

Title XXII.

AMENDMENT OF THE ZONING ORDINANCE AND ZONE MAP

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Section A: Power of amendment.

The city council may, from time to time, amend, supplement, change, modify, or repeal this Zoning Ordinance, including the zone map, by proceeding in the manner prescribed herein.

Such changes or amendments shall be considered as amendments to the Master Plan of the City of Lake Station, as provided for in the Indiana Code, as amended from time to time, and shall be reviewed accordingly.

Section B: Initiation of amendments.

A Zoning Ordinance text amendment may be initiated by the city council or the plan commission. An amendment to change the zone map may be initiated by the city council, plan commission or by a petition signed by property owners who own at least fifty (50) percent of the land involved.

Section C: Form of application.

Any request for Zoning Ordinance Zone Map change shall be in compliance with the provisions of IC 36-7-4-600, et seq., as amended from time to time. A zone map change request shall be submitted in writing to the plan commission in a form prescribed by the commission, by the first day of the month for informal review.

Evidence shall be attached, in a manner satisfactory to the commission, which shows the following:

1. Payment of fees and charges as established herein when the application is filed.
2. Sufficient graphic material, in triplicate, to adequately assist the commission in understanding the nature of the request.

The plan commission and city council shall not consider any proposed zone map change which is substantially the same as any other proposed amendment submitted within the previous twelve (12) months.

Any proposal for Zoning Ordinance text amendment shall be in compliance with the provisions of IC 36-7-4-600, et seq., as amended.

Section D: Procedure.

The plan commission and city council shall study such proposals for text and zone map change to determine:

1. The general conformity and consistency with the various elements of the Comprehensive Plan;
2. The need and justification for any proposed change of this Zoning Ordinance or the zone map;
3. Current conditions and the character of current structures and uses in each zoning district;

4. The effect of a use district change, if any, on the property and on surrounding property;
5. The most desirable use for which the land in each zoning district is adopted;
6. The amount of undeveloped land in the general area and in the city having the same district classification as that requested or affected by an ordinance amendment.
7. The effect of a use district change in view of responsible growth and development.

Section E: Public hearing and commission action.

Before acting on any proposed amendment, the commission shall hold a public hearing as required by the IC 36-7-4-600, et seq., as amended from time to time. The rules of procedure of the plan commission for notice and proof shall be complied with. Any action of the commission shall be advisory only. No recommendation of the commission shall be effective, however, unless acted upon by a full majority of commission membership.

Section F: Action by city council on amendment or zone map change.

The city council shall be guided by the advice of its plan commission when considering a Zoning Ordinance text amendment or zone map change. It shall not, however, be bound to recommendations of the plan commission.

Section G: Questionable zoning districts.

If any property is judicially determined or otherwise determined to be without zoning, or exists without a clearly designed zoning district classification, then in such case, said property shall be zoned R-1, Residential Zoning District.