

ORDINANCE No. 1768

AN ORDINANCE TO AMEND THE CITY OF BUTLER, INDIANA COMPREHENSIVE PLAN AND BY REFERENCE THE CITY OF BUTLER ZONING ORDINANCE AND ZONING MAP

WHEREAS, the City of Butler Plan Commission (“Commission”) initiated a proposal under Indiana Code 36-7-4-607(a) to amend the City of Butler, Indiana Comprehensive Plan, and by reference, the Butler Zoning Ordinance and Map (“Ordinance”), said amendment being attached to and made a part of this Ordinance as Attachment “A”); and

WHEREAS, the Commission prepared the proposal pursuant to I.C. 36-7-4-601 and 602; and

WHEREAS, the Commission considered, weighed, and heard public comment on the factors set forth in I.C. 36-7-4-603; and

WHEREAS, the Commission gave, posted, and published notice of the public hearing held on the proposed amendment pursuant to I.C. 36-7-4-604 and 5-3-1 (attached as Attachment “B”); and

WHEREAS, the Commission gave said notice of said public hearing to all interested parties; and

WHEREAS, the Commission held a public hearing under I.C. 36-7-4-604, pursuant to the aforementioned public notice, at the time and place stated in the notice; and

WHEREAS, the Commission has, pursuant to I.C. 36-7-4-605(a)(2), certified to the Common Council of the City of Butler (“Council”) the proposed amendment with a favorable recommendation, dated the 9th day of January 2023 (attached to the is Ordinance as Attachment “C”); and

WHEREAS, the Council has received, examined, and considered the proposed amendment, and the favorable recommendation of the Commission, pursuant to I.C. 36-7-4-607; and

WHEREAS, the Council desires to take action on said proposed amendment, and the favorable recommendation of the Commission, pursuant to I.C. 36-7-4-607; and

WHEREAS, the Council desires to take action on said proposed amendment and the Commission's recommendation pursuant to I.C. 36-7-4-607; and

WHEREAS, the Council has given notice of its intention to consider and take action upon the proposed amendment and the Commission's recommendation pursuant to I.C. 36-7-4-606(d), 36-7-4-607 and 5-14-1.5-5; and

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BUTLER, INDIANA:

Section 1. The City of Butler Zoning Ordinance is hereby amended consistent with the proposed amendment certified to the Common Council by the City of Butler Plan Commission, which amendment is in the following words and figures to wit:

SEE ATTACHMENT A, ATTACHED HERETO, and INCORPORATED HEREIN BY REFERENCE.

Section 2. This Ordinance shall take effect pursuant to I.C. 36-7-4-607(f)(2).

Section 3. The City of Butler Plan Commission shall publish notice of adoption of this Ordinance pursuant to I.C. 36-7-4-610 and 5-3-1. The notice of adoption, prepared by the Plan Commission, shall:

- A. Summarize the subject matter of the Ordinance;
- B. Give the date of adoption;
- C. Specify the places or areas that would be directly affected by the Ordinance (this subdivision does not require the identification of any real property by metes and bounds);
- D. Specify the penalty or forfeiture prescribed for a violation of the Ordinance; and
- E. Give two (2) locations open to the public where the amended zoning Ordinance is available for inspection.

REMAINDER UNCHANGED: Except as otherwise expressly set forth in this Ordinance, the remainder of the Butler Zoning Code shall remain unchanged and in full force and effect.

REPEALER: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SEVERABILITY: Any provision herein contained which is found by a court of competent jurisdiction to be unlawful or which by operation of law shall be deemed unenforceable, shall be omitted but the rest and remainder of this ordinance, to the extent feasible, shall remain in full force and effect.

THIS ORDINANCE passed and adopted by the Common Council of the City of Butler, DeKalb County, Indiana, at a regular session held on the ___ day of _____, 2023.

Mike Hartman, Mayor

First Reading: _____

Yes Votes: ___ No Votes: ___

Attest: _____
Angela M. Eck, Clerk-Treasurer

Second Reading: _____

Yes Votes: ___ No Votes: ___

Attest: _____
Angela M. Eck, Clerk-Treasurer

Third Reading: _____

Yes Votes: ___ No Votes: ___

Attest: _____
Angela M. Eck, Clerk-Treasurer

Approved by me this ___ day of _____, 2023.

