



# PLANNED DEVELOPMENT DISTRICT ORDINANCE

## ***Guide to Review***

### **Background**

A Planned Development (PD) District, often referred to as a PUD (Planned Unit Development), is utilized to provide for greater flexibility in applying the Unified Development Ordinance (UDO) standards to a development. The PD District can be utilized for a single use but is intended to allow a mixed-use development, often with design and development standards specific to the development. A simple way to describe a PD District is that a “mini” zoning ordinance is created for the district that establishes the uses that are allowed, the design standards (architectural) for the development, and the development standards (setbacks; lot sizes; building height; etc.) for the development.

### **Definition**

A Planned Development District is a special district that can be pursued by an applicant in which a standalone ordinance regulating the development is drafted and which binds the development to its unique language.

### **Conditions**

Any modifications (lessening) of the required standards of the UDO shall be clearly beneficial to the City and directly linked to the intent of the Planned Development (i.e. to provide a mixed use development, accommodate a creative and unique design not otherwise achievable using standard zoning and subdivision regulations, or address unusual site conditions or constraints).

### **Process**

The three (3) steps of the Planned Development process are listed below:

- a. The Planned Development District Ordinance and an Establishment Plan.
- b. The Planned Development Detailed Development Plan (Primary Plat).
- c. The Planned Development Final Development Plan (Secondary Plat).

#### **Step 1: Planned Development District Ordinance**

The applicant/property owner, with assistance from the Auburn City Planner, will prepare the Planned Development District Ordinance for the property. The ordinance will establish the uses allowed, the design standards, and the applicable development standards for each land use within the district. An establishment plan (conceptual site plan) that distinguishes the location of the different land uses within the district, shall be submitted with the ordinance.

The review of the district ordinance is handled the same as a rezoning application. While the actual zoning, if approved, would be a PD (Planned District) designation, the establishment plan would determine the boundaries for the different land uses within the district.

The district ordinance will be reviewed by the Plan Commission at a public hearing. The Commission will provide a recommendation to the Auburn Common Council, who has authority to approve or deny the ordinance. No public hearing is held by the Council.

## **Step 2: Detailed Development Plan**

The applicant/property owner will submit a detailed development plan for the property. This plan will serve as the Primary Plat for the development. The detailed development plan shall be for all the property and land uses designated on the property.

The review of the detailed development plan is handled the same as a primary plat application. The plan will be reviewed by the Auburn Routing Committee and by the Auburn Plan Commission at a public hearing. The Plan Commission has authority to approve the detailed development plan.

## **Step 3: Final Development Plan**

The applicant/property owner will submit a final development plan for the property. This plan will serve as the Secondary Plat for the development. The final development plan can be for all the property or for a phase of the development.

The review of the final development plan is handled the same as a Secondary Plat application. The plan will be reviewed by the Auburn Routing Committee, with approval of the plan by City Staff.

## **Public Notices**

A public hearing is held by the Plan Commission for Step 1 and Step 2 of the process. In addition to review by City staff and officials, the application is subject to comment from the general public.

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 2<sup>nd</sup> Tuesday of every month, as needed.

At the meeting the Commission will allow the applicant and staff to present a report on the proposed development. A public hearing will be held (Step 1 and Step 2). The Commission then makes Findings of Fact supported by the presented evidence. Based on those findings, the Commission decides whether it can reach each of the required conclusions.

The Commission will provide a recommendation on the planned district ordinance. The Auburn Common Council will make the final decision.

The Commission will make a final decision on the detailed development plan. The Mayor and Common Council cannot overrule or alter the Commission's decision.

City Staff will make a final decision on the final development plan. The Plan Commission, Mayor and City Council cannot overrule or alter the Staff decision.

If anyone feels a detailed development plan or a final development plan was improperly granted or denied, including the Mayor and Common Council, the Commission's and/or Staff's decision must be appealed to the Circuit Court of the County within 30 days of the date the Commission decision is made.

