City of Elkhart

INSTRUCTIONS AND FILING PROCEDURE FOR FINAL SITE PLAN APPROVAL

In order to expedite the application process, it is the Plan Commission's policy to require the following:

1. _____ **A complete Final Site Plan Petition (see page 2)** must be filed with the Planning & Zoning Department located at the Permit Center at 229 S. Second Street, Elkhart, Indiana. **Petitions must be filed no later than the filing deadline dates as shown** on the Plan Commission calendar (see page 3).

2. _____ The Final Site Plan must conform to the PUD by addressing the points found in section 20.1, A-J.

3. _____ You or your representative shall be present at a minimum of one Technical Review Committee meeting which is scheduled prior to the publication date.

4. _____ A full and accurate legal description and deed restrictions shall be submitted. **The abbreviated version shown on a tax form is NOT an acceptable legal description.** A full legal description may be found on the recorded deed or possibly on a certified survey. If the legal description is in a Word or PDF format, please email it to Carla.Lipsey@coei.org.

5. _____ Twelve (12) copies of a site plan, drawn to scale, showing dimensions of the property, buildings, yard spaces, plantings, parking layouts, distances to adjoining buildings, curb cuts, and curb radii shall be provided. The drawings should be of a large enough scale so detail in the PUD is not lost; 24" x 36" is recommended. Building standards should comply with the Building Commissioner's requirements.

6. _____ Two (2) copies of a drawing showing the location of curb cuts, size of openings and size of radii shall be provided for the City Engineer's study. When property is located on a State Highway, it is necessary to secure State Highway approval.

7. _____ A filing fee in the amount listed in Section 29.12 of the Zoning Ordinance. The Permit Center accepts Visa, MC, and Discover credit cards, cash or a check made payable to the City of Elkhart.

Final Site Plan Fees:	
$200.00	Preliminary (PC)
$400.00	Final (PC with Public Hearing)

Final Site Plan – Amendment Fees:	
$200.00	Major (PC)
$100.00	Minor

Note: Hiring of an attorney is optional.

Failure to meet any of the above requirements will result in your application not being accepted by the Planning Department staff until such time as said requirements are met.

The City of Elkhart Plan Commission meets on the first Monday of each month at 1:45 p.m. in the City Council Chambers on the second floor of the Municipal Building to hold public hearings and make recommendations (please refer to the Plan Commission calendar on page 3). Notice of the public hearing shall be published in the newspaper 10 days prior to the meeting.

PETITION #: _____ **FILING FEE: $**_____

PETITION to the PLAN COMMISSION

PETITION TYPE: FINAL SITE PLAN

Property Owner(s): _____

Mailing Address: _____

Phone #: _____ Email: _____

Contact Person: _____

Mailing Address: _____

Phone #: _____ Email: _____

Subject Property Address: _____

Zoning: _____

Present Use: _____ Proposed Use: _____

Technical Review Case Number: _____

NOTE: The petitioner is the legal property owner of record, or a certified representative, and agrees the above information is accurate. Failure to provide a legal signature or accurate information will make this application null and void.

PROPERTY OWNER(S) OR REPRESENTATIVE (PRINT): _____

SIGNATURE(S): _____ DATE: _____

STAFF USE ONLY:

Staff Checklist for the applicant's submittal of a complete Petition to the Plan Commission docket:

_____ A completed Petition form signed by the legal owner of record (or approved representative).

_____ If any person other than the legal owner or the legal owner's attorney files the appeal, written and signed authorization from the property owner must be supplied.

_____ A full and accurate legal description of the property.

_____ One to scale drawing of the property, measuring 11" x 17" or smaller. If larger than 11" x 17", 12 copies must be submitted.

