on the title page of the Cass County Zoning Ordinance; and

WHEREAS, The General Assembly of the State of Indiana allows for the amendment of zone maps under IC 36-7-4-608, and Section 905 of the Cass County Zoning Ordinance; and

WHEREAS, The Cass County Plan Commission held a public hearing, according to law, on Tuesday February 4, 2014, to consider the zone map amendments, as specified in the attached documents, to the Cass County Zoning Ordinance; and

WHEREAS; The Plan Commission voted to certify with a favorable recommendation for the zone map amendments attached, to the Cass County Commissioners; and

WHEREAS, Said certification has been duly considered by the Cass County Commissioners and the zone map amendments are deemed to be in the public interest; now, therefore be it

ORDAINED by the Cass County Board of Commissioners Cass County, Indiana that the zone map adopted as a part of the Cass County Zoning Ordinance be amended as follows:

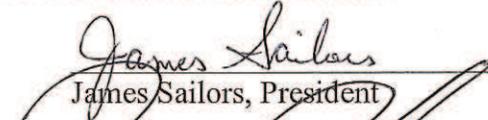
SECTION 1: The area to be rezoned CG, County Gateway is located within the area north of SR 25, east of 400 W. and west of the Logansport Fringe Boundary Line and south of 225 S.;

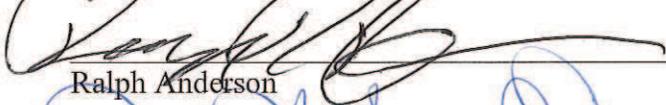
SECTION 2: The area to be rezoned B1, Convenience Business, is located within the area west to the previously described area along the north and south sides of SR 25.

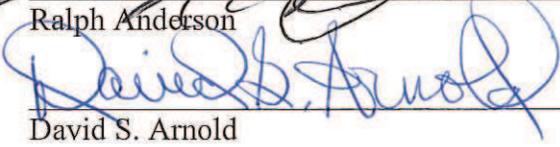
SECTION 3: That this amendment shall be in full force and effect upon its passage.

DULY PASSED, ORDAINED AND ADOPTED this 3 day of March, 2014.

CASS COUNTY BOARD OF COMMISSIONERS:


James Sailors, President


Ralph Anderson


David S. Arnold

ATTEST:



Vaneen Ide, Cass County Auditor

PLAN COMMISSION

**LOGANSPO
CASS COUNTY**

TO: Cass County Commissioners
FROM: Arin Shaver, AICP, Planning Director
DATE: March 3, 2014
SUBJECT: **Proposed Zoning Map and Future Land Use Map changes within the proposed overlay district in the Clymer's Area.**

The information provided in this staff report has been included for the purpose of reviewing the proposed rezoning. Since the rezoning process does not require a site plan, there may be additional requirements placed on the property through the Technical Review Committee/Site Plan Review process to address development regulations.