Mike Hartman, Mayor

Attachment "A"

Amendment to the Comprehensive Plan and By Reference the Zoning Ordinance and Map

City of Butler, Indiana Zoning Ordinance

DC – Downtown Commercial District

3.9 – DC – Downtown Commercial District Intent, Permitted Uses, and Special Exception Uses

District Intent

The DC (Downtown Commercial) District is intended to provide a land usage category for the downtown district of the City of Butler.

- A. Use Type and Intensity
 - The DC District is for traditional downtown uses including low to moderate intensity commercial, retail, service, eating, and entertainment establishments.
 - The district is to promote a strong pedestrian-oriented downtown.
 - No dwelling units on ground floors.
- B. Application of District
 - The district applies to the existing downtown area.
- C. Development Standards
 - Assure that future development and modifications will reflect the existing character of downtown.
 - Reduce parking requirements due to the nature of downtown lots and downtown dynamics.
 - Minimize light, noise, water, and air pollution.
- D. Appropriate Adjacent Districts
 - SFR, OTR, NB, GB, INS
- E. Plan Commission
 - Allow and promote vehicular traffic generation.
- F. Board of Zoning Appeals
 - Drive-up windows should clearly not conflict with pedestrian traffic.
 - Restrict drive-up window lanes from creating new curb cuts or from breaking up the continuity of structure facades.

Permitted Uses

- A. Residential Permitted Uses
 - Dwelling unit, upper floors
 - Lodging house

B. Institutional Permitted Uses

- Church, temple or mosque
- Community Center
- Government office
- Hospital
- Jail
- Library, public
- Museum
- Parking lot, public
- Parking lot for business
- Police, fire or rescue station
- Post office

C. Business: Food Sales / Service Permitted Uses

- Bakery
- Coffee shop
- Convenience store
- Delicatessen
- Farmer's market
- Grocery store
- Ice cream shop
- Meat market
- Restaurant
- Restaurant, drive-thru

D. Business: General Business Permitted Uses

- Funeral home or mortuary
- Hotel/motel
- Tool/equipment sales

E. Business: Office/Professional Permitted Uses

- Bank/ATM
- Business/financial services office
- Construction trade office
- Design services offices
- Emergency medical clinic
- Medical/dental clinic
- Photography studio
- Professional office
- Travel agency

F. Business: Personal Services Permitted Uses

- Barber/Beauty shop
- Day Care center, adult
- Day Care center, child
- Dry-cleaning services / laundry
- Fitness center / health club
- Tailor/alterations/seamstress
- Tanning salon
- Tattoo parlor/piercing parlor

G. Business: Recreation Permitted Uses

- Banquet hall
- Bar/tavern
- Billiard/arcade room
- Bowling alley
- Club or lodge
- Dance/karate studio
- Dance or nightclub
- Movie theater
- Recreation center

H. Business: Retail Permitted Uses

- Antique shop
- Apparel shop
- Art and craft studio
- Book store
- Building supply store
- Department store
- Drug store
- Fabric shop
- Flower shop
- Furniture shop
- Garden shop
- Gift shop
- Gun sales
- Hardware store
- Home electronics / appliance store
- Jewelry store
- Liquor sales
- News dealer

- Music/media shop
- Office supply store
- Pet grooming shop
- Sporting goods store
- Video/DVD store

Special Exception Uses

A. Institutional Special Exception Uses

- Park, public
- Trade or Business School
- School (P-12)

B. Utility Special Exception Uses

- Radio/TV Station

3.10 DC – Downtown Commercial District Development Standards

Minimum Lot Area:

- 1,000 square feet

Minimum Lot Width:

- No minimum

Sanitary Sewer Utility:

- Required

Water Utility:

- Required

Minimum Front Yard Setback:

- 0 feet

Minimum Side Yard Setback:

- 0 feet

Maximum Lot Coverage :

