

**AGENDA**  
**CITY OF ELKHART PLAN COMMISSION**

**MONDAY, JANUARY 5, 2026, AT 1:45 P.M.**  
**COUNCIL CHAMBERS – MUNICIPAL BUILDING**

This meeting can also be accessed via WebEx. To join, go to <https://signin.webex.com/join>, enter **2318 677 6883** as the meeting number and “**Plan2026**” as the password. Attendees may preregister or enter during the meeting. Comments and questions may be submitted via the WebEx app during the meeting or may be submitted to [Carla.Lipsey@coei.org](mailto:Carla.Lipsey@coei.org) prior to the meeting.

- 1. ROLL CALL**
- 2. APPROVAL OF AGENDA**
- 3. APPROVAL OF MINUTES, Nov. 2025 & Dec. 2025**
- 4. APPROVAL OF PROOFS OF PUBLICATION**
- 5. NEW BUSINESS**

**25-Z-04 PETITIONER IS Polly Properties, LLC**

**PROPERTY IS LOCATED AT 345 Country Club Drive and 1839 Cassopolis Street**

Per Section 29.11.B, Map Amendments, a request to rezone 345 Country Club Drive (pt 02-32-201-010 and pt 02-32-201-009) from R-3, Two Family Dwelling District to B-1, Neighborhood Business District. And to rezone 1839 Cassopolis Street (pt 02-32-201-010 and pt 02-32-201-009) and (02-32-201-013) from R-3, Two Family Dwelling District to B-3, Service Business District.

**25-PUDA-02R PETITIONER IS Emerson North Creek Development and Northern Investments, LLC**

**PROPERTY IS LOCATED AT VL Emerson Drive and Karen Drive**

Petitioner has filed to amend approved Plan Commission petition 25-PUDA-02 as 25-PUDA-02R which will amend the approved conceptual site plan by consolidating the drive access points to the project to Emerson Drive eliminating the Karen Drive auto access. The amended site plan addresses the condition placed by the Plan Commission.

The original request was: Per Section 20.4.B and 20.10.B.1, a Major Amendment to Planned Unit Development Ordinance 4143 and 4360 as a conceptual planned unit development, to add land not previously included in the Northfield Market PUD, approximately 16.62 acres to the PUD, to allow for the uses and the construction of: a 336 unit apartment complex (R-4, Multi Family Dwelling District) and a climate controlled self-storage facility (B-3, Service Business District). To also permit a minimum dwelling unit size of 550 square feet (for a studio) and 720 square feet (for one bedroom), where 750 square feet is the minimum dwelling unit size.

**26-PUDA-01 PETITIONER IS Elkhart Concord LLC**

**PROPERTY IS LOCATED AT 3701 South Main Street**

Per Section 20.10.B.2, Modifications to Approved Final Site Plan, by changing the density, which is a Major Amendment to the Concord Mall Planned Unit Development District, Ordinance 5029, to allow for the establishment of development parcels within the Planned Unit Development. The initial request will establish a parcel to be known as Lot 1 of the Elkhart Concord Planned Unit Development.

**26-TXT-01 PETITIONER IS City of Elkhart**

**PROPERTY IS LOCATED AT All properties located within the City of Elkhart**

The City of Elkhart seeks the review and adoption of updated language found in the Unified Development Ordinance (UDO).

- 6. STAFF ITEMS**

**26-SI-01**

Approval of the proposed addresses for the City of Elkhart

- 7. ADJOURNMENT**

**PLEASE REMEMBER TO USE YOUR MICROPHONE WHEN SPEAKING.  
ERRORS IN THE MINUTES MAY RESULT DUE TO VOICES BEING INAUDIBLE.**

**PLAN COMMISSION MEMBERS**

<b><u>Name</u></b>	<b><u>Term</u></b>	<b><u>Appointed By</u></b>
Jeff Schaffer, President	August 4, 2025- December 31, 2029	City Civil Engineer
Aaron Mishler, Vice President	February 7, 2022 – December 31, 2026	City Council
Dave Osborne	January 1, 2023 – December 31, 2026	Mayor
Andy Jones	September 16, 2025- December 31, 2026	Board of Works
Diana Lawson	March 6, 2023 – December 31, 2027	Mayor
Dan Boecher	January 2, 2024 – December 31, 2027	Mayor
Bil Murray	October 15, 2025- December 31, 2025	Park Board
Rochali Newbill	February 5, 2024 – December 31, 2027	Mayor

PLAN COMMISSION

-MINUTES-

Monday, November 3, 2025 - Commenced at 1:46 P.M. & adjourned at 2:10 P.M.

City Council Chambers – Municipal Building

The Elkhart City Plan Commission was called to order by Jeff Schaffer at 1:46 P.M.

MEMBERS PRESENT

Andy Jones  
Rochali Newbill  
Dan Boecher  
Diana Lawson  
Bil Murray  
Jeff Schaffer

Members Absent

Dave Osborne  
Aaron Mishler

REPRESENTING THE PLANNING DEPARTMENT

Eric Trotter-Asst. Director of Planning  
Kyle Anthony-Petter-Planner 2

LEGAL DEPARTMENT

Maggie Marnocha, Corporation Counsel

RECORDING SECRETARY

Raen Levendowski

APPROVAL OF AGENDA

Motion to approve by Lawson; Second by Boecher. Voice vote carries

APPROVAL OF PROOF OF PUBLICATION

Motion to approve by Lawson; Second by Jones. Voice vote carries.

