



REZONING

Guide to Rezoning Property

Background

Zoning protects the rights of property owners and promotes the general welfare of a community through the regulation of land use. Zoning divides property in the City of Auburn into land use categories such as agricultural, residential, commercial and industrial. Each use is located where it is most appropriate, considering existing land use patterns and the location of roads and public utilities. The Unified Development Ordinance also specifies details such as the height, bulk, and setback of buildings; the size and location of parking lots and green spaces; and the intensity to which the land may be developed.

Definition

When a property owner wishes to develop their land in a manner not permitted under the current zoning, they must apply for a change to their zoning classification, also commonly referred to as a rezoning.

Conditions

The application and review process are required to ensure the proposed rezoning will result in development that will be compatible with surrounding land uses. A rezoning's potential benefits to the community are weighted against its potential to adversely impact surrounding property owners. Rezoning applications are also reviewed for consistency with the City of Auburn's Future Land Use Map, contained within the comprehensive plan. The map helps City officials and developers consider how to integrate and balance new and existing land uses in the City of Auburn.

Process

Applications for rezoning must be reviewed by City staff, the Plan Commission, and the Auburn Common Council. Any person submitting an application for a rezoning must contact the Building, Planning and Development Department staff, who will explain the review process and provide the necessary forms, checklists, and dates. Staff will schedule a pre-application meeting to review the rezoning request.

When the Building, Planning and Development Department accepts a rezoning application, staff reviews it for completeness and compliance with applicable plans and ordinances. Staff will contact the applicant if additions or revisions to the application are necessary. Staff prepares a report containing its findings and a recommendation of approval or denial of the rezoning request. The application and staff report are submitted to the Plan Commission for review and then to the Common Council for final action.

In addition to review by City staff and officials, the application is subject to comment from the general public. A public hearing is required at the Plan Commission meeting when the application is presented.

Public Notices

City staff prepares and publishes a legal notice in The Star newspaper for the public hearing to be held on the application.

City staff prepares and mails the notice to all adjacent property owners for the public hearing.

Costs for the legal notice and neighbor notices are included in the application filing fee.

Decision

The Plan Commission is comprised of 11 members: a member of the Common Council appointed by the Council; a member of the Park Board appointed by the Park Board; A member of the Board of Public Works and Safety, or a representative, appointed by the Board of Public Works and Safety; the City Engineer or a qualified assistant appointed by the City Engineer; five members appointed by the Mayor, of which no more than three can be of the same political party; two members appointed by the DeKalb County Commissioners who reside in the extra-territorial planning area, which shall not be from the same political party; and a member of the DeKalb County Plan Commission who shall serve as a non-voting advisory member. The Commission meets on the 2nd Tuesday of every month, as needed.

At the meeting the Commission will allow the applicant and staff to present a report on the proposed rezoning. A public hearing is also required. Findings of Fact are not required but the Commission shall pay reasonable regard to: (1) the comprehensive plan; (2) current conditions and the character of current structures and uses in each district; (3) the most desirable use for which the land in each district is adapted; (4) the conservation of property values throughout the jurisdiction; and (5) responsible development and growth. At the conclusion of the public hearing, the Commission will make a recommendation to the Common Council.

Following the Plan Commission meeting the applicant and staff will have an opportunity to present a report on the proposed rezoning to the Auburn Common Council.

An ordinance will be presented by City Staff to the Council for consideration. The Council will hold two readings of the proposed rezoning ordinance. The ordinance must be approved by the Council for the rezoning to be effective.

Timeline

- Pre-application review with City staff
- Complete application
- **30 days before Plan Commission hearing**
 - Filing deadline
 - Submit a completed application
 - Submit sketch plan for property
 - Complete application checklist
 - Pay filing fee
 - Staff Review
 - Site photographs
 - Prepare Staff Report
- **At least 10 days prior to Plan Commission hearing**
 - Notices of the public hearing mailed
 - Legal notice published in newspaper
- **Plan Commission hearing**
 - Held on 4th Tuesday of month, as necessary
- **Common Council meeting – 1st and 3rd Tuesday each month**
 - 1st reading held on 3rd Tuesday of the following month
 - 2nd reading held at next subsequent Common Council meeting

REZONING APPLICATION CHECKLIST



A completed application must include the following:

- A completed application form.** The application form is available in the Building, Planning and Development Office located on the 2nd floor of City Hall or at www.ci.auburn.in.us.
- A filing fee of two hundred twenty-five dollars (\$225.00)** payable to the City of Auburn.
- Ownership affidavit; copy of deed; or other proof of ownership OR ownership consent form.**
- Attached legal description** and legal description in WORD document format (legal description must be full description with callouts).