## 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 2<sup>nd</sup> Tuesday of month, as necessary

# Planned Development (PD) District

## 4.01 PD District Intent, Regulations, and Prerequisites (Amendment # 2 - Ordinance 2023-01, 05/02/2023)

District Intent	Regulations	Prerequisites
<p><b>The PD (Planned Development) District is intended to provide flexible design standards and development standards for medium to large scale developments that do not easily comply to zoning district standards due to any of the following:</b></p> <ul style="list-style-type: none"> <li>• Interest in an integrated mixed use development;</li> <li>• Existence of unique geological or natural features; and/or</li> <li>• Interest in unique or innovative development design including zero lot line development, traditional residential development, and/or townhouse residential development.</li> <li>• The need for waivers or variances shall not by itself justify the pursuit of a Planned Development.</li> </ul> <p><b>Application of District</b></p> <ul style="list-style-type: none"> <li>• Areas within the City of Auburn and areas within the City's extra-territorial jurisdiction.</li> <li>• Minimum of five (5) acres</li> </ul> <p><b>Plan Commission</b></p> <ul style="list-style-type: none"> <li>• Any parcel that meets the prerequisites specified herein may be considered to be rezoned to a Planned Development District after Plan Commission review and approval, and after the Common Council reviews and adopts the Planned Development Ordinance in accordance with the Auburn Comprehensive Plan, <i>Article 04: Planned Development Districts</i>, and state statute criteria.</li> <li>• Under no circumstances is the Plan Commission or Common Council required to rezone a property to a Planned Development.</li> </ul>	<p><b>Permitted Uses</b></p> <ul style="list-style-type: none"> <li>• Predominantly in line with original zoning district</li> <li>• Predominantly in line with Comprehensive Plan</li> <li>• Compatible with surrounding land uses and zoning districts</li> <li>• Flexible only to the extent permitted in <i>Article 04: Planned Development Districts</i></li> </ul> <p><b>Development Standards</b></p> <ul style="list-style-type: none"> <li>• Generally in line with the intent of the original zoning district;</li> <li>• Predominantly in line with Comprehensive Plan;</li> <li>• Compatible with surrounding land uses and zoning districts; and</li> <li>• Flexible only to the extent permitted in <i>Article 04: Planned Development District</i></li> </ul> <p><b>Design Standards</b></p> <ul style="list-style-type: none"> <li>• Predominantly in compliance with the design standards in <i>Article 07: Design Standards</i></li> <li>• Flexible only to the extent permitted in <i>Article 04: Planned Development Districts</i></li> </ul> <p><b>Construction Standards</b></p> <ul style="list-style-type: none"> <li>• Fully in compliance with the City of Auburn's construction standards</li> </ul>	<p><b>Site Area</b></p> <ul style="list-style-type: none"> <li>• The minimum site area required for a Planned Development is five (5) acres</li> </ul>

# Planned Development (PD) District

## 4.02 General

- A. Description: A Planned Development District is a special district that can be pursued by an applicant in which a stand alone ordinance regulating the development is drafted and which binds the development to its unique language.
- B. Creation: The procedure for the creation of a Planned Development District shall be consistent with the process set forth in *Section 9.06 General Planned Developments* of this Unified Development Ordinance.
- C. Maps: Planned Development Districts shall be identified as such on the Official Zoning Map.
- D. Regulations:
  1. *Development Standards and Design Standards*: The requirements of *Article 05: Development Standards* and *Article 07: Design Standards* shall apply to a Planned Development unless alternate standards are deemed appropriate by the Plan Commission in order to accomplish the intent of the Comprehensive Plan and Unified Development Ordinance. Any lessening of the required standards of this Unified Development Ordinance shall be clearly beneficial to the City and directly linked to the intent of the Planned Development (i.e. to provide a mixed use development, accommodate a creative and unique design not otherwise achievable using standard zoning districts and subdivision regulations, or address unusual site conditions or constraints).
  2. *Establishment Plan*: The Establishment Plan shall indicate the proposed land uses, location of all proposed improvements, and a proposed Planned Development District Ordinance that includes development standards, design standards, and other specifications which shall govern the Planned Development. If the Establishment Plan and the Planned Development District Ordinance are silent or do not address a particular land use, development standard, design standard, or other specification, this Unified Development Ordinance shall apply.
  3. *Open Space*: Open space shall be:
    - a. Conveyed to an owners' association established for the purpose of maintaining common area; or
    - b. Conveyed to the City if it is willing to accept all or part of the common area; or
    - c. Conveyed to one or more not-for-profit corporations established for conservation of natural resources.

## 4.03 Origination of Proposals

A proposal for a Planned Development District shall be initiated by the property owner(s). The site proposed for a Planned Development shall be under single ownership, or if multiple owners exist, a legal document, legal partnership, or corporation shall be provided indicating that all owners of the property support and desire to develop the land. The legal document shall also indicate who the owners appoint as their representative.

## 4.04 Rules and Procedures

All proceedings brought under *Article 04: Planned Development Districts* are subject to the Rules and Procedures of the Plan Commission, unless stated otherwise.

## 4.05 Limitation of Revisions to this Unified Development Ordinance

- A. Public Health and Safety: Regulations in this Unified Development Ordinance that directly protect public health and safety shall apply to a Planned Development.
- B. Failure to Comply: If a Planned Development is no longer proceeding in accordance with its Establishment Plan or Planned Development District Ordinance the City may deem it a violation and utilize its applicable power to enforce the violation according to *Article 10: Enforcement and Penalties*. No language in a Planned Development District Ordinance shall supersede *Article 10: Enforcement and Penalties*.
- C. Rezoning to Standard District: All Planned Developments, or a subdistrict or phase thereof, that has reached either ninety percent (90%) build-out or seven (7) years from its approval date are subject to being rezoned into an appropriate standard zoning district if the City deems it necessary to better administer the development.