- 100% of lot area

Minimum Main Floor Area:

- 1,000 square feet

Minimum Dwelling Unit Size:

- 500 square feet

Maximum Primary Structures:

- 1

Maximum Structure Height:

- 48 feet for primary structure
- 20 feet for accessory structures

Additional Development Standards that Apply		
Accessory Structures • AS-01	Density and Intensity • DI-01	Entrance/Driveway • ED-02
Environmental • EN-01	Fence and Wall • FW-01 • FW-03	Floodplain • FP-01
Height • HT-01	Landscaping Standards • LA-01 • LA-02	Lighting Standards • LT-01
Loading Standards • LD-01	Lot and Yard • LO-01 • LO-02	Outside Storage • OS-02 • OS-03 • OS-04
Residential Parking Standards • PK-01 • PK-03 • PK-04	Performance Standards • PF-01	Public Improvement Standards • PI-01
Sewer and Water • SW-01	Sexually Oriented Business • SO-01	General Sign Standards • SI-01 • SI-03
Special Exception Standards • SE-01	Structure • ST-01	Temporay Uses • TU-01 • TU-02
Vision Clearance • VC-01	Contingent Dwelling Units • X-02	

3.11 Downtown Commercial Architectural Standards

This Architectural Standards section applies to the following districts:

- DC

The following standards apply:

- A. Project Applicability: Architectural details consistent with the requirements of this Zoning Ordinance shall be required when renovations or new construction necessitate an improvement location permit. Only building components that are being renovated shall be subject to these standards (e.g., A new door does not necessitate an awning be brought into compliance).
- B. Renovation Projects
 1. Storefronts:
 - a. Maintain and repair original commercial storefronts including large glass display windows with bulkheads, transoms, kick plates/knee walls, and side light windows.
 - b. When maintenance and restoration is not possible, replacement storefront elements shall match original components using historical documentation to guide the design of replacement elements.
 2. Entries and Doors:
 - a. The original primary entrance shall be retained including details such as transoms and side light windows.
 - b. Recessed entries shall not be altered in depth.
 - c. When modifications have been made, a new entry door shall be designed to match the original opening in size, scale, and materials.
 3. Windows and Window Framing:
 - a. Encourage the preservation and maintenance of historic windows. If repair is not feasible, an original window shall be replaced with a window of similar design.
 - b. Window openings and configurations (size, shape, dimensions, and rhythm) shall be retained. All replacement windows shall retain the placement, method of operation, and arrangement of glass panes.
 - c. Clear window glazing that conveys the visual appearance of historic glazing shall be required (transparent low-e glass is recommended). Mirrored glass shall be prohibited.
 - d. Replacement windows shall be wood, vinyl, or anodized aluminum and shall compliment the color scheme of the façade.
 - e. Encourage the restoration of historic window openings that have been altered when the façade containing the windows is part of an overall renovation project.
 4. Exterior Materials:
 - a. Repair of original building materials is encouraged and preferred.

- b. When exterior materials are beyond repair, remove and replace only damaged materials. Repair materials shall match original materials in character, texture, scale, and size.
5. Awnings:
- a. Awning design and color shall be complementary to the character of the building.
 - b. Awnings shall not cover up or conceal significant architectural details, transom lights, or decorative millwork.
 - c. Awnings shall allow for appropriate clearances from the sidewalks and not impede pedestrian movements.
6. Façade Lighting:
- a. When possible, original light fixtures should be retained; replacement fixtures should be similar in appearance, material and scale to the original or should be compatible with the historic character of the building. Spacing patterns between light fixtures should be retained as much as possible.
 - b. Light should be directed toward signage, entrances, or building features. General floodlighting of any exterior building surface shall not be permitted.
7. Roof and Roof Elements:
- a. Original shape and materials of historic roofs and parapets shall be retained whenever possible. The roof line and orientation of the roof as seen from a street shall be maintained. When roof is visible from a street, replacement roof materials shall be similar in scale, texture, finish, and color to traditional materials. Roofs that are not visible from a street may be of any suitable material.
 - b. Mechanical and service equipment shall be installed where it cannot be seen from the street.
 - c. Gutters and downspouts shall be directed to discharge away from the building foundation and be secured to the building to prevent damage to architectural features.
 - d. Original stone or tile coping (found in parapet walls) shall be retained. If it is not feasible to retain existing coping, replacement coping shall match in character, color, size, scale, and texture to the original coping.
 - e. Balconies may be installed off of second or third floors of buildings but shall be compatible with the historic character of the building.
 - f. Roof top decks may be installed provided they do not interfere with street level activities and are closed by 10 PM on Sunday through Thursday and midnight on Friday and Saturday.
 - g. Signs shall be permitted on rooftops in accordance with Sign Standards (SI).