- If rezoning is to request a PD (Planned Development) District designation, the applicant must also follow the procedures and comply with the plan submission requirements established in Article 04 of the Unified Development Ordinance and in Section 9.04-9.09.**

Applicant may also submit the following:

- Any written statement, documents, photographs, plans or supporting information justifying the rezoning requested.**

Plan Commission Application Plan Review Deadline Dates for 2022-2023

Filing Deadline/ Plans Sent To Routing Committee	Routing Committee Meeting	1st Revision Plans Due	Routing Committee Meeting	Project Advisory Committee	Plan Commission Meeting
November 8, 2022	11/23	11/29	12/7	12/8	December 13, 2022
December 6, 2022	12/21	12/27	1/4	1/5	January 10, 2023
January 10, 2023	1/25	1/31	2/8	2/9	February 14, 2023
February 7, 2023	2/22	2/28	3/8	3/9	March 14, 2023
March 7, 2023	3/22	3/28	4/5	4/6	April 11, 2023
April 4, 2023	4/19	4/25	5/3	5/4	May 9, 2023
May 9, 2023	5/24	5/30	6/7	6/8	June 13, 2023
June 6, 2023	6/21	6/27	7/5	7/6	July 11, 2023
July 3, 2023	7/19	7/25	8/2	8/3	August 8, 2023
August 8, 2023	8/23	8/29	9/6	9/7	September 12, 2023
September 5, 2023	9/20	9/26	10/4	10/5	October 10, 2023
October 10, 2023	10/25	10/31	11/8	11/9	November 14, 2023
November 7, 2023	11/22	11/28	12/6	12/7	December 12, 2023
December 5, 2023	12/20	12/26	1/3	1/4	January 9, 2024



PLAN COMMISSION APPLICATION

Department of Building, Planning, & Development

210 S Cedar St PO Box 506 Auburn IN 46706 | 260.925.6449 | 260.920.3342 fax | bpd@ci.auburn.in.us

PROJECT INFORMATION

Name _____

Location _____

Application Type _____

Description _____

CONTACT INFORMATION

Provide Contact Name, Company Name (if applicable), Mailing Address, Phone, and Email for each individual.

Applicant _____

Applicant Address _____

Applicant Phone _____ Email _____

Property Owner _____

Developer _____

CERTIFICATION

By signing below, I certify the following:

- I am the owner of legal agent of the subject property;
- The information provided in this application is true and accurate to the best of my knowledge;
- I understand the application will be routed to applicable government and utility agencies;
- I understand I am responsible for the costs of all legal notices associated with this application.
- I understand my presence (or my legal counsel's presence) is required at the Plan Commission meeting concerning this project.

Applicant Signature

Applicant Printed Name

Date

Applicant Signature

Applicant Printed Name

Date

OFFICE USE ONLY

Received Date: _____

LOGOS#: PC- _____

Received By: _____

LOGOS Address: _____

Payment Type: _____

Receipt Number: _____



PLAN COMMISSION APPLICATION

ADDITIONAL INFORMATION

Provide any additional information about this project.

SUBMITTAL REQUIREMENTS CHECKLIST

Each type of application has specific requirements listed in Chapter 150 Unified Development Ordinance, Article 9. Below is a generalized list of submittal requirements for Plan Commission applications.

- Pre-application meeting
- Completed Application
- Owners Affidavit – if application is not signed by owner
- Recorded Property Deed
- Site Plan showing property lines, structures, vehicular and pedestrian circulation, utilities, landscaping, etc.
- Floodplain Certification Statement
- Survey
- Building Elevations (Development Plan only)
- Statement of Development Buildout
- Anticipated date of DeKalb County Drainage Board approval
- Application Fee