## 4.06 Designation of Permanent Open Space

A. Designation: No Planned Development District shall be approved, unless the design provides for permanent landscaped or natural open space. Natural open space may be designated through the use of common space or other mechanisms such as conservation easements to the satisfaction of the Plan Commission. Impervious surfaces within rights-of-way or private street easements shall not count towards open space. Wetlands and areas within the floodway and floodway fringe shall only count at fifty percent (50%). Open space shall be provided in at least the following percentage of the total gross area of the Planned Development by type of use:

1. <i>Single-Family and Multiple-Family Residential Use</i> :	20%
2. <i>Office Use</i> :	15%
3. <i>All Other Uses</i> :	10%

B. Mixed Uses: In the case of mixed uses, permanent open space shall be allocated in proportion to the mixture of uses that exist. Each use shall have its proportion of open space located within close proximity. The permanent open space need not be located in proximity to the use in the case of preservation of existing natural features.

C. Development in Stages: If the Establishment Plan provides for the Planned Development to be constructed in phases, open space shall be provided for each phase of the development relatively proportionate to that phase, and conveyed or guaranteed.

# Planned Development: General

## 9.06 General Planned Development (Amendment #5 - Ordinance 2024-19, 09/17/2024)

A. Applicability: Planned Developments shall be permitted in the following districts:



B. Purpose and Intent:

1. *Generally:* A Planned Development zoning district may be used to provide for:
  - a. Greater flexibility in applying the ordinances to mixed zoning classifications.
  - b. Innovative approaches to meet the demands of the housing, commercial, and business markets.
  - c. The recognition of the interdependency of the housing, commercial, and business markets.
  - d. The establishment of creative and unique developments that would not otherwise be able to be developed under the provisions of the City's standard zoning district regulations.
  - e. The planning and development of mixed zoning classifications to be consistent with the best interest of the jurisdictional area of the Plan Commission, and the applicable ordinances.
2. *Process Outline:* The three (3) steps of the Planned Development process are listed below and explained in detail in the following sections.
  - a. The Planned Development District Ordinance and an Establishment Plan.
  - b. The Planned Development Detailed Development Plan.
  - c. The Planned Development Final Development Plan.

# Planned Development: District Ordinance

## 9.07 Planned Development: District Ordinance (Amendment # 3 - Ordinance 2023-14, 08/15/2023)

### A. Purpose and Intent:

1. *Planned Development District Ordinance:* The purpose of the Planned Development District Ordinance is to:
  - a. Designate, or rezone, a parcel of land as a Planned Development zoning district.
  - b. Specify uses or a range of uses permitted in the Planned Development zoning district.
  - c. Specify development requirements in the Planned Development zoning district.
  - d. Specify the plan documentation and supporting documentation that may be required.
  - e. Specify any limitation applicable to the Planned Development zoning district.
  - f. Meet the requirements of *Indiana Code 36-7-4-1500 et seq.*

2. *Detailed Development Plan:* The process for the Detailed Development Plan can occur concurrent to the District Ordinance.

### B. Project Applicability: Proposals for new Planned Developments shall meet the standards of this section.

### C. Prerequisites:

1. *Ownership:* Planned Developments shall be initiated by the owners of the land involved in the development or the owner's authorized agent. If an authorized agent files an application, a signed and notarized consent form from all owners shall accompany the application.
2. *Pre-application Meeting:* Prior to submitting an application for a Planned Development, the applicant shall meet with the Zoning Administrator to review the zoning classification of the site, review regulatory ordinances and materials, review the procedures and examine the proposed use and development of the property.

### D. Filing Requirements:

1. *Application:* Application for a Planned Development shall be made on a form provided by the Zoning Administrator.
2. *Supporting Information:* The application for a Planned Development shall be accompanied by the following information.
  - a. Recorded deed(s) for the property.
  - b. Survey and legal description of the proposed site of the Planned Development.
  - c. A draft of the Planned Development District Ordinance that includes proposed development standards for all land uses within the Planned Development and an Establishment Plan.
  - d. Any other information requested by the Plan Commission or Zoning Administrator.
3. *Deadline:* One (1) hard copy of the application for a Planned Development; seven (7) hard copies of all supporting information; one (1) digital copy of the application for a Planned Development and all supporting information in .pdf (portable document format); shall be submitted by the deadline established in the Plan Commission Rules and Procedures.
4. *Fees:* The applicable fee from the City's fee schedule shall be paid at the time the application for a Planned Development District Ordinance is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Planned Development District Ordinance that the City of Auburn does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the City's fee schedule.