Resolution: 14-02 Zoning Map Change

Resolution: 14-03 Comprehensive Plan Future Land Use Map Change

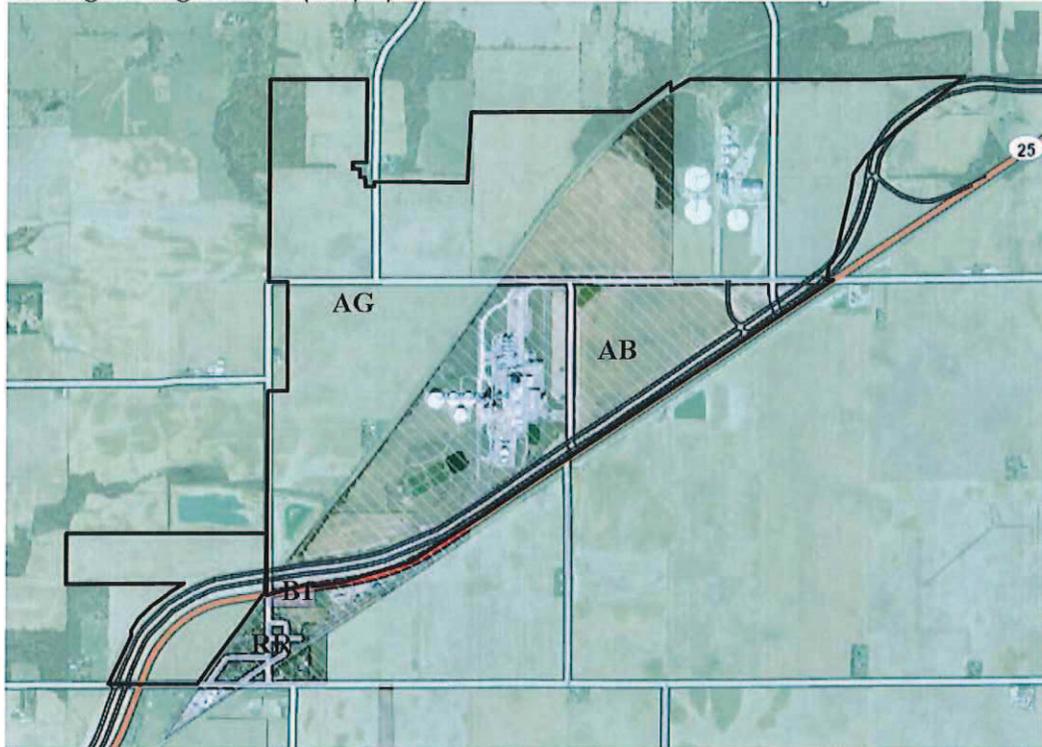
Applicant: Logansport Planning Department

BACKGROUND:

Property Location	The area to be rezoned CG, County Gateway is located within the area north of SR 25, east of 400 W, west of the Logansport Fringe Boundary Line, and south of 225 S. The area to be rezoned to B1, Convenience Business is located within the area west of the previously described area along the north and south side of SR 25 See Map 1 for specific area
Total Property Size	≈817+80
Current Future Land Use Map	See Map 3
Proposed Future Land Use Map	See Map 4
Current Zoning District	See Map 1
Proposed Zoning District	See Map 2

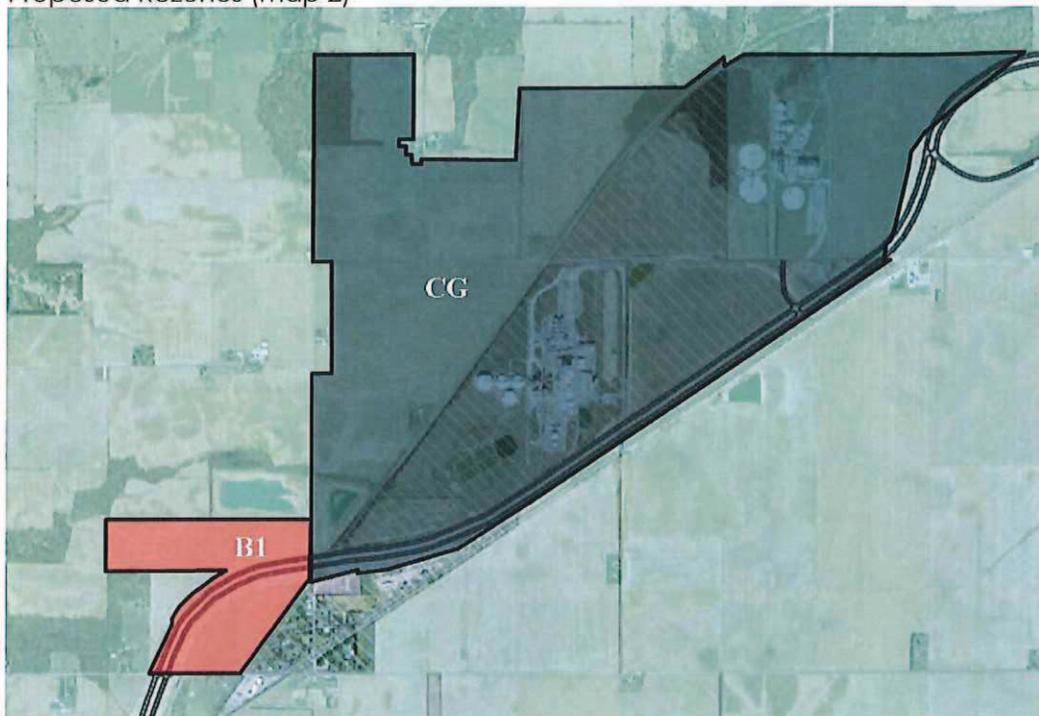
ANALYSIS:

Existing Zoning Districts (Map 1)



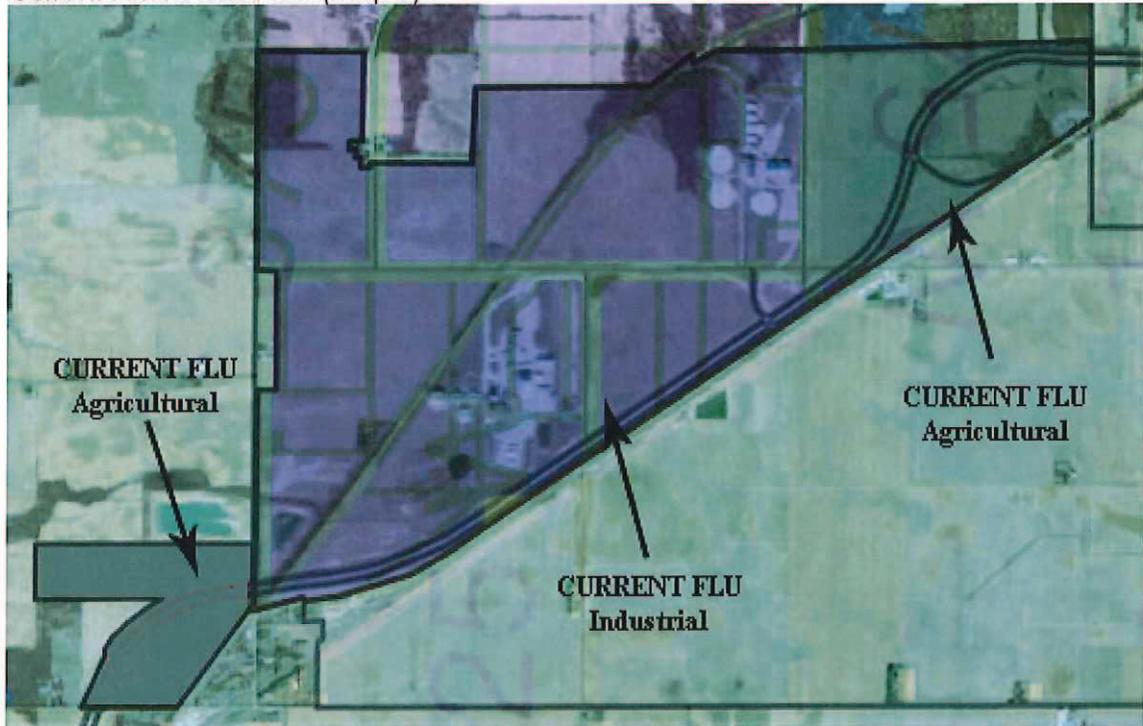
Ag: Agricultural, AB: Agribusiness, B1: Convenience Business, and RR: Rural Residential

Proposed Rezones (Map 2)