C. New Construction and Building Additions

1. Setbacks and Orientation:

- a. New construction shall match the setbacks of adjacent buildings. In traditional commercial areas, new buildings shall be positioned at the sidewalk edge, maintaining a uniform street wall.
- b. In former residential areas, new structures shall be placed within the established range of front yard setbacks on the block at the discretion of the City Planner.

2. Building Mass, Scale, and Height:

- a. Widths of newly constructed buildings shall reflect the established range of traditional widths of buildings within the district. If a building must exceed traditional building widths, facades designed to appear as multiple facades are encouraged.
- b. New construction shall convey the traditional size and scale of historic buildings as it is perceived at the street level.
- c. The height of new construction shall be compatible with the average downtown building.

3. Primary Entrances and Façade Openings:

- a. Primary entrances shall be oriented towards the street and have a strong sense of entry similar to the location, size and type in historic buildings. Recessed entries are encouraged; exterior doors shall not swing into the path of a public sidewalk.
- b. The rhythm and ratio of openings to wall surface should reflect that found on adjacent and surrounding historic buildings. Storefront proportions of glass shall be consistent with surrounding historic buildings, and large surfaces of glass on street facades of upper floors shall not be permitted.

4. Materials and Features:

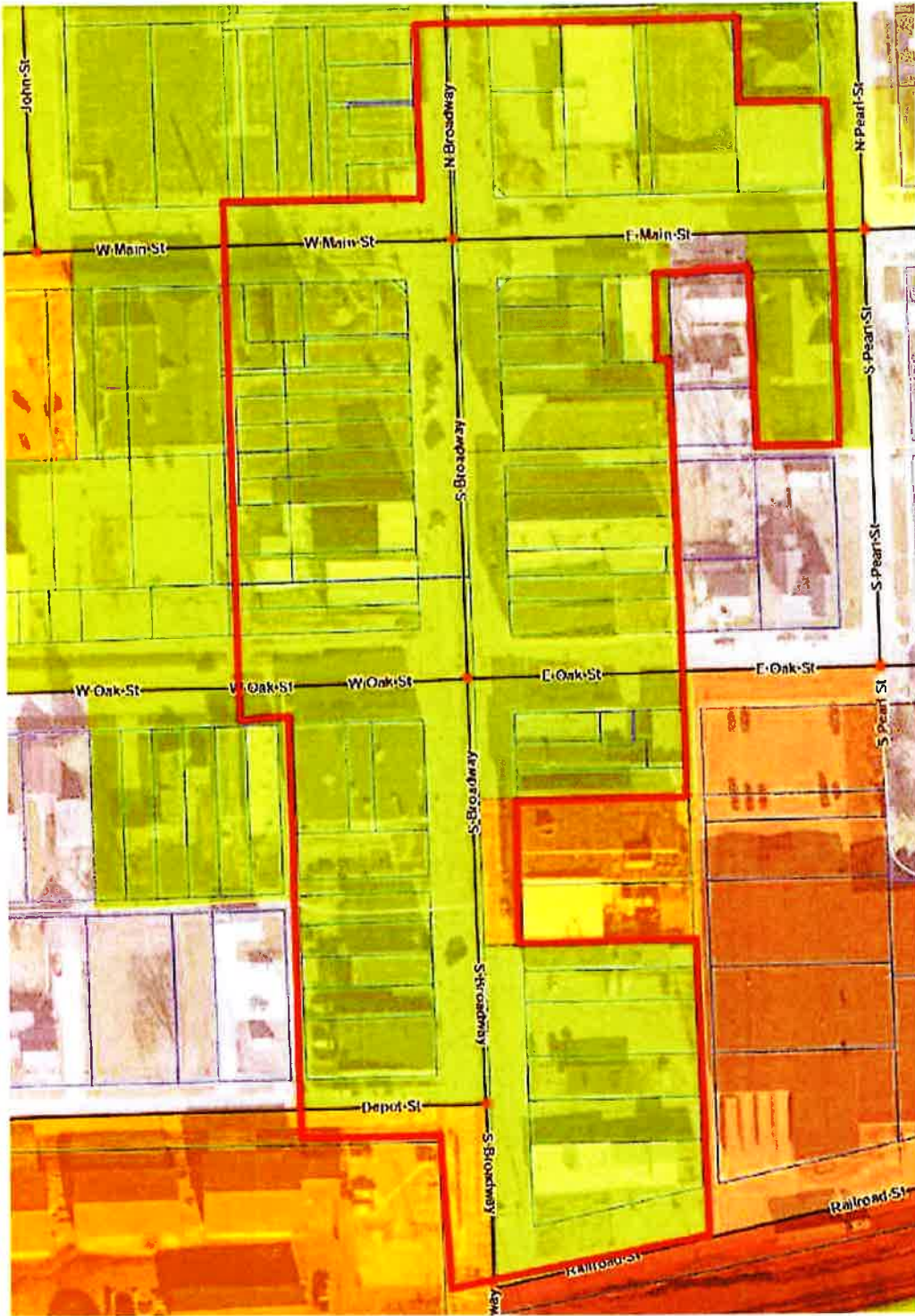
- a. Exterior materials shall compliment or match those used on adjacent buildings. New buildings shall be faced with traditional materials found within the district including, but not limited to brick, limestone, and wood/hardi-plank siding. New materials may be considered if they are similar in character and detailing to traditional materials.
- b. Vinyl siding and highly reflective materials (such as mirrored glass) shall not be permitted.
- c. Low quality trim materials such as anodized aluminum and vinyl shall not be used for window and/or door trim.