# Planned Development: District Ordinance

## E. Formal Procedure:

1. *Assignment:* An application for a Planned Development, which is determined to be complete and in proper form by the Zoning Administrator, shall be assigned a case number and placed on the Plan Commission agenda in accordance with the Plan Commission Rules and Procedures. The Zoning Administrator shall notify the applicant in writing of the date of the meeting.
2. *Internal Review:* Upon assignment of a case number and hearing date, the Zoning Administrator shall review the application for a Planned Development and all supporting information. While the District Ordinance is in draft format, the Zoning Administrator may forward the District Ordinance and any other relevant information to the Routing Committee, Plan Commission's legal counsel, or other applicable agencies. The Zoning Administrator may submit a written report to the Plan Commission stating facts concerning the physical characteristics of the area involved in the Planned Development, the surrounding land use, public facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Zoning Administrator concerning the Planned Development and information from any other agencies that reviewed the District Ordinance. A copy of such report shall be made available to the applicant and anyone who requests it.
3. *Public Notice:* Public notice shall be provided in accordance with the Plan Commission Rules and Procedures.
4. *Attendance:* The applicant shall be present at the Plan Commission meeting to explain the proposed Planned Development and address and discuss comments and concerns posed by the Plan Commission. Failure to appear may result in the dismissal of the application for a Planned Development.
5. *Public Hearing:* A public hearing shall be held in accordance with the Plan Commission Rules and Procedures.
6. *Review:* At their regularly scheduled public meeting, the Plan Commission shall review:
  - a. Application for a Planned Development.
  - b. Planned Development District Ordinance draft.
  - c. Establishment Plan.
  - d. The Auburn Comprehensive Plan.
  - e. Current conditions and the character of current structures and uses in the area.
  - f. The most desirable use for which the land in the area is adapted.
  - g. The conservation of property values throughout the jurisdiction.
  - h. Responsible development and growth.
  - i. The testimony of the applicant.
  - j. Relevant evidence presented by other persons.
  - k. The limitations, standards, and requirements of *Article 04: Planned Developments*.
  - l. Any applicable provisions of this Unified Development Ordinance.
  - m. The Zoning Administrator's report or any other documents provided by other departments or agencies.
  - n. Any other additional information as may be required by the Plan Commission to evaluate the application.

7. *Decision:* The Plan Commission shall take final action or continue the application for a Planned Development to a defined future meeting date.
  - a. Final Action: The Plan Commission shall certify and forward the application for a Planned Development to the Common Council with:
    - i. A favorable recommendation.
    - ii. A favorable recommendation and with recommendations for commitments and/or conditions.
    - iii. An unfavorable recommendation.
    - iv. No recommendation.
  - b. Revisions: If the certified version of the Planned Development District Ordinance was revised during the process of Plan Commission review, the applicant shall make the revisions to the Planned Development District Ordinance so the Common Council receives the certified version of the Planned Development District Ordinance.
8. *Commitments and Conditions:* In conjunction with its recommendation to the Common Council, the Plan Commission may recommend written commitments and/or conditions for approval. Commitments and/or conditions shall be recorded in the Office of the DeKalb County Recorder before any portion of the Final Development Plan is approved. The applicant shall deliver a copy of the recorded commitments and/or conditions to the Zoning Administrator.

F. Duration: If a Planned Development Detailed Development Plan, has not been filed within one (1) year of the date the Common Council approved the Planned Development District Ordinance, the approval expires and a new application for a Planned Development shall be submitted.

G. Modification:

1. *Planned Development District Ordinance:* An amendment to the text of the Planned Development District Ordinance shall follow the process in *Unified Development Ordinance: Text Amendment*.
2. *Commitments and Conditions:* Commitments and conditions associated with a Planned Development District Ordinance and Establishment Plan shall only be modified or terminated by a decision of the Common Council made after a public hearing.

# Planned Development: Detailed Development Plan

## 9.08 Planned Development: Detailed Development Plan (Amendment # 3 - Ordinance 2023-14, 08/15/2023)

- A. Purpose and Intent: The Planned Development Detailed Development Plan shall provide the Plan Commission with the opportunity to review the details of the site plan and determine compliance with the Planned Development District Ordinance. If the Planned Development involves the subdivision of land, this step also serves as the Primary Plat.
- B. Project Applicability: Proposals for new Planned Developments shall meet the standards of this section.
- C. Prerequisites:
  1. *Planned Development District Ordinance*: The Planned Development District Ordinance shall be filed with the Plan Commission for consideration. Any approval of a Detailed Development Plan shall be contingent on commitments and/or conditions being recorded in the Office of the DeKalb County Recorder.
- D. Filing Requirements: The following information shall be submitted for the Planned Development Detailed Development Plan review process.
  1. *Application*: Application for a Planned Development should be on file with the Zoning Administrator from the Planned Development District Ordinance.
  2. *Site Plan*: A site plan, drawn to scale, that includes the following items:
    - a. North arrow.
    - b. Graphic scale.
    - c. Address of the site.
    - d. Proposed name of the development.
    - e. Engineer's name, contact information and stamp.
    - f. Owner's and developer's name and contact information.
    - g. Area map insert showing the general location of the site referenced to major streets.
    - h. Boundary lines of the site including all dimensions of the site.
    - i. Names, center lines, and right-of-way widths of all streets, alleys, and easements.
    - j. Layout, number, dimension, and area of all lots.
    - k. Location and dimensions of all existing and proposed structures, including paved areas, entryway features, and signs.
    - l. Floodplain certification statement and location of all floodway, floodway fringe areas, and wetlands within the boundaries of the site.
    - m. Use of each structure by labeling including approximate density or size of all proposed uses and structures on the site (e.g. parking - number of parking spaces provided; office - floor area).
    - n. Distance of all structures from front, rear, and side lot lines.
    - o. Areas reserved for park, recreation, conservation, wetland, common area, lake, trails, or other similar uses.
    - p. Proposed landscaping buffers or landscaped areas.
    - q. Dumpster and trash receptacle details, if applicable.
    - r. Denotation of any existing structure on adjacent parcels if within twenty (20) feet of subject parcel's property line.
    - s. Plan Commission certification signature block.
    - t. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.
  3. *Building Elevations*: Representative building elevations for facades of residential and non-residential primary structures with sufficient detail to illustrate the character of the development.