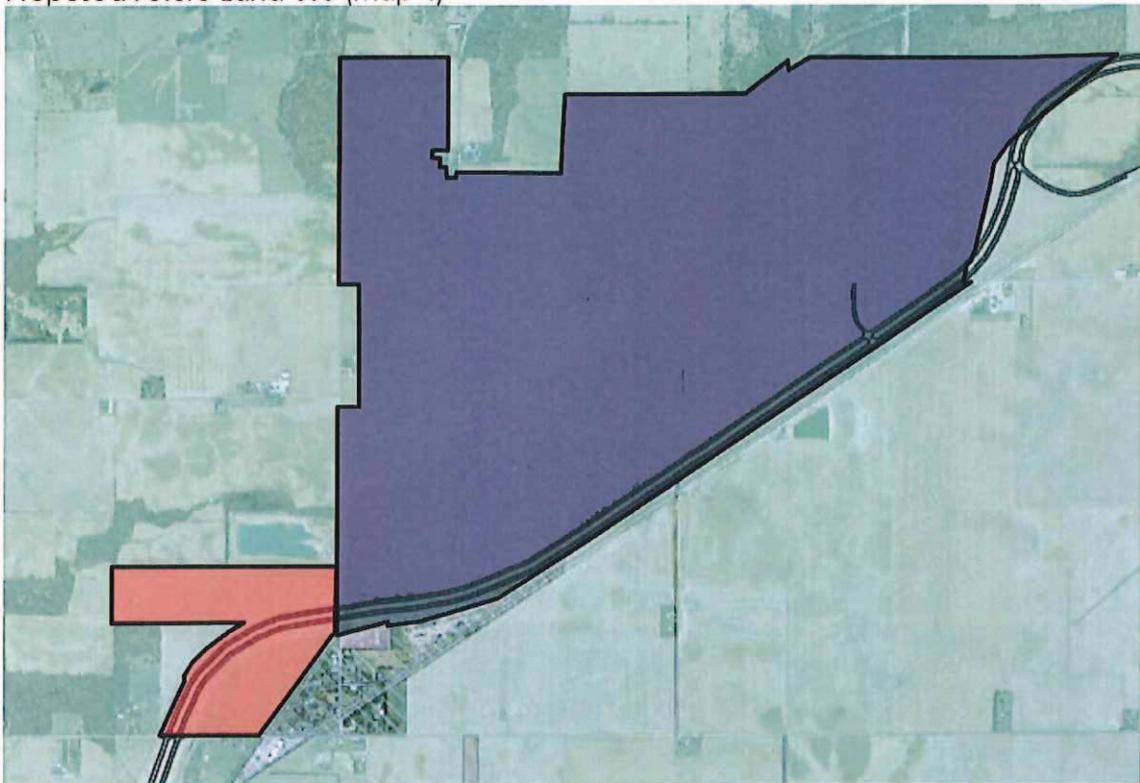
CG: Cass County Gateway and B1: Convenience Business

Current Future Land Use (Map 3)



Green: Agricultural and Purple: Industrial

Proposed Future Land Use (Map 4)



Red: Commercial and Purple: Industrial

AB, Agribusiness to CG, Cass County Gateway

	Surrounding Land Use	Zoning
North	Open Land	Agricultural (AG)
South	Rail Road, Hoosier Heartland, some Residential, Miller Drainage and Open Land	Convenience Business (B1) Agribusiness (AB) Agricultural (AG)
East	Open Land and ADM	Agricultural (AG)
West	Residence and Open Land	Agricultural (AG)

Differences between AB (Existing) and CG (Proposed) Zoning Districts

AB, Agribusiness District: The purpose of this district is to encourage expansion of business and manufacturing support uses for the local agricultural community in proper locations.

CG, Cass County Gateway District: The purpose of the Cass County Gateway District is to encourage industrial development that will be able to utilize access to the municipal airport, State Road 25, and Railroad spurs in the area; thus essentially creating a Cass County Industrial Park.

This district is different than most of the districts in the Zoning Ordinances. Most of the uses are allowed only by special exception. And since this area is within the Cass County Gateway Overlay District, the Redevelopment Commission can approve Special Exception for businesses that have the appropriate use in the appropriate area. Although, there is no specific uses allowed the current businesses and the intent for the area is mostly agribusiness with some light manufacturing.

(1) THE COMPREHENSIVE PLAN

The subject site has a Future Land Use Map (FLUM) designation of Industrial.

Industrial

Perhaps the most extensive proposed land use is new industrial development. The plan concentrates industrial development (both agricultural industry and conventional industry) in the Clymers Industrial Park area to take advantage of the logistical opportunities that currently exist and will be enhanced by the upgraded roadway. The industrial area is not currently served by public utilities (water and sewer) and lacks telecommunications infrastructure. Providing infrastructure to this area will be critical for attracting the development desired for the area.

(2) CURRENT CONDITIONS AND THE CHARACTER OF CURRENT STRUCTURES AND USES IN EACH DISTRICTS

The existing pattern of development in the area is mostly agribusiness. Such uses include Anderson's, Eby Trailer, and Scott Squared. These types of agribusinesses are what we would like to see grow in the area. But because some of the targeted land for the Business Park is not zoned correctly for these types of businesses we want to see it rezoned to CG, Cass County Gateway.

