

ORDINANCE 18-1364

CITY OF WOODBURN, INDIANA

ORDINANCE TO REPLACE CHAPTER 152, REPEAL CHAPTER
153, AND REPLACE CHAPTER 154 OF THE CITY OF WOODBURN,
STATE OF INDIANA, CODE OF ORDINANCES

WHEREAS, the City Council of the City of Woodburn (the "City"), State of Indiana, pursuant to Indiana Code § 36-7 et. seq., as amended, has authority to plan for and regulate the use and zoning of real property located within its municipal boundaries; and,

WHEREAS the City Council desires to update the City zoning ordinance by aligning it with the Town of Hometown, Allen County and City of Fort Wayne zoning ordinances; and,

WHEREAS the Allen County Plan Commission serves as the Plan Commission for the City; and,

WHEREAS the Allen County Department of Planning Services serves as the Land Use staff for the City; and,

WHEREAS the Allen County Department of Planning Services staff prepared the amendment and presented it to the Plan Commission; and,

WHEREAS the Allen County Plan Commission published the required notice and held a public hearing on this proposed text amendment on the 11th day of January 2018; and,

WHEREAS, after deliberating, the Plan Commission resolved to recommend that the City:

(1) repeal and replace Chapter 152 of the City of Woodburn Code of Ordinances (Planning and Development); and,

(2) repeal Chapter 153 (Subdivision Control) of the City of Woodburn Code of Ordinances (Subdivision Control Ordinance, to be re-integrated into Chapter 154); and,

(3) repeal and replace Chapter 154 (Zoning Code) of the City of Woodburn Code of Ordinances (General Provisions, Zoning Districts, Development Processes and Standards, Additional General Standards, and Administration);

WHEREAS the Allen County Plan Commission held a business meeting on the 18th day of January 2018 and took action on the submitted text amendments; and,

WHEREAS the Allen County Plan Commission, pursuant to I.C. § 36-7-4-605(a)(2), by a vote of 7-0, certified the proposed text amendments with a DO PASS recommendation to the Woodburn City Council;

THEREFORE, BE IT ORDAINED by the City Council, the legislative body of the City of Woodburn, Indiana that the City Council concurs with the Plan Commission's recommendation and hereby approves and adopts the replacement of Chapter 152; repeals Chapter 153; and, replaces Chapter 154 to the Woodburn Code of Ordinances, all as attached hereto.

Adopted and Resolved this 5th day of February, 2018.

< SIGNATURES ON NEXT PAGE >

WAIVER OF SECOND READING

On motion duly made and seconded, the second reading of the foregoing Ordinance was unanimously waived. After a motion to adopt the Ordinance was properly made, the results of which are below, the Ordinance was deemed effective as of the date of passage due to a majority vote of yea and approval of the Mayor.

COMMON COUNCIL OF THE CITY OF WOODBURN, INDIANA

By: ABSENT YEA ___ NAY ___ ABS
Daniel Watts, Councilman

By: Mike Voirol YEA NAY ___ ABS ___
Mike Voirol, Councilman

By: Dean Gerig YEA NAY ___ ABS ___
Dean Gerig, Councilman

By: John Renner YEA NAY ___ ABS ___
John Renner, Councilman

By: Michael Martin YEA NAY ___ ABS ___
Michael Martin, Councilman

ATTEST:

By: Timothy Cummins
Timothy Cummins, Clerk-Treasurer

The foregoing ordinance passed by the Council is signed and approved / not approved () by me on the same date.

By: Joseph Kelsey
Joseph Kelsey, Mayor for the City of Woodburn