4. *Access and Circulation:* A Site Access and Circulation Plan shall be required, but may be incorporated into the required Site Plan or may be submitted as a separate plan. It shall be drawn to scale.
  - a. North arrow.
  - b. Graphic scale.
  - c. Address of site.
  - d. Proposed name of the development.
  - e. Names, center lines, and right-of-way widths of all existing and proposed streets, alleys, and easements within 100 feet of the site.
  - f. Location of any proposed or existing driveways onto a street or alley and its width at the lot line.
  - g. All improvements to the street system on-site and off-site.
  - h. Measurement of curb radius and/or flares.
  - i. Location of proposed and existing sidewalk or sidepath.
  - j. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.
5. *Utility Plan:* A Utility Plan shall be drawn to scale and shall include the following items:
  - a. Location of all existing and proposed utility easements.
  - b. Location and size of all existing and proposed utility components including, but not limited to sanitary sewer components, water components and storm water components. Electric, gas, telephone and cable as requested.
  - c. Details of lights and light fixtures and photometric plan illustrating illumination capacity.
  - d. Names of legal ditches and streams in or adjacent to the site.
  - e. Contours sufficient to illustrate storm water runoff.
  - f. Storm water drainage plan including estimated runoff.
  - g. Any other information necessary to support a thorough review of the project and as requested in writing by the Plan Commission or the Zoning Administrator.
6. *Traffic Impact Study.*
  - a. A Traffic Impact Study may be required when a proposed development meets or exceeds the warrants of the Indiana Department of Transportation Traffic Impact Study Guidelines (150 or more dwelling units; 15,000 square feet or more of retail space; 35,000 or more square feet of office space; 70,000 square feet or more square feet of industrial space; 30,000 square feet or more of educational space; 120 or more occupied rooms; 46,000 or more square feet of medical space; or any mixed use development which generates 100 or more peak hour trips in the peak direction).
  - b. A registered professional engineer shall prepare and certify the Traffic Impact Study. The Traffic Impact Study shall evaluate the impact of present and future traffic generated by the proposed development on the adjacent roadway system. Prior to commencement, the applicant shall meet with the Zoning Administrator and Director of Engineering to determine an appropriate scope for the Traffic Impact Study.
7. *Statement of Development Build-out:* The applicant shall indicate, either on the required Site Plan or in writing, a statement of:
  - a. The order of development of the major infrastructure elements of the project.
  - b. Project phase boundaries, if any.
  - c. The order and content of each phase.
  - d. An estimate of the time frame for build-out of the project.
8. *Landscape Plan:* The applicant shall indicate, either on the required Site Plan or on a separate landscape plan, existing and proposed green space and landscaping on the site showing how the proposed landscaping meets or exceeds the standards detailed in *Article 07: Perimeter Landscaping (PL)* and *Article 05: Landscape Standards (LA)*.