(3) THE MOST DESIRABLE USE FOR WHICH THE LAND IN EACH DISTRICT IS ADAPTED

In the past this area either had to rezone property or go through a use variance to establish these types of businesses along SR 25. Use variances are very hard to get approved because is it based on the property not the use. In most cases rezones are more appropriate. By rezoning to CG, Cass County Gateway the open land and some of the existing businesses would be able to develop similar to the surrounding area without going through a use variance or rezone process.

(4) THE CONSERVATION OF PROPERTY VALUES THROUGHOUT THE JURISDICTION

By rezoning the property to CG, Cass County Gateway, the area will develop how it has in the past. This provides uses to the area that will help grow current companies and/or use their byproduct.

(5) RESPONSIBLE DEVELOPMENT AND GROWTH.

The current Future Land Use map shows this area as Industrial. Although we are focused on agribusiness there is also the possibility of light industrial. So because industrial Future Land Use would be appropriate for agribusiness and industrial business unlike agricultural industry, which only focuses on agribusiness, we are leaving the future land use map as it is for this area.

AG, Agricultural to CG, Cass County Gateway

	Surrounding Land Use	Zoning
North	Some Residences and Open Land	Agricultural (AG)
South	Andersons, Eby trailer, and Scott Squared	Agribusiness (AB)
East	Some Residences and Open Land	Agricultural (AG)
West	Some Residences and Open Land	Agricultural (AG)

Differences between AG (Existing) and CG (Proposed) Zoning Districts

AG, Agricultural District: The purpose of this district is to recognize agriculture as the predominant use of land in the County and to ensure the continued viability of this

resource. Adverse effects and incompatibilities between agricultural and non-farm uses will be discouraged and public sewage and water facilities will not be provided. Density should not exceed one dwelling unit per acre. Higher density development will be considered only as a planned development and/or as per the modification procedure of the Cass County Subdivision Control Ordinance.

CG, Cass County Gateway District: The purpose of the Cass County Gateway District is to encourage industrial development that will be able to utilize access to the municipal airport, State Road 25, and Railroad spurs in the area; thus essentially creating a Cass County Industrial Park.

This district is different than most of the districts in the Zoning Ordinances. Most of the uses are allowed only by special exception. And since this area is within the Cass County Gateway Overlay District, the Redevelopment Commission can approve Special Exception for businesses that have the appropriate use in the appropriate area. Although, there is no specific uses allowed the current businesses and the intent for the area is mostly agribusiness with some light manufacturing.

(1) THE COMPREHENSIVE PLAN

The subject site has a Future Land Use Map (FLUM) designation of Industrial and Agricultural.

Industrial

Perhaps the most extensive proposed land use is new industrial development. The plan concentrates industrial development (both agricultural industry and conventional industry) in the Clymers Industrial Park area to take advantage of the logistical opportunities that currently exist and will be enhanced by the upgraded roadway. The industrial area is not currently served by public utilities (water and sewer) and lacks telecommunications infrastructure. Providing infrastructure to this area will be critical for attracting the development desired for the area.

Agriculture:

The agricultural designation promotes continued use of these lands in active agriculture. The intent is to protect large tracts of land for modern farming operations. To that end, subdivision of land should be limited to one split per 20 acres of the parent tract. Residential uses in this area should be farm-related to the extent possible and not conflict with the practice of agriculture. Accessory buildings would typically be larger than main buildings and may be numerous and include barns, silos, garages, and similar facilities. For new residential development, property owners should be required to sign a "Right to Farm" declaration stating that they understand they will be in an agricultural area and may be impacted by the effects of normal agricultural operations — noise, odor, dust, late hours, etc. Residential subdivisions are strongly discouraged in these areas.

(2) CURRENT CONDITIONS AND THE CHARACTER OF CURRENT STRUCTURES AND USES IN EACH DISTRICTS

The existing pattern of development in the area is mostly agribusiness such as ADM. These types of agribusinesses are what we would like to see grow in the area. But

because some of the targeted land for the Business Park is not zoned correctly for these types of businesses we want to see it rezoned to CG, Cass County Gateway.

(3) THE MOST DESIRABLE USE FOR WHICH THE LAND IN EACH DISTRICT IS ADAPTED

In the past this area either had to rezone property or go through a special exception to establish these types of businesses along SR 25. In most cases rezones are more appropriate. By rezoning to CG, Cass County Gateway the open land and some of the existing businesses would be able to develop similar to the surrounding area without going through any additional processes.

