

**TOWN OF THORNTOWN**

**ORDINANCE 2023- 08**

**AN ORDINANCE AMENDING THE TEXT OF THE  
TOWN OF THORNTOWN, INDIANA  
LAND USAGE ORDINANCE**

WHEREAS, the Town Council of the Town of Thorntown, Indiana, recognizes the need for orderly growth and development within the Town of Thorntown and the area within its planning jurisdiction; and

WHEREAS, the Town of Thorntown has an existing Land Usage Ordinance, contained in Title XV of the Town of Thorntown Code of Ordinances, which regulates development within its jurisdictional areas; and

WHEREAS, Indiana Code 36-7-4-602(b) outlines the procedures and requirements for the Town of Thorntown to amend the text of its Land Usage Ordinance; and

WHEREAS, the Town of Thorntown Advisory Plan Commission ("Plan Commission") considered a proposal to amend the text of the Land Usage Ordinance to amend subchapters 152.07, 152.22.B and 152.23.B. The Plan Commission held a public hearing on the proposed amendment on May 8, 2023 and certified the proposed amendments to the Town of Thorntown Town Council with a favorable recommendation by a vote of 4 in favor and 0 opposed; and

WHEREAS, in considering this amendment to the Town of Thorntown Land Usage Ordinance, the Town Council for the Town of Thorntown has, pursuant to I.C. 36-7-4-603, paid reasonable regard to the comprehensive plan, current conditions and character of current structures and usage in each district, the most desirable use for which the land in each district is adapted, the conservation of property values throughout the jurisdiction and responsible development and growth.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Thorntown, Indiana, meeting in regular session, that the Town of Thorntown Land Usage Ordinance contained in Title XV of the Town of Thorntown Code of Ordinances be hereby amended as follows:

**1. 152.07 OFFICIAL ZONING MAP**

*Repeal:*

~~The legal descriptions of the zoning districts stated in this Ordinance serve as the Official Zoning Map of the Town in subchapters 152.22 and 152.23.~~

*Replace with:*

**A. Establishment of the Official Zoning Map**

The boundaries of the zoning districts are hereby established on a map entitled, “Town of Thorntown Official Zoning Map”, which is hereby incorporated into and made part of this Zoning Ordinance. Notations, references, indications, and other matters shown on the Official Zoning Map are as much a part of this Zoning Ordinance as if they were fully described herein. The Official Zoning Map shall be formally known as the “Official Zoning Map” and it may be cited and referred to as the “Thorntown Zoning Map” or the “Zoning Map.”

**B. Official Zoning Map Location**

The Official Zoning Map is located in the office of the Planning Commission and may be maintained as an electronic zoning map.

**C. Interpretation of Map Boundaries**

The zoning district boundaries shall be shown on the Official Zoning Map. If any uncertainty exists with respect to the intended boundaries as shown on the Official Zoning Map, the Planning Administrator is authorized to interpret the boundaries.

District boundaries on the Official Zoning Map shall be interpreted as follows:

1. Zoning district boundaries shown within or parallel to the lines of roads, easements, and transportation rights-of-way shall be deemed to follow the centerline of the affected road, easement, or right-of-way.
2. Zoning district boundaries shown within or parallel to the lines of roads, easements, and transportation rights-of-way at the boundaries of the planning jurisdiction shall be deemed to include the full width of such roads, easements, and transportation rights-of-way.
3. Zoning district boundaries indicated as following or being parallel to section or fractional sectional lines, platted lot lines, or Town corporation lines shall be construed as following or paralleling such lines.
4. Zoning district boundaries indicated as approximately following the centerline of streams, rivers, or other bodies of water shall be construed to follow such centerlines as they may naturally shift over time.
5. Zoning district boundaries indicated as approximately following the parcel lines as established by the Boone County Surveyors Office shall be construed to follow such parcel lines.
6. The vacation of streets shall not affect the location of zoning district boundaries. Such boundaries must be reviewed, and, if necessary, a formal amendment shall be made to the Official Zoning Map.
7. When the Planning Administrator cannot determine the location of a zoning district boundary, the BZA shall determine the location of the zoning district boundary.
8. The Overlay District boundaries on the Official Zoning Map shall be interpreted as follows:
  - a. An overlay district shall be depicted on the Official Zoning Map with a hatch or textured pattern and be identified as such on the map legend.
  - b. A lot that is fully covered (bounded) by an overlay district shall be entirely subject to the overlay district standards found in subchapter 152.27.
  - c. A lot that is partially covered (transected) by an overlay district shall be subject to the overlay district to the extent that the lot area is covered by the overlay district.

## 2. 152.22 RESIDENTIAL DISTRICT

*Repeal:*

B. Applicability

~~The part of the town within its corporate limits and outside of the Business District shall constitute the Residence District of the town.~~

*Replace with:*

B. Applicability

The boundaries of the Residential District are as displayed on the Official Zoning Map.

## 3. 152.23 BUSINESS DISTRICT

*Repeal:*

B. Applicability

~~The part of the town included in the territory's boundaries is described as follows, to-wit: beginning at the southwest corner of the public square in the original plat of the town, and run thence west to the northwest corner of Lot No. 26 in such original plat; thence east to the southwest corner of Lot No. 22 in such original plat; thence south to Plum Street; thence east to the southwest corner of Lot No. 15 in such original plat; thence north to Bow Street; thence west to Pearl Street; thence north to Church Street; thence west to the northwest corner of Lot No. 86 in such original plat; thence south to the northwest corner of such public square, which is the place of beginning, is hereby designated, and shall be and constitute the Business District of the town. Also, the following real estate shall be included into the Business zoning district: beginning at the southwest corner of Lot No. 25 of the original plat of the town; thence run North sixty five and one half feet (65.5); thence East 35 feet; thence North 5 feet; thence East to the West line of Market Street; thence South seventy and one half feet (70.5); thence West to the place of beginning.~~

*Replace with:*

B. Applicability

The boundaries of the Business District are as displayed on the Official Zoning Map.

4. The provisions of the Land Usage Ordinance not affected by this Ordinance remain intact.
5. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with Indiana law.

(signatures on following page)

ALL OF WHICH IS CONSIDERED, APPROVED AND ADOPTED by the Town Council of the Town of Thorntown, Boone County, Indiana, this \_\_\_\_ day of \_\_\_\_\_, 2023.

THORNTOWN TOWN COUNCIL  
THORNTOWN, INDIANA

\_\_\_\_\_  
President

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

\_\_\_\_\_  
Member

ATTEST:

\_\_\_\_\_  
Clerk/Treasurer