# Planned Development: Detailed Development Plan

9. *WH-O District Requirements:* If the proposed development is in the WH-O District, the applicant shall submit the following:
  - a. A narrative description of the site including any existing uses, setbacks, available sewage disposal facilities, and a brief history of the site (including any former uses, historical environmental concerns, abandoned wells, underground storage tanks, septic systems, etc.).
  - b. Description of the proposed operations, including chemical or products used or generated, chemical or product storage area descriptions, waste generation quantities, equipment cleaning or maintenance procedures.
  - c. Methods and locations of receiving, handling, storing and shipping chemicals or products and wastes.
  - d. Spill or release response measures and reporting.
  - e. Description of slopes near containment vessels and waste storage areas.
  - f. The following information shall also be included on the required Site Plan or an additional plan: all paved and non-paved areas; floor drain locations and outlets; chemical or product storage locations; waste storage locations; liquid transfer areas; underground storage tanks and associated piping; above ground storage tanks and associated piping; slope and contours of finished grade at two-foot intervals; and proposed containment area detail drawings, including area, heights, materials, specifications, if applicable.
10. *AC-O District Requirements:* If the development is within in the AC-O District, the Development Plan shall include a Noise Sensitivity Statement stating owners of land within the subdivision agree to recognize the existing airport use near the subdivision, and further agree to not object to noise associated with the airport and its normal operations.
- E. **Deadline:** One (1) hard copies of the application for a Planned Development; seven (7) hard copies of all supporting information; one (1) digital copy of the application for a Planned Development and all supporting information in .pdf (portable document format) shall be submitted by the deadline established in the Plan Commission Rules and Procedures.
- F. **Fees:** The applicable fee from the City's fee schedule shall be paid at the time the application for a Planned Development Detailed Development Plan is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Planned Development Detailed Development Plan that the City of Auburn does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the City's fee schedule.
- G. **Formal Procedure:**
  1. *Assignment:* A Planned Development Detailed Development Plan, which is determined to be complete and in proper form by the Zoning Administrator, shall be assigned a case number and placed on the Plan Commission agenda in accordance with the Plan Commission Rules and Procedures. The Zoning Administrator shall notify the applicant in writing of the meeting date.
  2. *Internal Review:* The Routing Committee and other applicable agencies shall be notified of the proposed Planned Development Detailed Development Plan and asked to review and comment. The Zoning Administrator may request a formal meeting of the Routing Committee and request the applicant's presence at that meeting. Following a thorough review, the Zoning Administrator may submit a written report to the Plan Commission stating any facts concerning the physical characteristics of the area involved in the Planned Development Detailed Development Plan, the surrounding land use, public facilities available to service the area, or other pertinent facts. The written report may also contain opinions of the Zoning Administrator concerning the Planned Development Detailed Development Plan and information from the Routing Committee and/or other agencies that have reviewed the Planned Development Detailed Development Plan. A copy of such report shall be made available to the applicant and anyone who requests a copy.
  3. *Public Notice:* Public notice shall be provided in accordance with the Plan Commission Rules and Procedures.
  4. *Attendance:* The applicant shall be present at the Plan Commission meeting to address and discuss comments and concerns posed by the Plan Commission. Failure to appear may result in the dismissal of the Planned Development.
  5. *Public Hearing:* A public hearing shall be held in accordance with the Plan Commission Rules and Procedures.

6. **Review:** At its regularly scheduled public meeting, the Plan Commission shall review:
  - a. The original application for a Planned Development.
  - b. Approved Planned Development District Ordinance.
  - c. All supporting information including the site plan, site access and circulation plan, elevations, utility plan, statement of development build-out, landscape plan, and, if applicable, traffic impact study and WH-O district requirements.
  - d. The testimony of the applicant.
  - e. Information presented in writing or verbally by the Zoning Administrator, the Routing Committee, or other applicable department or agency.
  - f. Input from the public during the public hearing.
  - g. Any applicable requirements of the City of Auburn's Construction Standards.
  - h. The limitations, standards, and requirements of *Article 04: Planned Developments*.
  - i. Any applicable provisions of this Unified Development Ordinance.
  - j. The Zoning Administrator's report or any other documents provided by other departments or agencies.
  - k. Any other additional information as may be required by the Plan Commission to evaluate the application.
7. **Decision:** The Plan Commission shall make findings of fact and take final action or continue the Planned Development Detailed Development Plan to a defined future meeting date.
  - a. **Findings of Fact:** The Plan Commission shall make the following findings of fact. Approval of findings may be in the form of a general statement. Disapproval of findings shall specify the portion of the Planned Development District Ordinance, this Unified Development Ordinance, or City of Auburn's Construction Standards with which there is not compliance.
    - i. The Planned Development Detailed Development Plan is consistent with the City of Auburn Comprehensive Plan.
    - ii. The Planned Development Detailed Development Plan is consistent with *Article 04: Planned Developments*.
    - iii. The Planned Development Detailed Development Plan satisfies the development standards of the approved Planned Development District Ordinance.
    - iv. The Planned Development Detailed Development Plan satisfies the construction requirements of the City of Auburn's Construction Standards.
  - b. **Final Action:** Based on the findings of fact, the Plan Commission shall approve, approve with conditions, or deny the Planned Development Detailed Development Plan. If conditions are required, the conditions shall be recorded in the Office of the DeKalb County Recorder within ninety (90) days of the Plan Commission's approval of the Planned Development Detailed Development Plan. The applicant shall deliver a copy of the recorded conditions to the Zoning Administrator before filing a Planned Development Final Development Plan.
  - c. The findings and final decision shall be signed by the Zoning Administrator.
  - d. The Zoning Administrator shall provide the applicant a final determination letter documenting the Plan Commission's decision.
- H. **Duration:** An approved Planned Development Detailed Development Plan shall be valid for two (2) years from the date the Plan Commission granted approval. The Zoning Administrator may grant one (1) six-month extension. The applicant shall submit the request for extension in writing, and the Zoning Administrator shall make a written determination regarding the decision. Both the request and the determination shall be made part of the Planned Development record. If development of the project has not commenced by the end of the two (2) year period (or by the end of the six-month extension), the approval expires and an application for a Planned Development (District Ordinance and Detailed Development Plan) shall be required.

# Planned Development: Detailed Development Plan

## I. Modification:

1. *Minor Amendments:* A minor amendment to an approved Planned Development Detailed Development Plan which does not involve an increase in height, area, bulk or intensity of land uses; the designation of additional land uses; a reduction in yards; the addition of driveways or access points; or a reduction in the amount of parking may be authorized by the Zoning Administrator without a public hearing, if the requested minor amendment does not adversely impact the purpose or intent of the overall development. Minor amendments authorized by the Zoning Administrator shall be reported, in writing, to the Plan Commission at the next regular meeting of the Plan Commission.
2. *Major Amendments:* If the Zoning Administrator determines that the proposed modification may adversely impact the purpose or intent of the overall development; or if the proposed modification includes an increase in intensity of any land use; or if the proposed modification includes the designation of an additional land use, the applicant shall be required to file an amended Planned Development Detailed Development Plan.