(4) THE CONSERVATION OF PROPERTY VALUES THROUGHOUT THE JURISDICTION

By rezoning the property to CG, Cass County Gateway, the area will develop how it has in the past. This provides uses to the area that will help grow current companies and/or use their byproduct.

(5) RESPONSIBLE DEVELOPMENT AND GROWTH.

The current Future Land Use map shows this area as Industrial and Agricultural. Although we are focused on agribusiness there is also the possibility of light industrial. So because industrial Future Land Use would be appropriate for agribusiness and industrial business unlike agricultural industry, which only focuses on agribusiness, we want the whole area to have Industrial as the future land use.

AG, Agricultural to B1, Convenience Business

	Surrounding Land Use	Zoning
North	Open Land	Agricultural (AG)
South	Residential	Rural Residential (RR)
East	Residential, Andersons, and Miller Farm Drainage	Rural Residential (RR), Agribusiness (AB), and Convenience Business (B1)
West	Residential and Open Land	Agribusiness (AG)

Differences between AG (Existing) and B1 (Proposed) Zoning Districts

AG, Agricultural District: The purpose of this district is to recognize agriculture as the predominant use of land in the County and to ensure the continued viability of this resource. Adverse effects and incompatibilities between agricultural and non-farm uses will be discouraged and public sewage and water facilities will not be provided. Density should not exceed one dwelling unit per acre. Higher density development will be considered only as a planned development and/or as per the modification procedure of the Cass County Subdivision Control Ordinance.

B-1, Convenience Business District: The purpose of this district is to provide convenience business and service uses in neighborhood areas.

- Hotel and Motel
- Retail Trade
- Restaurants
- Financial Services
- Fire and Police Stations
- Drive-through services
- Repair Services
- Professional Offices

(1) THE COMPREHENSIVE PLAN

The subject site has a Future Land Use Map (FLUM) designation of Agricultural.

Agriculture:

The agricultural designation promotes continued use of these lands in active agriculture. The intent is to protect large tracts of land for modern farming operations. To that end, subdivision of land should be limited to one split per 20 acres of the parent tract. Residential uses in this area should be farm-related to the extent possible and not conflict with the practice of agriculture. Accessory buildings would typically be larger than main buildings and may be numerous and include barns, silos, garages, and similar facilities. For new residential development, property owners should be required to sign a "Right to Farm" declaration stating that they understand they will be in an agricultural area and may be impacted by the effects of normal agricultural operations — noise, odor, dust, late hours, etc. Residential subdivisions are strongly discouraged in these areas.

(2) CURRENT CONDITIONS AND THE CHARACTER OF CURRENT STRUCTURES AND USES IN EACH DISTRICTS

The existing pattern of development in the area is agribusiness as well as residential because of the town of Clymers. With residential and semi-truck traffic there seems to be a need in the area for some commercial uses. Although the town of Clymers has some area already zoned B1, Convenience Business there is not much development that relates to the commercial zoning district, and it is also too small of an area to allow for semi-truck traffic.

(3) THE MOST DESIRABLE USE FOR WHICH THE LAND IN EACH DISTRICT IS ADAPTED

The uses allowed in the agricultural district, which the area is currently zoned, doesn't reflect the potential growth of the area with the newly create Business Park. And since the current B1, Convinces Business is too small to allow for the increased Semi-truck traffic because of the Hoosier Heartland, Business Park, and the truck wash. It seems to be appropriate to extend the current B1, Convenience Business district to allow for commercial uses in the area along the highway, instead of making commercial uses go through rezones or use variance.

(4) THE CONSERVATION OF PROPERTY VALUES THROUGHOUT THE JURISDICTION

The property values in the area shouldn't change due to already having this zoning district allowed in the area. In addition the area has a lot of agribusiness that are more intense than the commercial district that is being proposed. The proposed commercial zoning district will provide as a buffer between the more intense uses of agribusiness to the residential uses in the town of Clymers.

(5) RESPONSIBLE DEVELOPMENT AND GROWTH.

The current Future Land Use map shows this area as Agricultural. But for many of the reasons that have been stated above this area will be changed to a future land use of Commercial.

RECOMMENDED COMMITMENTS:

Based on the information contained in this report, the Planning Department recommends approval, and no commitments are recommended by Staff at this time.