

Received 7/20/2023

ORDINANCE NO. 2023-14

AN ORDINANCE TO AMEND CHAPTER 150,
THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF AUBURN

SUMMARY

This ordinance amends Chapter 150, the Unified Development Ordinance of the City of Auburn, Indiana. The Unified Development Ordinance and this amendment applies to all properties within the City of Auburn's corporate boundaries, as well as the City's established Extra-Territorial Jurisdiction. The amendment includes:

- *Article 1: Ordinance Foundation* – Provides code provision for authority to not issue a building permit for a lot that was not legally established; and establishes two new residential districts.
- *Article 2: Zoning Districts* – Reduces lot width in R2 District; establishes uses and development standards for two new residential districts; requires a special exception for a convenience store.
- *Article 5: Development Standards* – Reduces setback requirement for accessory structures under 120 square feet down to 5 feet; prohibits a shipping container as an accessory structure; increases threshold for architectural standard requirements on long facades; clarifies driveway requirements in residential districts; clarifies landscape requirements within parking lots; modifies lighting standards for commercial and industrial uses; clarifies screening requirements for outdoor storage; allows gravel, etc. on a temporary basis for new parking lots; prohibits direct access to/from a parking space from a street; establishes accessible parking requirements; clarifies use of established building setbacks; reduces setback requirement for new parking lots in the Downtown Commercial District; allows open decks to encroach into required setback areas; establishes when dumpsters are allowed and location requirements.
- *Article 7: Design Standards* – Clarifies the location and timing of when sidewalks are required to be installed.
- *Article 8: Nonconformances* – Establishes provisions regarding components of a site development that may be nonconforming.
- *Article 9: Processes* – Clarifies process for public notices; eliminates requirements not necessary for Primary Plats, Secondary Plats and Rezonings; and allows for minor subdivision plats and lot line adjustments.
- *Article 11: Definitions* – Establishes definitions for decorative fence, lot line adjustments, and minor subdivisions
- *Appendix A: Land Use Matrix* – Modifies convenience stores from a permitted use to a special exception use in the DC and C2 zoning districts.

1ST READING 8/1/2023
2ND READING 8/15/2023

____ Recorder's Office
____ Auditor's Office
____ Clerk's Office
____ Other

____ Publish Public Hearing

____ Publish O/R after adoption

Building Department

Engineering Department

DeKalb County Plan Commission

Internet Code Site

ORDINANCE NO. 2023-14

**AN ORDINANCE TO AMEND CHAPTER 150,
THE UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF AUBURN**

WHEREAS, Ordinance No. 2018-24, as amended, adopted a Unified Development Ordinance that includes both zoning ordinance and subdivision control ordinance for the City of Auburn, Indiana; and

WHEREAS, the City of Auburn Plan Commission held a Public Hearing on June 13, 2023 and on July 11, 2023 as required by law regarding amending the Unified Development Ordinance of the City of Auburn, Indiana; and

WHEREAS, the City of Auburn Plan Commission at its July 11, 2023 meeting forwarded a favorable recommendation to the Auburn Common Council by a 9-0 vote concerning the adoption of Amendment 3;

WHEREAS, Amendment 3 to the Unified Development Ordinance makes changes within Article 1: Ordinance Foundation; Article 2: Zoning Districts; Article 5: Development Standards; Article 7: Design Standards; Article 8: Nonconformances; Article 9: Processes; Article 11: Definitions and Appendix A: Land Use Matrix; and

WHEREAS, Indiana Code section §36-7-4-600 et. seq provides for amendments to the Unified Development Ordinance.

NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF AUBURN, INDIANA:

THAT, the Unified Development Ordinance shall be amended as illustrated in Exhibit A, attached hereto, which is a summary of each proposed change; and as illustrated in Exhibit B, comprised of all pages in the Unified Development Ordinance that have changed as a result of Amendment 3.

BE IT FURTHER ORDAINED that this Ordinance be in full force and effect after its passage by the Common Council and after the occurrence of all other actions required by law.

PASSED AND ADOPTED by the Common Council of the City of Auburn, Indiana, this 15 day of August, 2023.


James Finchum, Councilmember

ATTEST:

Patricia M. Miller, Clerk-Treasurer

Presented by me to the Mayor of the City of Auburn, Indiana, this 15 day of August, 2023.


PATRICIA M. MILLER, Clerk-Treasurer

APPROVED AND SIGNED by me this 15 day of August, 2023.


MICHAEL D. LEY, Mayor

VOTING:

AYE

NAY


Natalie DeWitt, President



James Finchum




Dennis Ketzenberger



Dennis (Matthew) K. Kruse II



Kevin Webb



David Bundy

Emily Prosser