NEW BUSINESS

25-Z-03 PETITIONER IS RB Realty

PROPERTY IS LOCATED AT 2432 Bypass Road

Per Section 29.11.B, Map Amendments, a request to rezone 2432 Bypass Road from M-1, Limited Manufacturing District to B-3, Service Business District.

STAFF ANALYSIS

Per Section 29.11.B, Map Amendments, a request to rezone 2432 Bypass Road (05-01-426-010), from B-2, Community Business District to B-3, Service Business District.

The parcel contains two buildings. Both, for several decades, were formerly used for auto sales – Putnam Imports and later Gurley Leep Automotive. The current vision for this parcel is to redevelop both buildings on the site. One is proposed to be a restaurant, and the other again for auto sales. The rezoning is needed to align the zoning and the auto sales use for the site. In 2023, this parcel was included when the former Skyline campus was rezoned from M-1 to B-2.

Staff support the request. The slightly more intense zoning is appropriate for this section of Bypass Road. The rezoning will make the redevelopment of the site easier and continue to support the Future Land Use Map which calls for commercial land uses. Approving the rezoning would also allow for the reuse of the property to a historically consistent auto sales use. The proposed redevelopment will provide for new investment to underutilized buildings along this gateway corridor into the city. City staff welcomes this new development.

Staff Recommendation

The Staff recommends **approval** of the rezoning request based on the following findings of fact:

- 1) The proposed rezoning is compatible with the Future Land Use map, which calls for the area to be developed with commercial land uses;
- 2) Current conditions and the character of current structures and uses in each district will not be impacted because the proposed use will blend well with the surrounding commercial uses;
- 3) The B-3, Service Business District does allow for the most desirable uses for which the land can be adapted;
- 4) The proposed rezoning will preserve the conservation of property values throughout the City because it is adjacent to other commercial uses;
- 5) The rezoning of the property to B-3, Service Business District is compatible with the surrounding properties and does reflect responsible growth and development, because the proposed use as a auto dealership will be in keeping with the historic use of the site and redevelopment of the property will place the property back into a productive compatible commercial use.

Trotter states there were 9 letters mailed and 0 returned.

Schaffer asks if there are questions from the Commission.

Schaffer calls the petitioner forward.

Heidi Vance is representing the petitioner, who is located at 3006 Hickory Lane. The petitioner is requesting a rezone from B2, Community Business District, to B-3, Service Business District.

Schaffer asks if there are questions from the Commission.

Lawson asked if the petitioner had any idea whether there is a restaurant manager, owner, or someone selected for the restaurant's operations.

Vance mentioned that Dr. Pecina has either purchased or signed the lease for a building where he plans to create a 1950s-style diner. He has previously undertaken a similar project in Cass County. The restaurant will feature classic cars and include an ice cream shop. At this time, this is the only plan he has, although he may consider bringing in food trucks later. The main concept is to establish an old-fashioned soda shop with ice cream.

Schaffer opens for public comments in favor of or opposition to the petition.

Hearing none, Schaffer closes the public portion of the meeting.

Schaffer closes the public hearing.

Schaffer calls for a motion.

Lawson makes a motion to approve 25-Z-04 with a Do-Pass Recommendation to Common Council; Second by Newbill.  
Motion carries

Boecker-Yes  
Newbill-Yes  
Jones-Yes  
Lawson-Yes  
Murray -Yes  
Schaffer-Yes

25-SUB-02 PETITIONER IS Norco Land Trust

PROPERTY IS LOCATED AT Vacant Lot Northland Drive

Per Article 4, Section 1.D.6 of the Subdivision Ordinance, approval of an Access Easement on the South 100 feet of Lot C-3 in the Northland Park Section IV for the benefit of Lot C-4 in the Northland Park Section IV Subdivision. A part of the Southeast Quarter of Section 22, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana.

Staff Analysis

Per Article 4, Section 1.D.6 of the Subdivision Ordinance, approval of an Access Easement on the South 100 feet of Lot C-3 in the Northland Park Section IV for the benefit of Lot C-4 in the Northland Park Section IV Subdivision. A part of the Southeast Quarter of Section 22, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana.

The request is to establish an access easement on Lot C-3 for the benefit of Lot C-4. The preliminary plat depicts a 100-foot-wide access easement running the width of the property to provide ingress and egress to the property to the south for a new drive onto Northland Drive. Within the easement there will be a retention basin and the drive, the easement will allow both properties to access the drive from the property. The property to the south at 2924 East County Road 6 is looking to install overhead doors on the side of the building to access a different part of the building and needs a driveway to the side of the building.

The project was submitted to the city's Technical Review process, but it was noted by planning staff during the process that due to the properties being under separate ownership an easement was required leading to Plan Commission approval for the creation of an easement of access. This board submittal is the last remaining item to be addressed by Planning staff for Technical Review.