_____ One copy of the Appeal Letter signed in ink by the owner (or representative) of the property.

_____ Any other information listed in the Instructions and Filing Procedure for this type of Petition.

_____ Technical Review Confirmation.

Ordinance Requirement: Section(s): _____

Map #: _____ Area: _____

RECEIVED BY: _____ DATE: _____

2026 CITY OF ELKHART PLAN COMMISSION CALENDAR

File by Date	Meeting Date
Wednesday, November 26, 2025	Monday, January 5, 2026
Friday, December 26, 2026	Monday, February 2, 2026
Friday, January 30, 2026	Monday, March 2, 2026
Friday, February 27, 2026	Monday, April 6, 2026
Friday, March 27, 2026	Monday, May 4, 2026
Friday, April 24, 2026	Monday, June 1, 2026
Friday, May 29, 2026	Monday, July 6, 2026
Friday, June 26, 2026	Monday, August 3, 2026
Friday, July 31, 2026	**Tuesday, September 8, 2026**
Friday, August 28, 2026	Monday, October 5, 2026
Friday, September 25, 2026	Monday, November 2, 2026
Friday, October 30, 2026	Monday, December 7, 2026
Wednesday, November 25, 2026	Monday, January 4, 2027

All meetings are held at 1:45 p.m. in the Council Chambers, 2nd floor, City Municipal Building on the 1st Monday of each month unless indicated in **bold**.

City of Elkhart Zoning Ordinance

SECTION 20

PUD, PLANNED UNIT DEVELOPMENT DISTRICT

20.1 Purpose

The Planned Unit Development (PUD) District is designed to encourage quality land development and site design without the use of typical zoning standards. The purpose of this Section is to improve and protect the public health, safety, and welfare by pursuing the following objectives.

A. To ensure that future development which occurs is in accordance with the Comprehensive Plan.

B. To encourage innovations in land development and redevelopment.

C. To foster the safe, efficient, and economic use of the land, transportation, public facilities, and services.

D. To facilitate the provision of adequate public services such as transportation, water, sewer, storm, drainage, electricity, and public parks.

E. To avoid the inappropriate development of lands and provide for adequate drainage and reduction of flood damage.

F. To encourage patterns of land use which decrease trip length of automobile travel and encourage trip consolidation.

G. To minimize adverse environmental impacts of development.

H. To improve the design, quality, and character of new development.

I. To foster a more rational pattern of relationship between residential, business, and industrial uses.

J. To protect existing neighborhoods from harmful encroachment by intrusive or disruptive development.

20.2 Permitted Uses

All permitted, special exception, and conditional uses enumerated in this ordinance are expressly permitted at the time the PUD is established.

20.3 Requirements

A. Unified design. The tract of land submitted for PUD development must be developed as a single design entity even though it may be developed in phases or contain a wide variety of uses and activities otherwise not necessarily compatible with one another.

B. Entire tract must be under single control. All land in the tract submitted as the PUD application must be under the control of the applicant. The narrative text that accompanies the preliminary plan must demonstrate that this control will be workable throughout the PUD development period.

C. Size requirements - two (2) acre minimum. (as amended per Ordinance No. 4462, January 13, 2000.)

20.4 Submittal Requirements

A. Petitioner shall submit to the Planning and Zoning Office:

1. A completed application for a PUD zone change;

2. A preliminary site plan one (1) copy if eleven inches by seventeen inches (11" x 17") or smaller, otherwise fifteen (15) copies). See 20.4.B. and 20.4.C. below for specific submittal requirements for Conceptual or Standard PUDs; and

3. Any written documentation describing the PUD, by the filing date specified by the Plan Commission.

B. Conceptual PUD

1. General site plan, including but not limited to: property boundaries, existing natural features on or adjacent to the site, general street layout, proposed uses, individual parcels, setbacks and/or buffers from adjoining properties, and a general on-site drainage plan.

2. Written documentation explaining the nature and purpose of the PUD and providing supplemental information for the site plan, including any restrictive covenants.

C. Standard PUD

1. A detailed site plan including:

a. Proposed dimensional layout to scale of any streets, buildings, building elevations (if available), open space, lots, parking areas, signage, on-site drainage, landscaping, and other elements basic to the development; and

b. Proposed locations, densities, and types of uses within the area of the development.

2. Any written documentation providing supplemental information for the site plan, including any restrictive covenants.

D. The Planning and Zoning Office may require submission of additional information deemed necessary for consideration of the PUD.