5. Building Additions:

- a. New additions shall respect the historic character and features.
- b. Only rear and side additions shall be permitted.
- c. Additions shall be subordinate to the existing building.
- d. Additions shall minimize damage to existing historic components of the building, including walls, roofs, and architectural details.



Zoning Map, as amended and proposed by the City of Butler Plan Commission on January 9, 2023



Zoning Map, as amended and proposed by the City of Butler Plan Commission on January 9, 2023.

PARCEL NUMBERS TO BE INCLUDED IN DOWNTOWN COMMERCIAL DISTRICT

(AS AMENDED AND PROPOSED BY THE CITY OF BUTLER PLAN COMMISSION ON JANUARY 9, 2023)

23-07-11-227-050	23-07-11-226-048	23-07-12-105-019
23-07-11-227-049	23-07-11-226-047	23-07-12-105-002
23-07-11-227-048	23-07-11-226-046	23-07-12-105-003
23-07-11-227-047	23-07-11-226-045	23-07-12-105-003
23-07-11-227-046	23-07-11-226-044	23-07-12-105-013
23-07-11-227-045	23-07-11-226-042	23-07-12-105-004
23-07-11-227-031	23-07-11-226-041	23-07-12-105-005
23-07-11-227-030	23-07-11-226-040	23-07-12-105-006
23-07-11-227-029	23-07-11-226-017	23-07-12-105-007
23-07-11-226-064	23-07-11-226-018	23-07-12-101-001
23-07-11-226-063	23-07-11-226-043	23-07-12-101-002
23-07-11-226-062	23-07-01-359-011	23-07-12-101-014
23-07-11-226-061	23-07-01-359-012	23-07-12-101-015
23-07-11-226-060	23-07-01-359-010	23-07-12-101-018
23-07-11-226-060	23-07-01-359-013	23-07-12-101-003
23-07-11-226-059	23-07-01-359-014	23-07-12-101-004
23-07-11-226-058	23-07-01-359-017	23-07-12-105-008
23-07-11-226-057	23-07-01-360-007	23-07-12-105-009
23-07-11-226-056	23-07-12-101-005	23-07-12-105-010
23-07-11-226-055	23-07-12-101-007	23-07-12-105-011
23-07-11-226-054	23-07-12-101-008	23-07-12-105-012
23-07-11-226-053	23-07-12-101-009	
23-07-11-226-052	23-07-12-101-010	
23-07-11-226-051	23-07-12-101-012	
23-07-11-226-050	23-07-12-101-013	
23-07-11-226-049	23-07-12-105-001	

