

Received 11/5/09
Clerk-Treasurer's Office
Auburn, Indiana

ORDINANCE NO. 2009-22

**AN ORDINANCE
TO AMEND THE ZONING MAP
OF THE CITY OF AUBURN**

SUMMARY

This ordinance proposes to amend a portion of the zoning map of the City of Auburn Plan Commission to incorporate those areas that lie outside of the City of Auburn corporate boundaries, but lie within the City of Auburn Plan Commission Extra Territorial Jurisdiction (ETJ). The City of Auburn Plan Commission by certification recommends this change, as referenced within the September 18, 2007 Inter-Local Agreement. These areas are described in the agreement and shown on the attached "Exhibit A". The areas within the ETJ are to be part of the City of Auburn Plan Commission jurisdiction. The ETJ areas were given City of Auburn Plan Commission zoning classifications that were similar to the DeKalb County zoning districts or changed to reflect the land uses shown on the 2005 Future Land Use Map of the City of Auburn Comprehensive Master Plan.

<p>_____ Recorder's Office</p> <p>_____ Auditor's Office</p> <p>_____ Clerk's Office</p> <p>_____ Other</p>	<p>_____ Publish Public Hearing</p> <p>_____</p> <p>_____ Publish O/R after adoption</p> <p>_____</p>
<p>_____ Building Department</p> <p>_____ Engineering Department</p> <p>_____ DeKalb County Plan Commission</p> <p>_____ City Code (web based)</p>	

ORDINANCE NO. 2009-22

**AN ORDINANCE
TO AMEND THE ZONING MAP
OF THE CITY OF AUBURN**

WHEREAS, the Plan Commission of the City of Auburn has recommended rezoning certain real estate located in the City of Auburn Plan Commission Extra Territorial (ETJ) areas of the City of Auburn, Auburn, Indiana and

WHEREAS, the Plan Commission of the City of Auburn has certified the action recommending rezoning of certain real estate in the City of Auburn, Indiana,

WHEREAS, Indiana Code Section 36-7-4-607 provides for changing from the DeKalb County zoning classifications to the City of Auburn zoning classifications by way of Amending the zoning map, and

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

Section I.

Zoning Map of the City of Auburn shall be amended to change the zoning within the Extra Territorial Jurisdiction (ETJ) of the City of Auburn Plan Commission from the 2007 DeKalb County zoning classifications to the City of Auburn zoning classifications and to reflect the type of land uses shown in the 2005 Future Land Use Map of the City of Auburn Comprehensive Plan, and to reflect the request from the owners of land located to the southwest edge referred to as the Kruse Museum Area, Auction Park and adjacent properties to be designated as a Planned Unit Development (PUD) Commercial area identified as C-2P General Commercial District/Planned Unit Development on the attached "Exhibit B".

Attached as **Exhibit "A"** to this Ordinance a map, which provides identification of the ETJ zoning areas.

Attached as **Exhibit "B"** to this Ordinance is the PUD Conditions for the area designated as C-2P.

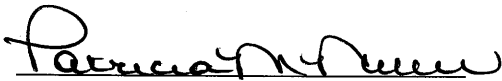
BE IT FURTHER ORDAINED that this Ordinance be in full force and effect from and after publication in a newspaper of general circulation in DeKalb County, Indiana.

PASSED AND ADOPTED by the Common Council of the City of Auburn, Indiana, this 15 day of December, 2009.



JAMES FINCHUM, Councilmember

ATTEST:



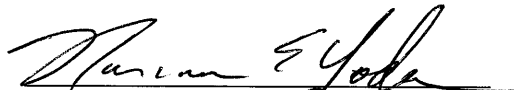
Patricia Miller, Clerk-Treasurer

Presented by me to the Mayor of the City of Auburn, Indiana, this 15 day of December, 2009.



PATRICIA MILLER, Clerk-Treasurer

APPROVED AND SIGNED by me this 15 day of December 2009.



