UNIFIED ZONING ORDINANCE AMENDMENT #75
Zoning Commitments

STAFF REPORT
March 14, 2013

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The Indiana Statute was amended not long ago to allow commitments in rezoning cases. Last year, a couple of commitments were submitted with their rezone requests and at least two of them have been approved and recorded. At the October 2012 APC meeting, a resolution was passed directing the Ordinance Committee and the Bylaw Committee to develop rules regarding rezoning commitments. The resolution also stated that until these rules were in place, there would be a moratorium on future zoning commitments.

Beginning in November 2012 and ending in February 2013, the Ordinance Committee and the Bylaw Committee met jointly to discuss commitments attached to rezone requests: do our jurisdictions want them? If so, under what circumstances? And what would be the procedure for filing them?

At the joint meetings, the Ordinance Committee and the Bylaw Committee agreed to a bylaw amendment (also on the March APC agenda) and the attached amendment to the Unified Zoning Ordinance (UZO). Most of the changes agreed to at the joint meeting regarding zoning commitments involve additions to the APC bylaws. The only changes to the UZO have to do with recording the signed zoning commitment within 30 days of its adoption by the legislative body.

This proposed UZO amendment has the support of the A.O.'s, as well as the Ordinance Committee and the Bylaw Committee.

STAFF RECOMMENDATION:
Approval