ORDINANCE 2014-07

AN ORDINANCE OF THE TOWN OF CUMBERLAND
AMENDING SECTION 00-15-153-15.10, LANDSCAPE BUFFERS, OF THE
CUMBERLAND ZONING ORDINANCE

WHEREAS, the Town Council of the Town of Cumberland, Indiana has adopted
a Zoning Ordinance for the Town that includes regulations for fencing; and

WHEREAS, from time to time this ordinance needs to be amended;

WHEREAS, Town staff initiated the amendment for landscape buffers as it
relates to planned unit developments; and

WHEREAS, on April 23, 2014, the Cumberland Plan Commission conducted a
public hearing on the proposed amendments; and

WHEREAS, in considering this proposal, the Cumberland Plan Commission has
paid reasonable regard to the comprehensive plan, current conditions and the character
of current structures and uses in each district, the most desirable use for with the land in
each district is adapted, the conservation of property values throughout the jurisdiction,
responsible development and growth, and has certified the proposal with a favorable
recommendation to the Cumberland Town Council for the amendments to the Zoning
Ordinance; and

WHEREAS, the Cumberland Town Council has reviewed and considered the
Plan Commission's recommendation and has decided to adopt these amendments.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF CUMBERLAND, INDIANA AS FOLLOWS:

Section 1. The amendments to the Zoning Ordinance attached as Exhibit A are
adopted.

Section 2. This ordinance shall be effective immediately upon its adoption.

This ordinance is hereby passed and adopted this 7 day of May, 2014.
TOWN COUNCIL OF CUMBERLAND, INDIANA

Joé Siefker, President

Anna Pea, Vice President

Nicole Bell, Member

Brian Gritter, Member

Mark Reynolds, Member

ATTEST:

Clerk-Treasurer

Mark McNeely
D. Planned Unit Development Districts

For all Planned Unit Development Districts, buffer and transition yards are required as detailed in Section 00-15-153-11.7.
MEMORANDUM

TO: ANDREW KLINGER, TOWN MANAGER
    CUMBERLAND TOWN COUNCIL

FROM: CUMBERLAND ADVISORY PLAN COMMISSION

DATE: APRIL 30, 2014

RE: ZONING TEXT AMENDMENT CASE # ZA 14-02

The Cumberland Plan Commission certifies to you the following report on the Zoning Ordinance Amendment (ZA 14-01) initiated by Town of Cumberland staff.

Staff is requesting a technical amendment to the Zoning Ordinance Section 00-15-153-15.10, landscape buffers. This amendment replaces the previous standard with a reference to the requirements for landscape buffers within the PUD requirements.

The Plan Commission held a public hearing for the amendment at their regular meeting on Wednesday, April 23, 2014. The Plan Commission's recommendation to the Cumberland Town Council is favorable by a vote of 6 to 0. The staff report for the case and Plan Commission's Findings of Fact are attached.

Cumberland Plan Commission
Town of Cumberland, Indiana

By: Belinda Heller, President

Christine Owens, Secretary

CJO
Enclosures
CASE NUMBER: ZA 14-02
CASE NAME: Landscape Buffers

1. THE AMENDMENT PAYS REASONABLE REGARD TO THE INTENT OF THE COMPREHENSIVE PLAN.

2. CHARACTER OF CURRENT STRUCTURES AND USES IN EACH DISTRICT.

3. THE AMENDMENT PAYS REASONABLE REGARD TO THE MOST DESIRABLE USE FOR WHICH THE LAND IN EACH DISTRICT IS ADAPTED.

4. THE AMENDMENT PAYS REASONABLE REGARD TO THE CONSERVATION OF PROPERTY VALUES THROUGHOUT THE JURISDICTION.

5. THE AMENDMENT PAYS REASONABLE REGARD TO RESPONSIBLE DEVELOPMENT AND GROWTH.

DECISION

It is therefore the decision of the Cumberland Advisory Plan Commission that zoning petition ZA 14-02 be sent to the Cumberland Town Council with a favorable recommendation.

ADOPTED THIS 23RD DAY OF APRIL 2014.

[Signature]

SECRETARY

[Signature]

DIRECTOR OF PLANNING & DEVELOPMENT,
TOWN OF CUMBERLAND
Staff Report

DEPARTMENT OF PLANNING & DEVELOPMENT
Town of Cumberland, Indiana
11501 E. Washington St.
Cumberland, IN 46229

Case Number: ZA 14-02
Case Name: Landscape Buffers Technical Amendments
Report Date: April 16, 2014

GENERAL INFORMATION AND CASE DESCRIPTION

<table>
<thead>
<tr>
<th>Case Type</th>
<th>Rezoning</th>
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<tbody>
<tr>
<td>Applicant</td>
<td>Town of Cumberland</td>
</tr>
<tr>
<td>Owner</td>
<td>NA</td>
</tr>
<tr>
<td>Property Location</td>
<td>NA</td>
</tr>
<tr>
<td>Adjacent Properties:</td>
<td>North: NA East: NA South: NA West: NA</td>
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<tr>
<td>Acreage</td>
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<tr>
<td>Existing Use &amp; Zoning:</td>
<td>NA Proposed Use: NA</td>
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<td>Comprehensive Plan:</td>
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PROPERTY AND CASE HISTORY

<table>
<thead>
<tr>
<th>Previous Approvals:</th>
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<tbody>
<tr>
<td>Related Cases:</td>
<td>ZA 14-01</td>
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STAFF COMMENTS

Staff initiated an amendment to the zoning ordinance to modify the landscape buffer requirements for Planned Unit Developments (PUD). This amendment eliminates the details for landscape buffers and replaces it with a reference to the section in the PUD chapter that addresses these buffer yards.

STAFF RECOMMENDATION

The Plan Commission Staff recommends the Plan Commission make a favorable recommendation to the Town Council for ZA 14-02.

Submitted By:

Christine Owens
Director of Planning & Development
Town of Cumberland, IN