NORMAN E. YODER, Mayor

Tabled 11/17/09

1ST READING 12/1/09

2ND READING 12/15/09

VOTING:

AYE

NAY

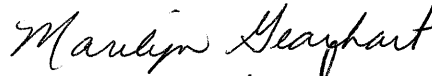
Dick Stahly



David Painter



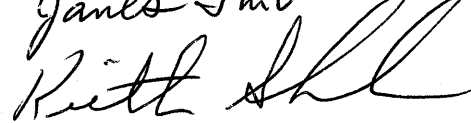
Marilyn Gearhart



James Finchum



Keith Schrimshaw



Michael Walter



Dennis Ketzenberger

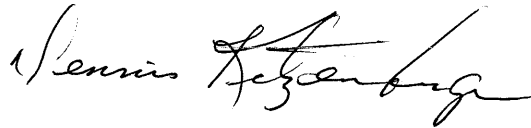
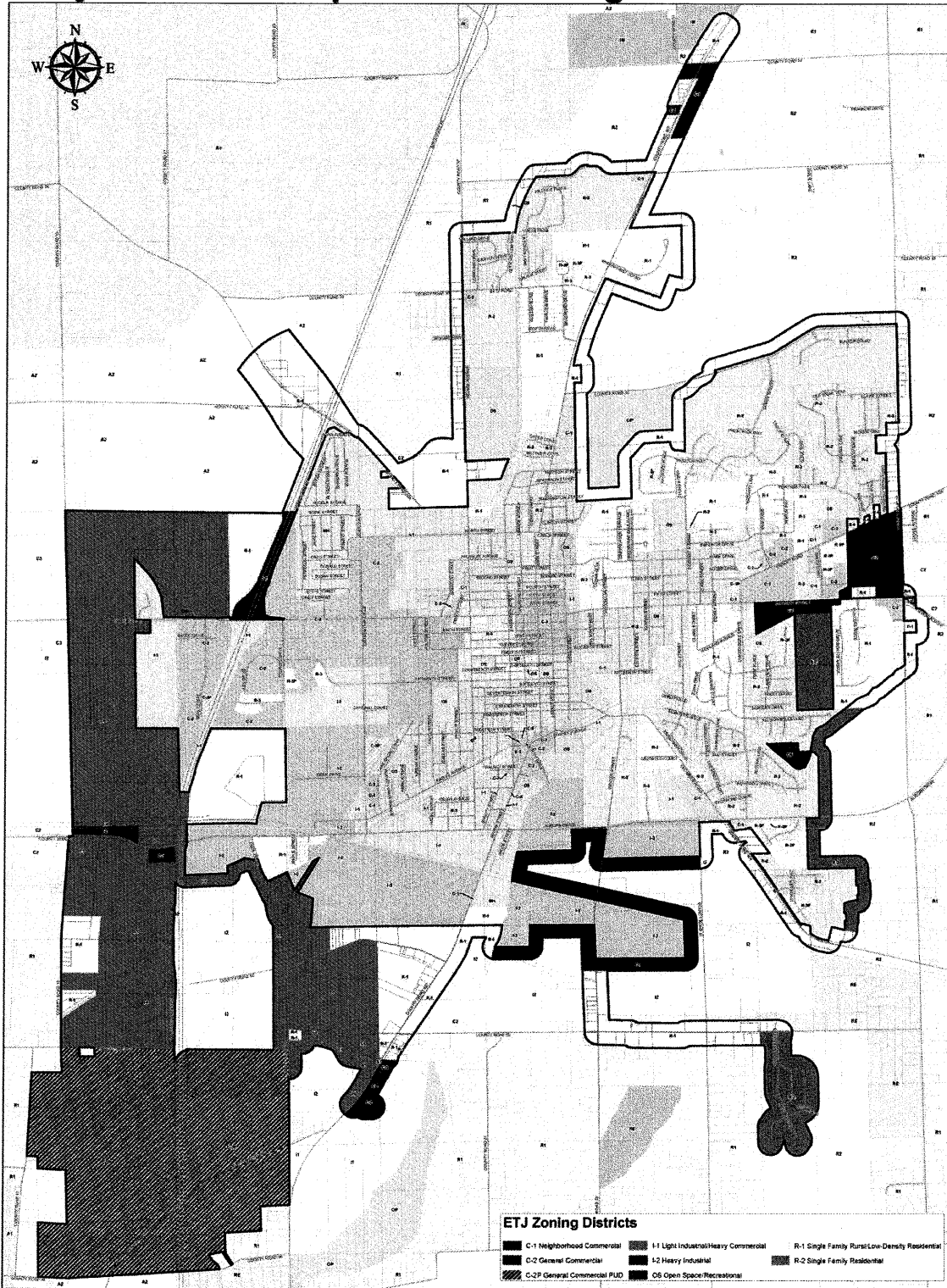