20.5 Plan Commission Action

An application for a PUD shall be filed as a petition for an amendment to the zoning map of the City Zoning Ordinance. Following a public hearing, the Plan Commission shall pass the PUD application on to the Council with no recommendation or shall recommend denial, approval as submitted, or approval with modifications and/or conditions it may deem necessary. (as amended per Ordinance No. 4431 on July 23, 1999)

20.6 Council Action

The PUD ordinance, site plan, and supporting written documentation, along with the Plan Commission recommendation, are forwarded to the City Council. Action by the Council shall be in accordance with Section 29.10(B), "Map Amendment" of the City Zoning Ordinance. If approved, with or without conditions, the PUD shall be implemented as follows:

A. For a Standard PUD, implementation shall be in conformance with the final approved site plan, the written requirements listed in the adopted PUD ordinance, and all ordinances and regulations of the City not modified by the PUD.

B. For a Conceptual PUD, implementation shall be in conformance with the procedures outlined under "Secondary Review" below.

20.7 Secondary Review

A. All Conceptual PUDs approved by the City Council must submit a final site plan for the PUD or individual parcel site plans for multiple site PUD's to the Plan Commission for final approval within the time frame specified in the PUD ordinance.

B. The Plan Commission shall conduct a public hearing on the final site plan and provide all required notification to interested parties. Following the hearing, the Commission may approve the site plan as submitted or with modifications and/or conditions as it deems necessary. In making its decision, the Plan Commission must take into consideration requirements or conditions specified in the original PUD ordinance.

20.8 Issuance of Permits

Permits and construction of the PUD or portion of the PUD shall be in compliance with the approved final site plan and all City ordinances and regulations not modified by the PUD.

20.9 Revocation of Permits

Failure to conform to the provisions of the PUD may result in a Stop Work Order being issued and shall require the developer to show just cause at a public hearing conducted by the Plan Commission why such permits issued for the PUD should not be revoked.

20.10 Modifications to Approved Final Site Plans

A. Minor Modifications

1. Modifications, such as minor relocation of a building, parking lot, or other site element, due to unforeseen site conditions, can be reviewed and approved by the Planning staff. An adverse decision by the Planning staff may be appealed to the Plan Commission as per 20.10. A.2. below.

2. All other modifications, except those deemed major as defined in 20.10.B. below, shall be presented in writing to the Plan Commission. The Commission shall review and reject or approve the proposed changes without a public hearing.

B. Major Modifications

Proposed changes to an approved PUD final site plan which:

1. Change the land area of the PUD;

2. Change the density of use of the PUD;

3. Allow a use previously not permitted in the PUD; or

4. Constitute a change which, in the sole discretion of the Plan Commission, should be considered by the City Council as a new proposed development; shall be deemed a new application for approval of a Planned Unit Development and shall follow the procedures previously set forth in this Section.

20.11 Authority of Reviewing Body

A. City Council Action

When adopting or amending a PUD ordinance the City Council may:

1. Impose reasonable conditions on a proposed PUD.

2. Condition issuance of a Zoning Clearance Permit on the furnishing of a bond or satisfactory written assurance guaranteeing the timely completion of any proposed public improvements.

3. Allow or require the property owner to make a written commitment.

B. Plan Commission or Planning Staff Action

When recommending adoption of a PUD ordinance to the City Council, or approving a final site plan or modification of a final site plan, the Plan Commission or Planning staff, as appropriate, may:

1. Impose reasonable conditions on a proposed PUD.

2. Condition issuance of a Zoning Clearance Permit on the furnishing of a bond or satisfactory written assurance guaranteeing the timely completion of any proposed public improvements.

3. Allow or require the property owner to make a written commitment.

20.12 Proof of Recording of Approved Final Site Plan

A copy of the approved final site plan shall be recorded at the Elkhart County Recorder's Office, and proof of such action in the form of a receipt of filing for recording of the documents provided to the Planning and Zoning staff shall be provided prior to the issuance of a certificate of occupancy for any such project. (Amended per Ordinance No. 4762 on August 1, 2003)