Attachment "B"

Publication of Notice of Public Hearing for Proposed Zoning Ordinance Amendment

STATE OF INDIANA
DEKALB COUNTY

Advertiser Cedric Hollabaugh
Notice ID eHtWFSTYqRdNvUq1jnyA

THE STAR

I, Ann Saggars, of lawful age, state that I am the legal clerk for the above named paper in the city of Kendallville. The Star is a daily newspaper of general circulation printed and published in said County and State. The notice herewith attached was published in said daily edition of the newspaper on the following date(s):

Wednesday, December 28, 2022

Additionally, The Star has a Web site and this public notice was posted on the same day as it published in the newspaper.

Date: _____



Legal Clerk

NOTICE OF PUBLIC HEARING
FOR PROPOSED
ZONING ORDINANCE AMEND-
MENT

CITY OF BUTLER
PLAN COMMISSION

Notice is hereby given that the Plan Commission of the City of Butler, DeKalb County, Indiana, will hold a public hearing at their regular meeting place, in the Council Chambers of City Hall, 215 S Broadway, Butler, DeKalb County, Indiana 46721 at 8:30 p.m., local time, on Monday, January 9, 2023. The Plan Commission will consider a proposal to amend the City of Butler Zoning Ordinance and Zoning Map. The amendment would establish a Downtown Commercial District within the Zoning Ordinance. The proposal addresses the district intent, permitted uses, and special exemption uses for property located within the downtown commercial district.

The district would apply to the following geographic area: south on Broadway Street from the intersection of Main Street and Broadway to the intersection of S Broadway and Depot Street; east on E Main Street from the intersection of Main Street and Broadway to the intersection of E Main Street and Pearl Street; west on W Main Street from the intersection of Main Street and Broadway to the intersection of W Main Street and John Street, all located within the corporate boundaries of the City of Butler, Indiana. The following property parcels would be included in the downtown commercial district:

- 23-07-11-227-050
- 23-07-11-227-049
- 23-07-11-227-048
- 23-07-11-227-047
- 23-07-11-227-046
- 23-07-11-227-045
- 23-07-11-227-031
- 23-07-11-227-030
- 23-07-11-227-029
- 23-07-11-226-064
- 23-07-11-226-063
- 23-07-11-226-062
- 23-07-11-226-061
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- 23-07-11-226-047
- 23-07-11-226-046
- 23-07-11-226-045
- 23-07-11-226-044
- 23-07-11-226-042
- 23-07-11-226-041
- 23-07-11-226-040
- 23-07-11-226-017
- 23-07-11-226-018
- 23-07-11-226-043
- 23-07-01-359-011

23-07-01-359-012
23-07-01-359-010
23-07-01-359-013
23-07-01-359-014
23-07-01-359-017
23-07-01-380-007
23-07-12-101-005
23-07-12-101-007
23-07-12-101-008
23-07-12-101-009
23-07-12-101-010
23-07-12-101-012
23-07-12-101-013
23-07-12-105-001
23-07-12-105-019
23-07-12-105-002
23-07-12-105-003
23-07-12-105-003
23-07-12-105-013
23-07-12-105-004
23-07-12-105-005
23-07-12-105-006
23-07-12-105-007

At such public hearing all interested parties may appear and be heard. The hearing may be continued from time to time as may be found necessary. The complete text of the proposed amendment and the complete map of the location of the proposed amendment is on file and available for examination and copying at the office of the City's Clerk-Treasurer at 215 South Broadway, Butler, Indiana, during regular business hours, and will be available at the public hearing.