EXHIBIT A

City of Auburn Proposed ETJ Zoning Districts: Oct 2009



Map Notes:
 This Zoning Map is an update to the original, adopted March 21, 1989. Zoning Amendments and Alterations occurring since 2000 are documented in the underlying database of this map. The boundaries of this map were constructed using best-information parcel locations. While the boundaries are accurate relative to the underlying parcels, the boundaries will be adjusted to fit more accurate parcel definitions as they become available via the CoCiGIS Cadastral Mapping Project 2001-2002.

Map Date: October 12, 2009
Limitations of Use/Liability:
 This map product and the data therein is for informational purposes only. The County-City GIS Committee and its partnering agencies do not in anyway guarantee the accuracy of this data, and is not responsible for any ramifications of the use of this map product or data. For more information about the map product and/or its data, please contact CoCiGIS.

EXHIBIT B

PUD Conditions for Kruse Museum Area, Auction Park, and adjacent properties

Purpose: This area will be designated as a Planned Unit Development, General Commercial District (PUD, C-2P District). The area is unique in that it is planned for museum development type uses and as a C-2, General Commercial District with the inclusion of other mixed uses not normally associated with a C-2, General Commercial District.

- A. The permitted uses within this district may include the following:
- 1) General retail sales including but not limited to the following:
 - a) Large general merchandising retail establishments, single and multi-tenant
 - b) Small retail shopping centers (50,000 sq. ft. or less)
 - 2) Automotive service or automotive related including but not limited to the following:
 - a) Auto sales
 - b) Car Auction sales
 - c) Auto laundry (car wash)
 - d) Auto repair and service shop
 - e) Auto parts sales
 - f) Motorcycle or bicycle shop
 - g) Outdoor Automobile Exhibition Area
 - h) Automobile road course/track with Condo garages
 - i) Travel Plaza/Service/Visitor Center
 - j) Convenience stores and fueling stations
 - 3) Recreational enterprises including but not limited to the following:
 - a) Camp grounds
 - b) Motor Club offices
 - c) Water Park

- d) Gym - exercise club
 - e) Private recreation facility (indoor and outdoor)
 - f) Public recreation facility (indoor and outdoor)
 - g) Stadium (Enclosed or open)
 - h) Outdoor amphitheater/outdoor speakers
(Restrictions on times of usage)
- 4) Miscellaneous uses including but not limited to the following:
- a) Museums
 - b) Monuments and related Museum support/accessory structures (50 feet height limitations)
 - c) Hotels, motels (Up to 4 stories, 100 feet maximum)
 - d) Convention center as part of a Hotel/Motel complex
 - e) Movie theaters (except drive-ins)
 - f) Professional offices, Research development facilities, Financial institutions, Educational facilities, Medical related facilities
 - g) Public restaurants
 - h) Helipad and aircraft grass landing strip
(Restrictions on times of usage)
 - i) Radio/television transmitting towers
 - j) Artificial lake (Size restrictions)
- 5) Mixed Residential uses including but not limited to:
- a) Townhouse style condominiums (up to two stories)
 - b) Single-family developments
 - c) Assisted living facilities, nursing homes and related medical facilities supportive to these facilities

B. Restrictive PUD conditions:

Certain PUD restrictions or requirements may be imposed by the City of Auburn Plan Commission for any planned developments with the permitted uses described above but not limited to the following:

- 1) Special/unique Conditions specific to the development proposed
- 2) Landscaping/Screening Conditions
- 3) Restrictive lighting and noise conditions
- 4) Other conditions or requirements as deemed necessary for the type of development proposed



General Commercial, Planned Unit Development (C-2P) District