

**AN ORDINANCE REGARDING APPLICATIONS
FOR CHANGES IN LAND USAGE DURING THE
HEARING PROCESS ON THE NEWLY-
PROPOSED COUNTY ZONING ORDINANCE**

WHEREAS the Floyd County Plan Commission is presently considering a proposed Zoning Ordinance for Floyd County, and

WHEREAS the Floyd County Plan Commission will be conducting public hearings to address the questions and concerns of citizens and business, as well as suggestions for additions or changes to the proposed Floyd County Zoning Ordinance, and

WHEREAS the Floyd County Plan Commission has resolved not to accept applications for conditional uses or subdivisions while the Plan Commission is conducting hearings, and has directed its officers and staff not to accept any applications for conditional uses or subdivisions while the Plan Commission is conducting hearings, and has forwarded a copy of that resolution to the Board of Floyd County Commissioners, and

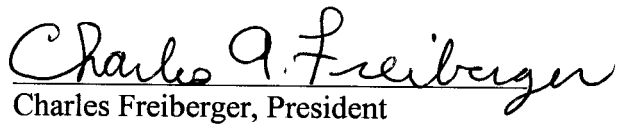
WHEREAS the Board of Floyd County Commissioners recognizes the wisdom of such action and concurs with the Floyd County Plan Commission that changes in land use, or even *applications* for changes in land use, during the hearing process could undermine the hearing process;

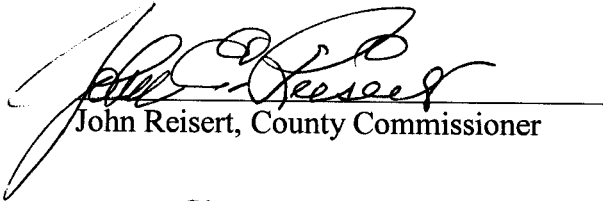
IT IS HEREBY ORDAINED AS FOLLOWS:

Effective immediately, county offices and officers who have jurisdiction over land use issues in Floyd County shall not accept applications for conditional uses, or subdivisions, or any other changes in land use within Floyd County. This moratorium shall expire immediately upon the adoption and passage of the proposed Floyd County Zoning Ordinance now under consideration, or upon the adoption and passage of substantially similar Floyd County Zoning Ordinance, but in any event this moratorium shall expire automatically at the end of 45 days.

UNANIMOUSLY APPROVED THIS 3rd DAY OF May, 2006.


BOARD OF FLOYD COUNTY COMMISSIONERS


Charles Freiburger, President


John Reiser, County Commissioner


Steve Bush, County Commissioner

ATTEST:


Teresa Plaiss,
Auditor of Floyd County

FLOYD COUNTY PLAN COMMISSION
RESOLUTION PERTAINING TO A MODIFIED MORATORIUM

WHEREAS, the Floyd County Plan Commission desires to have proper time to review the proposed Zoning Ordinance; and

WHEREAS, the Floyd County Plan Commission desires to have public input to address the concerns of the citizens, businesses and others on how they will be affected; and

WHEREAS, a proliferation of conditional uses and other applications during the hearing Process on the Zoning Ordinance could undermine the purposes of the Zoning Ordinance.

WHEREAS, the Floyd County Plan Commission met on April 27th, 2006 and conducted a public hearing on this matter; and

WHEREAS, the Plan Commission heard from both proponents and opponents of a proposed MORATORIUM;

NOW, THEREFORE,

BE IT RESOLVED that Section 2.05 of the Floyd County Ordinance 67-4 be amended to replace section 2.05 (a) & (b) as follows:

A. The County hereby institutes a moratorium to temporarily prohibit (1) sexually oriented business(es) as defined herein from opening or locating in Floyd County and (2) the acceptance of any applications for conditional uses or subdivisions of land which were not filed with Floyd County Plan Commission office on May 3rd 2006. This moratorium will take affect immediately upon passage by the Plan Commission and shall expire once the County has adopted a new Zoning Ordinance which establishes the appropriate location for such conditional uses and subdivision.

B. Be It Further Resolved that: the Floyd County Plan Commission and its Executive Director, Zoning Officer and other staff is further directed to refuse to accept any such applications until the expiration of the moratorium.

BE IT FURTHER RESOLVED that the staff of the Floyd County Plan Commission shall forward a certified copy of this resolution to the Floyd County Commissioners for any further action which they may desire.

SO RESOLVED this 27th day of April, 2006.



FLOYD COUNTY PLAN COMMISSION
Paul Riggs

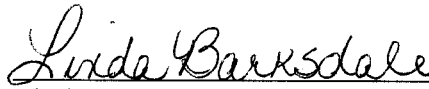
Attest

Linda Barksdale
Floyd County Plan Commission Staff

April 27th, 2006
Date

CERTIFICATION OF ACTION

Comes now the Floyd County Plan Commission, pursuant to I.C. 36-7-4-605, and hereby certifies that the attached Resolution is a true and accurate copy of a Resolution regarding a modified moratorium adopted by the Floyd County Plan Commission as part of its meeting on April 27, 2006. The attached Resolution is available for review in the office of the Floyd County Plan Commission and accurately reflects the vote of the Floyd County Plan Commission approving this amendment.



Linda Barksdale, Floyd County Plan Commission