Written objections to the proposal that are filed with the secretary of the commission before the hearing will be considered.

The City of Butler will make reasonable accommodations to people with disabilities. Any person with special needs should contact the ADA Coordinator, Vivian Likes at (260) 868-5200 at least 72 hours before the scheduled meeting to discuss necessary special accommodations.

Dated this 19th day of December 2022.

12/28, 2022, hspaxlp

NOTICE OF PUBLIC HEARING FOR PROPOSED
ZONING ORDINANCE AMENDMENT
CITY OF BUTLER
PLAN COMMISSION

Notice is hereby given that the Plan Commission of the City of Butler, DeKalb County, Indiana, will hold a public hearing at their regular meeting place, in the Council Chambers of City Hall, 215 S Broadway, Butler, DeKalb County, Indiana 46721 at 6:30 p.m., local time, on Monday, January 9, 2023. The Plan Commission will consider a proposal to amend the City of Butler Zoning Ordinance and Zoning Map. The amendment would establish a Downtown Commercial District within the Zoning Ordinance. The proposal addresses the district intent, permitted uses, and special exemption uses for property located within the downtown commercial district. The district would apply to the following geographic area: south on Broadway Street from the intersection of Main Street and Broadway to the intersection of S Broadway and Depot Street; east on E Main Street from the intersection of Main Street and Broadway to the intersection of E Main Street and Pearl Street; west on W Main Street from the intersection of Main Street and Broadway to the intersection of W Main Street and John Street, all located within the corporate boundaries of the City of Butler, Indiana. The following property parcels would be included in the downtown commercial district:

23-07-11-227-050	23-07-11-226-053	23-07-01-359-017
23-07-11-227-049	23-07-11-226-052	23-07-01-360-007
23-07-11-227-048	23-07-11-226-051	23-07-12-101-005
23-07-11-227-047	23-07-11-226-050	23-07-12-101-007
23-07-11-227-046	23-07-11-226-049	23-07-12-101-008
23-07-11-227-045	23-07-11-226-048	23-07-12-101-009
23-07-11-227-031	23-07-11-226-047	23-07-12-101-010
23-07-11-227-030	23-07-11-226-046	23-07-12-101-012
23-07-11-227-029	23-07-11-226-045	23-07-12-101-013
23-07-11-226-064	23-07-11-226-044	23-07-12-105-001
23-07-11-226-063	23-07-11-226-042	23-07-12-105-019
23-07-11-226-062	23-07-11-226-041	23-07-12-105-002
23-07-11-226-061	23-07-11-226-040	23-07-12-105-003
23-07-11-226-060	23-07-11-226-017	23-07-12-105-003
23-07-11-226-060	23-07-11-226-018	23-07-12-105-013
23-07-11-226-059	23-07-11-226-043	23-07-12-105-004
23-07-11-226-058	23-07-01-359-011	23-07-12-105-005
23-07-11-226-057	23-07-01-359-012	23-07-12-105-006
23-07-11-226-056	23-07-01-359-010	23-07-12-105-007
23-07-11-226-055	23-07-01-359-013	
23-07-11-226-054	23-07-01-359-014	

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Broadway, Butler, Indiana, during regular business hours, and will be available at the public hearing.

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Dated this 19th day of December 2022.

Attachment "C"

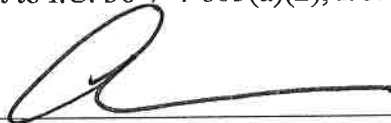
City of Butler Plan Commission Certification of a Recommendation

**BEFORE THE PLAN COMMISSION OF THE CITY OF BUTLER, INDIANA
CERTIFICATION OF A RECOMMENDATION BY THE CITY OF BUTLER PLAN
COMMISSION FOR A PROPOSED AMENDMENT TO THE CITY OF BUTLER,
INDIANA COMPREHENSIVE PLAN, ZONING ORDINANCE, AND ZONING MAP**