# Planned Development: Final Development Plan

## 9.09 Planned Development: Final Development Plan (Amendment # 3 - Ordinance 2023-14, 08/15/2023)

- A. Purpose and Intent: The Planned Development Final Development Plan shall clearly define all construction matters and special conditions such as construction techniques, materials and the like, as well as prepare the plans and documents for recording. If the Planned Development involves the subdivision of land, this step also serves as the Secondary Plat approval.
- B. Project Applicability: Proposals for new Planned Developments shall meet the standards of this section.
- C. Prerequisites:
  1. *Planned Development Detailed Development Plan:* The Planned Development Detailed Development Plan shall be approved by the Plan Commission prior to submitting a Planned Development Final Development Plan. If Planned Development Detailed Development Plan approval included conditions, those conditions shall be recorded in the Office of the DeKalb County Recorder.
  2. *Infrastructure:* A Planned Development shall have all of the infrastructure improvements proposed in the Planned Development Detailed Development Plan approved by the Board of Public Works and Safety that are intended to be dedicated to the City or the applicant shall have financial security for the cost of the infrastructure improvements in compliance with *Article 07: Surety Standards (SY)*.
- D. Filing Requirements:
  1. *Application:* The applicant shall submit a letter stating the status of infrastructure improvements and requesting Planned Development Final Development Plan approval. The original application for a Planned Development should be on file with the Zoning Administrator from the Planned Development District Ordinance and the Detailed Development Plan
  2. *Supporting Information:* The following information shall accompany the applicant's letter requesting Planned Development Final Development Plan approval
    - a. Accurate location of all survey monuments and markers, if applicable.
    - b. If infrastructure improvements are complete, the supporting information shall include as-built drawings stamped by a certified engineer for each infrastructure system, and copies of any required inspections or certifications.
    - c. If infrastructure improvements intended to be dedicated to the City are not complete, the supporting information shall include detailed descriptions and locations of infrastructure to be installed, estimates from contractors for all infrastructure improvements, and a performance surety in accordance with *Article 07: Surety Standards (SY)*.
    - d. Any other information necessary to support a thorough review of the project that is requested, in writing, by the Zoning Administrator or Plan Commission.
  3. *Deadline:* Planned Development Final Development Plan approval for all or a portion of the development shall be requested within two (2) years of the approval of Planned Development Detailed Development Plan by the Plan Commission.
  4. *Fees:* The applicable fee from the City's fee schedule shall be paid at the time the application for a Planned Development Final Development approval is filed. An application without the appropriate application fee shall not be considered substantially complete. Technical expertise necessary to review a Planned Development Final Development approval that the City of Auburn does not have adequate proficiency may constitute hiring a professional consultant to conduct the review or portions thereof at the expense of the applicant and as per the City's fee schedule.

# Planned Development: Final Development Plan

## E. Formal Procedure:

1. *Assignment:* The Zoning Administrator shall review the letter requesting Planned Development Final Development Plan approval and all supporting information. Based on the history and the complexity of the project, the Zoning Administrator shall determine if the Planned Development Final Development Plan should be presented to the Plan Commission. Should the Zoning Administrator determine Plan Commission review is necessary, the Zoning Administrator shall assign the Planned Development Final Development Plan a case number and place it on the Plan Commission agenda in accordance with the Plan Commission Rules and Procedures. The Zoning Administrator shall notify the applicant in writing if Plan Commission review is necessary and the date of the meeting, if applicable.
2. *Review:* The Zoning Administrator shall provide the letter requesting Planned Development Final Development Plan approval, the supporting information, and a comment sheet to all applicable departments and agencies. Each department shall determine if the infrastructure improvements installed or proposed to be installed meet the City of Auburn's Construction Standards and establish adequate connection to the existing and future systems. If applicable, each department shall also review applicable cost estimates for reasonableness. Each department shall return the comment sheet with any comments or concerns for the Zoning Administrator to convey to the Plan Commission.
3. *Public Notice:* Public Notice is not required.
4. *Decision:* Based on comments from departments, the Zoning Administrator or the Plan Commission shall approve, approve with conditions, or deny Planned Development Final Development Plan.

F. Duration: An approved Planned Development Final Development Plan and any conditions shall be recorded in the Office of the DeKalb County Recorder within ninety (90) days of the date of approval or become null and void.

