

ORDINANCE 2015- 11
AN ORDINANCE AMENDING THE
CASS COUNTY ZONING ORDINANCE
LANDSCAPING AND PLANT NURSERIES

WHEREAS, the General Assembly of the State of Indiana granted powers to the counties to adopt zoning ordinances 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 granted powers to counties to amend the text of an adopted zoning ordinance according to IC 36-7-4-602 (b), and Section 906 of the Cass County Zoning Ordinance allows for the amendment of said Ordinance; and

WHEREAS, the Cass County Plan Commission held a public hearing on Tuesday October 6, 2015, on the proposed textual amendments to the Cass County Zoning Ordinance regarding Lanscaping and Plant Nurseries in Article 2, Definitions and in Table A, District Use Standards and all related sections;

WHEREAS, The Cass County Plan Commission did send a favorable recommendation for the text amendments to the Cass County Board of Commissioners; and

WHEREAS, the Cass County Board of Commissioners believes there is merit in amending the Ordinance, as attached, in order to promote the public health, safety, comfort, morals, convenience and general welfare of the community; now therefore, be it

ORDAINED by the Cass County Board of Commissioners of Cass County, Indiana, as follows:

SECTION 1: That the Cass County Zoning Ordinance be amended according to the amendments, as follows:

Proposed Language Change:

Definition 201

Landscaping: an establishment for the sale of landscaping materials such as mulch, soil, and rock in some instances such use may also include plant sales and nurseries.

Plant Nursery: a facility where plants are grown to a usable size and sold for wholesale purposes.

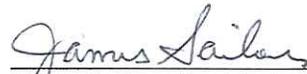
Table A.

	<u>A</u> <u>G</u>	<u>R</u> <u>R</u>	<u>R1</u>	<u>B1</u>	<u>B4</u>	<u>A</u> <u>B</u>	<u>I1</u>	<u>I2</u>	<u>CG</u>	<u>Buffer</u> <u>Class</u>	<u>Parking</u> <u>Class</u>
38. Landscaping (not to include nurseries)(as defined)	<u>S</u> <u>X</u>	X	X	X	<u>PS</u>	P	S	X	S	C	D

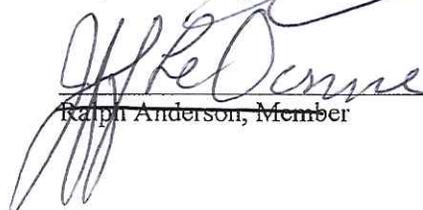
Plant Nursery (not to include office or retail business facility)(as defined)	P	X	X	P	P	P	P	P	S	A	C
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SECTION 2: That this amendment be in full force and effect upon its passage by the Cass County Board of Commissioners.

Adopted this 19 day of October 2015.


James Sailors, President


Ralph Anderson, Member


Ralph Anderson, Member

ATTEST:


Vaneen Ide, Cass County Auditor

Ordinance #2015-11

RESOLUTION 15-08
A CASS COUNTY PLAN COMMISSION RESOLUTION
RECOMMENDING CERTIFICATION OF TEXTUAL AMENDMENTS TO THE
CASS COUNTY ZONING ORDINANCE
FOR LANDSCAPING AND PLANT NURSERIES

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

WHEREAS, Cass County 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 on the State of Indiana granted powers to counties to amend the text of an adopted zoning ordinance according to IC-36-7-4-602 (b), and Section 906 of the Cass County Zoning Ordinance allows for the amendment of said Ordinance; and

WHEREAS, The Cass County Plan Commission held a public hearing on Tuesday October 6, 2015 on the attached textual amendments for Landscaping and Plan Nurseries in Article 2, Definitions and in Table A, District Use Standards in the Cass County Zoning Ordinance ; and

now, therefore, be it

RESOLVED, in accordance with IC 36-7-4-605, the Cass County Plan Commission certifies with a ✓ favorable, unfavorable, no recommendation the attached textual amendments to the Cass County Board of Commissioners, Cass County, Indiana.

Adopted this 6th day of October 2015.

CASS COUNTY PLAN COMMISSION

 Jenny Clark
Officer, CCPC

ATTEST:

 James L. Sailor
Officer, CCPC