**TO: THE COMMON COUNCIL OF THE CITY OF BUTLER, INDIANA,
DEKALB COUNTY, STATE OF INDIANA**

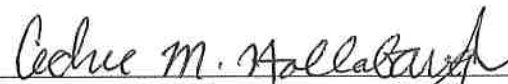
Comes now, ADAM R. STALEY, the duly elected and qualified President of the City of Butler, Indiana Plan Commission, and being duly sworn upon his oath, hereby deposes, says and certifies the following:

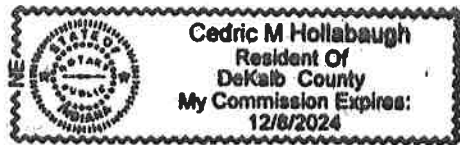
1. Affiant is over the age of eighteen (18) years and has personal knowledge of the facts attested to herein.
2. Affiant is the duly elected, qualified and acting President of the City of Butler, Indiana Plan Commission.
3. The Commission conducted, pursuant to statutory notice, a public hearing at the Butler City Hall, on January 9, 2023 at 6:30 p.m. on a proposed amendment to the City of Butler, Indiana Comprehensive Plan, Zoning Ordinance and Zoning Map.
4. At the conclusion of said public hearing, and on motion made and duly seconded, the Commission, by a vote of 6 in favor and 0 against, resolved to certify to the Common Council of the City of Butler, Indiana the amendment as proposed, which amendment is attached to this certification as "Attachment A", with a favorable recommendation.
5. This certification is made and delivered pursuant to I.C. 36-7-4-605(a)(2), I.C. 36-7-4-605(a)(3) and I.C. 36-7-4-608(b).



President
Plan Commission, City of Butler, Indiana

Sworn and subscribed to before me, a Notary Public in and or said County and State, this 9th day of January 2023.


Cedric M. Hollabaugh, Notary Public
My Commission Expires: 12/08/2024
County of Residence: DeKalb



RESOLUTION OF PROPOSED AMENDMENT

Resolved, this 9th day of January 2023 the City of Butler, Indiana Plan Commission hereby approves a (FAVORABLE) / (UNFAVORABLE) / (NO) recommendation for the following amendment to the City of Butler, Indiana Comprehensive Plan, and by reference herein, the Butler Zoning Ordinance and Map; and shall certify this recommendation to the Common Council of the City of Butler, Indiana.

The following amendment to the City of Butler, Indiana Comprehensive Plan, and by reference herein, the Butler Zoning Ordinance and Map as follows:


An amendment to the City of Butler Zoning Ordinance with the addition of Architectural Standards for downtown buildings and an amendment to the Zoning Map, creating a new zoning district of DC – Downtown Commercial District from GB-General Business District.

The location of the proposed district is the geographic area south on Broadway from the intersection of Main Street and Broadway to the intersection of S. Broadway and Depot Street; east on E. Main Street from the intersection of Main Street and Broadway to the intersection of E Main Street and Pearl Street; west of W Main Street from the intersection of Main Street and Broadway to the intersection of W Main Street and John Street, all located within the corporate boundaries of the City of Butler, Indiana, and more specifically described in the attached exhibits, incorporated herein.


Further, the Commission directs that a copy of this recommendation be submitted to the City of Butler, Indiana Common Council for their consideration as provided by statute. Following ratification by ordinance of this amendment by the Common Council of the City of Butler, Indiana, the Zoning Administrator of the City of Butler, Indiana shall record said amendment on the official zoning map and publish a notice of adoption of this amendment as provided by I.C. 36-7-4-610.

Said property shall be subject to the requirements of the Zoning Ordinance of the City of Butler, Indiana, as amended, and all other federal, state and local regulations.

(FAVORABLE) / ^{January 2023} (UNFAVORABLE) / (NO) RECOMMENDATION GRANTED THIS ^{9th} ~~14th~~ DAY OF ~~NOVEMBER 2022~~, BY THE CITY OF BUTLER, INDIANA PLAN COMMISSION BY A VOTE OF 6 YES AND 0 NO.



President
City of Butler, Indiana Plan Commission

ATTEST:


Secretary
City of Butler, Indiana Plan Commission