# **PLANNED DEVELOPMENT DISTRICT ORDINANCE 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 2<sup>nd</sup> floor of City Hall or at [www.ci.auburn.in.us](http://www.ci.auburn.in.us).
- A filing fee of two-hundred and 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.**
- Paper copies of the Establishment plan.** Seven (7) full size hard copies are required. 24" x 36" preferred.
- Digital copy of all plans.** In portable document format (.pdf) and in AutoCAD format (.dwg) for each sheet.
- Establishment Plan drawings shall contain all information as required in Section 4.02D2 of the Auburn Unified Development Ordinance.**

*Applicant may also submit the following:*

- Any written statement, documents, photographs, plans or supporting information justifying the development district ordinance or establishment plan requested.**
- Proposed Findings of Fact to support the development plan request.**

***Requests for Detailed Development Plan shall be filed as a Primary Plat application.***

***Requests for Final Development Plan shall be filed as a Secondary Plat application.***



## 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 my presence (or my legal counsel's presence) is required at the Plan Commission meeting concerning this project;
- I authorize City staff to walk upon the property for purpose of taking photographs for the staff report;
- I authorize City staff to post a Public Notice sign in a conspicuous place upon the property.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

### 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.*

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### 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



## AFFIDAVIT OF PROPERTY OWNERSHIP

Department of Building, Planning, & Development

210 S Cedar St PO Box 506 Auburn IN 46706 | 260.925.6449 | 260.925.8239 fax | bpd@ci.auburn.in.us

### PROPERTY OWNER INFORMATION

Name					
Mailing Address					
Phone / Email					
<b>PROJECT LOCATION</b>					
Address					
<b>AUTHORIZED AGENT</b>					
Name					
Phone/Email					
Application Type	PC	BZA		Demolition	Other _____

### OWNERS CERTIFICATION AND SIGNATURE

I certify that I am the owner of the property listed above as the project location. The authorized agent listed above is designated to act on my behalf for matters pending before the City of Auburn according to the application types checked above.

By: \_\_\_\_\_

Owner, Signature

\_\_\_\_\_  
Owner, Printed Name

\_\_\_\_\_  
Date

By: \_\_\_\_\_

Owner, Signature

\_\_\_\_\_  
Owner, Printed Name

\_\_\_\_\_  
Date

### OWNER ACKNOWLEDGEMENT

State Of \_\_\_\_\_ )

) SS:

County Of \_\_\_\_\_ )

BEFORE ME, the undersigned Notary Public in and for said County and State, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ personally appeared the within named \_\_\_\_\_ herein "Owner"

WITNESS my Hand and Notarial Seal

By: \_\_\_\_\_

Notary Public, Signature

\_\_\_\_\_  
Notary Public, Printed Name

\_\_\_\_\_  
Number / Expiration Date or Stamp

# AUBURN PLAN COMMISSION

## 2026 Meetings and Deadlines

Meeting on 2nd Tuesday of Month	Filing Deadline (5 Weeks Prior to Meeting)	Public Hearing	Neighor Notice Sent	Routing Committee	Revised Plans Due by 4:00 p.m.
January 13, 2026	December 9, 2025	December 26, 2025	December 30, 2025	December 23, 2025	<b>December 30, 2025</b>
February 10, 2026	January 6, 2026	January 23, 2026	January 29, 2026	January 21, 2026	January 27, 2026
March 10, 2026	February 3, 2026	February 20, 2026	February 26, 2026	February 18, 2026	February 24, 2026
April 14, 2026	March 10, 2026	March 27, 2026	April 2, 2026	March 25, 2026	March 31, 2026
May 12, 2026	April 7, 2026	April 24, 2026	April 30, 2026	April 22, 2026	April 28, 2026
June 9, 2026	May 5, 2026	May 22, 2026	May 28, 2026	May 20, 2026	May 26, 2026
July 14, 2026	June 9, 2026	June 26, 2026	July 2, 2026	June 24, 2026	June 30, 2026
August 11, 2026	July 7, 2026	July 24, 2026	July 30, 2026	July 22, 2026	July 28, 2026
September 8, 2026	August 4, 2026	August 21, 2026	August 27, 2026	August 19, 2026	August 25, 2026
October 13, 2026	September 8, 2026	September 25, 2026	October 1, 2026	September 23, 2026	September 29, 2026
November 10, 2026	October 6, 2026	October 23, 2026	October 29, 2026	October 21, 2026	October 27, 2026
December 8, 2026	November 3, 2026	November 20, 2026	<b>November 24, 2026</b>	November 18, 2026	November 24, 2026
January 12, 2027	December 8, 2026	December 23, 2026	<b>December 30, 2026</b>	December 23, 2026	December 29, 2026

\*Filing deadline is 4:00 pm on the date listed

\*All applications must be complete upon submission

\*Incomplete applications will not be accepted or scheduled until such time the application requirements are met

\*Meetings start at 6:00 PM in City Council Chambers, 206 E. 9th Street

\*Commission may dismiss an application if the applicant or their representative does not appear to present the request

\*A public hearing is required for all Rezoning, Primary Plat, and Development Plan applications

\*An applicant may not withdraw a case after a motion has been made concerning the application

\*Action of the Commission is not official unless authorized by a majority (6 members) of the entire membership of the Commission

Dates in **BOLD** do not follow the typical schedule due to holiday conflict.