

ORDINANCE NO. 2023-1

AN ORDINANCE TO AMEND THE MORGAN COUNTY UNIFIED DEVELOPMENT ORDINANCE TO INCORPORATE THE MUNICIPAL BUFFER ZONE AREAS

WHEREAS, on October 15, 2001, the Commissioners adopted a zoning ordinance which provided that certain municipalities within the County, including the City of Martinsville, the Town of Monrovia, the Town of Mooresville, and the Town of Morgantown, (collectively, "Municipalities") would exercise planning and zoning jurisdiction within the two-mile area outside of each of their municipal boundaries (the "Buffer Zone Areas"); and

WHEREAS, the Morgan County Board of Commissioners ("Commissioners") previously adopted Ordinance No. 2021-21, known as the Unified Development Ordinance ("UDO") which was in full force and effect on January 1, 2022, for purposes of promoting orderly development and aligning the vision of the Morgan County Comprehensive Plan for the territory within the jurisdiction of the Morgan County Plan Commission; and

WHEREAS, on February 6, 2023, the Commissioners adopted Ordinance No. 2023-4 to terminate the Municipalities' planning and zoning jurisdiction in the Buffer Zone Areas as permitted under Indiana Code 36-7-4-205; and

WHEREAS, the Buffer Zone Areas will now be under the Morgan County Plan Commission's jurisdiction and there is a need to revise the Official Zoning Map referenced in the UDO to convert the Buffer Zone Areas to county zoning district designations, which are set forth in Chapter 3 of the UDO, and as applied as stated in this ordinance; and

WHEREAS, on January 9, 2023, the Morgan County Plan Commission considered the proposed revisions to the Official Zoning Map and, after holding a public hearing, certified the proposal with a favorable recommendation.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS, MORGAN COUNTY, INDIANA:

SECTION I

The Official Zoning Map referenced in the UDO is hereby revised to incorporate the Buffer Zones Areas and assign to the affected parcels a county zoning district designation as set forth in **Exhibit A**.

SECTION II


The provisions of the UDO apply to the parcels in the Buffer Zone Areas and are under Morgan County planning and zoning jurisdiction.

SECTION III

This ordinance is effective upon: (1) passage by the Commissioners; and (2) passage by the Commissioners of an ordinance to terminate the Municipalities' Buffer Zone Area jurisdiction.

ADOPTED THIS 6th DAY OF FEBRUARY, 2023.

BOARD OF COMMISSIONERS OF
MORGAN COUNTY, INDIANA


Bryan Collier, President


Don Adams, Vice-President


Kenny Hale, Member

ATTEST:


Linda Pruitt, Morgan County Auditor

This instrument was prepared by Rhonda Cook, Cook Government Advisors, LLC, New Palestine, Indiana, 46163.

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security number in this document, unless required by law. Rhonda Cook.

EXHIBIT A

Buffer Zone Conversion Table

MUNICIPALITY ZONING	COUNTY ZONING CONVERSION	MUNICIPALITY ZONING	COUNTY ZONING CONVERSION
MARTINSVILLE		MONROVIA	
Agriculture AG	AG	Agriculture AG	AG
Professional Business B1	B1	Central Business CB	B1
Retail Business B2	B2	Neighborhood Commercial NC	
General Business B3		Institutional IN	B2
Heavy Business B4	B3	General Commercial GC	B2
Light Industrial I1	I1	Light Industrial LI	I1
General Industrial I2	I2	General Industrial GI	I2
High Industrial I3		Planned Unit Development PUD	PUD
Special Industrial I4		Residential 1 R1	R1
Open Space OS	AG	Residential 2 R2	R2
Mixed Plan Unit Development MXD	PUD	Residential 3 R3	
Planned Unit Development PUD		Residential 4 R4	R3
Low Density Residential R1	R1	Platted Residential Subdivisions in Fringe	R1
Medium Density Residential R2	R2		
High Density Residential R3	R3	MORGANTOWN	
Special Residential RR		Agriculture AG	AG
Platted Residential Subdivisions in Fringe	R1	Low Density Residential R-40	R1
		Medium Density Residential R-10	R2
MOORESVILLE		High Density Residential R-5	R3
Agriculture AG	AG	Multi-Family Residential RM	
Business 1 B1	B1	Mixed Use Development MXD	B1
Business 2 B2	B2	Neighborhood Service C-1	B2
Business 3 B3	B3	General Business C-2	B3
Industrial 1 I1	I1	Planned Commercial C-3	
Industrial 2 I2	I2	Manufacturing M-1	I1
Industrial 3 I3		Industrial M-2	I2
Open Space OS	AG	Platted Residential Subdivisions in Fringe	R1
Commercial PUD PUD-C	PUD		
Extraordinary PUD PUD-E			
Industrial PUD PUD-I			
Residential PUD PUD-R			
Residential 1 R1	R1		
Residential 1A R1-A	R2		
Residential 1B R1-B			
Residential 1C R1-C			
Residential 1D R1-D	R3		
Residential 2 R2			
Residential 3 R3			
Platted Residential Subdivisions in Fringe	R1		