

PLAN COMMISSION - CITY OF AUBURN  
STAFF REPORT

Permit Type: Zoning Map (ETJ)  
To assign zoning classifications

Permit No.: PC-Zone 2009-00000001  
Date of Public Hearing: March 10, 2009

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Applicant: City of Auburn

Project Location: Boundaries City of Auburn – Extra-Territorial Jurisdiction.

Request: To assign the City of Auburn zoning classifications to the City of Auburn/DeKalb County Extra-Territorial Jurisdictional (ETJ) areas and in accordance with the Inter-Local Cooperation Agreement.

Zoning Districts: A map of the zoning classifications is attached.

Legal Notice: Legal notice has been served in accordance with applicable statutes and ordinances as required. Evening Star dated: Feb. 26, 2009.

Indiana Statute: 36-7-4-600 Series – Zoning Ordinance.

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**Summary:**

The City of Auburn will assign City of Auburn zoning classifications to the City of Auburn/DeKalb County Extra-Territorial Jurisdiction (ETJ) areas.

The Auburn zoning classifications are needed to be added to the zoning map in order to align the proper zoning classifications of the city in accordance to the Inter-Local Cooperation Agreement between DeKalb County and the City of Auburn as it relates to Planning, Zoning, Subdivision Control, Permitting and Enforcement jurisdictions. This agreement was approved on September 18, 2007 by the DeKalb County Commissioners and City of Auburn Common Council.

The Agreement enables the City Plan Commission to better plan for Auburn's future growth and development by allowing local control of areas just outside the city's boundaries to be part of the same planning and enforcement ordinances as those inside its jurisdiction.

See references below:

**PART 2: ZONING**

**Section 2.1** The City shall have zoning jurisdiction over the unincorporated areas designated in Exhibit A, Extra-territorial Jurisdiction Map.

**Section 2.2** The City shall maintain a valid comprehensive plan that acknowledges the boundaries of the ETJ and designates future land uses consistent with the County's comprehensive plan.

**Section 2.3** The City shall maintain a valid zoning ordinance that is complementary of the City's comprehensive plan, especially the future land use plan.

The Extra-Territorial Jurisdiction (ETJ) areas were reviewed in conjunction with the adjacent city zoning and the Future Land Use Map; and the proposed zoning is in line with those zonings. The Extra-Territorial Jurisdiction (ETJ) areas are to ensure that these areas will eventually be a part of the city and are zoned according to the city's zoning plans. Due to the nature of the boundaries of these areas, it is best to describe these zones by a zoning map rather than by deed descriptions.

**A. Plan Review/Routing comments:**

*All City Department:* Approved.

**B. Planning Staff Recommendation:**

The areas proposed for the zoning are compatible with the surrounding land uses and in conformance with our 1987 Comprehensive Master Plan and the 2005 Future Land Use Map and the amended Zoning Code Chapter 150 – Ordinance 2008-01.

Staff recommends that the request be forwarded to the Common Council with a favorable recommendation from Plan Commission to Zone the properties as described on the map as shown.

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**C. FINDINGS OF FACT:**

1. Legal notice for this application has been published and provided to adjoining landowners in accordance with the Indiana Code and local regulations. YES/NO

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2. The Extra-Territorial Jurisdiction (ETJ) zoning map is consistent with the Comprehensive Plan of the City of Auburn. YES/NO

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3. The Extra-Territorial Jurisdiction (ETJ) zoning map is consistent with current conditions and the character of current structures and uses of the areas. YES/NO

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4. The City of Auburn has satisfied all standards and conditions prescribed for approval under the City of Auburn Zoning Code and Subdivision Control of Ordinances. YES/NO

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5. The Extra-Territorial Jurisdiction (ETJ) zoning map proposal is consistent with other uses in the

Extra-Territorial Jurisdiction (ETJ) areas, provides for coordination with existing and proposed developments and will not be injurious to the public's health, safety and morals. YES/NO

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**D. ACTION OF THE COMMISSION.**

**MOTION TO:**

\_\_\_ Favorable Recommendation to Common Council

\_\_\_ Non-Favorable Recommendation to Common Council

\_\_\_ Continue (to this date) \_\_\_\_\_

\_\_\_ Table (to this date) \_\_\_\_\_

\_\_\_ No Action \_\_\_\_\_

**Vote:**

Member	Yes	No	Abstain	Absent
Steve Bruns	___	___	___	___
Greg Kenner	___	___	___	___
Mike Likens	___	___	___	___
Dick McKean	___	___	___	___
Jerry Muzzillo	___	___	___	___
Don Myers	___	___	___	___

Rick Ring	_____	_____	_____	_____
Ellen Stahly	_____	_____	_____	_____
Barry Tilghman	_____	_____	_____	_____
Mike Watson	_____	_____	_____	_____
Al Wleklinski	_____	_____	_____	_____

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Date