The request is not typical of subdivision requests, as only an access easement is being requested as opposed to a new subdivision with a cross-access easement typically seen by the Board. This filing is the only mechanism available to staff to memorialize the request.

The easement has been recorded and is consistent with the request before this body today

Recommendation

Per IC 36-7-4-702, a plan commission must consider when determining whether to grant primary/preliminary approval of a plat, the plan commission shall determine if the plat or subdivision qualifies for primary/preliminary approval under the standards prescribed by the subdivision control ordinance.

Under the 700 Series of the Indiana Code Statutes, the review of primary/preliminary plats are ministerial and if the proposed preliminary/primary plat has adhered to all of the requirements prescribed by the subdivision control ordinance, the plan commission must grant approval, thereby,

The City of Elkhart Planning Staff has reviewed the subject petition and recommends **approval** of an Access Easement per Article 4 of the Subdivision Ordinance, which is approval of an Access Easement on the South 100 feet of Lot C-3 in the Northland Park Section IV for the benefit of Lot C-4 in the Northland Park Section IV Subdivision. A part of the Southeast Quarter of Section 22, Township 38 North, Range 5 East, Osolo Township, Elkhart County, Indiana, based on the following findings of fact:

- 1) The platted lots will not be impacted by the easement request;
- 2) The proposed request results in the creation of an access easement as defined by the Zoning and Subdivision Ordinance;
- 3) The proposed access easement will not compromise any existing development.

**Conditions:**

- 1) The approval is preliminary only. The applicant must submit the required application materials for Final Plat Approval to the Plat Committee as per Article 5 of the Subdivision Ordinance prior to the issuance of any permits for construction or sale of property.
- 2) Approval is tentative and shall be valid for a maximum period of twelve (12) months. The City Plan Commission may grant an extension upon written request. If the final plat has not been recorded within the time limit, the primary approval is null and void and the preliminary subdivision plan must be resubmitted for approval.

Trotter states there were 8 letters mailed and 0 returned.

Schaffer asks if there are questions from the Commission.

Lawson inquires about potential issues that could arise with the access.

Trotter explained that the properties are owned by two different entities. The staff wanted to ensure that if relations were to sour, access to the properties would not be lost. They have filed a recorded easement with the county, but we wanted to confirm this because it is our only mechanism for securing these types of easements.

Lawson continues to ask, and the owners agree that they want this to happen. However, I see this could be a problem at some point.

Trotter states that the only reason we have is that we currently lack other mechanisms in our toolbox to address this issue.

Jones asks how far the lot line is from the easement since the other property appears to be currently vacant.

Trotter states it is the southernmost 100 feet of the lot.

Jones continues to inquire about the distance from the property line of the adjacent undeveloped lot.

Trotter replies that it's 100 feet.

Jones continues to ask what the normal setback should be for a building like that in that area.

Trotter's response indicates that the distance should range from 10 to 20 feet, but Trotter needs to provide a reference for this information.

Jones continues to ask by granting the easement its not going to prevent the owner of the other lot from doing any kind of development they might want in the future.

Trotter responds that the petitioner is present in the audience.

Schaffer calls the petitioner forward.

Debra Hughes from Surveying and Mapping, located at 2810 Dexter Drive, is representing the petitioner, Ron Belchner, who is also the application's signer. The southern lot is owned by a different entity, while the northern lot, Norco Land Trust, has entered into a long-term lease for the use of the southern building, along with a purchase agreement to buy it in five years. They have been occupying this building for over a year, using it for material assembly related to their larger facility located on the eastern side of Northland Drive. This building was the nearest available option for additional space, and they are now moving forward with their purchase agreement.

Due to changes in their production needs, they would like to open a door on the north side of the property. You should have an exhibit that shows the site plan; the north wall of the building is approximately 10 feet from the property line, making it very close to the northern lot, which is currently used for parking by their employees who work across the street. There is already a driveway connecting this parking lot, making it logical to create a short connection from the new door to the existing parking area.

We are requesting a cross-easement agreement with the property owner, which includes an exhibit that has been recorded and is binding upon the land for both lots. Staff recommends creating a plat that combines both lots to present this information visually, rather than as a written document prepared by their attorney. However, we are asking for relief from the plat requirement because the recorded easement effectively documents this access arrangement. Any sale of either property will reference this easement, so producing a plat would be redundant.

While this may seem lengthy, it outlines the basis for our request for relief from the plat requirement.

Schaffer asks for clarification, stating, I am going through the information quickly and working from the sheet Exhibit A to clarify, you mentioned that the Norco Land Trust is leasing the property from CJW Holdings, and they have a purchase agreement that they can activate within the next five years. Additionally, the easement involves Norco granting CJW Holdings, as the leaseholder, an easement over the southern 100 feet of the Norco property.

Hughes responded correct.

Schaffer noted that the easement has been prepared and recorded as document number 2025-17987, which Ms. Hughes showed to me earlier. I will provide a copy of this document. The main issue is how this should be memorialized in front of the city. Should it be done simply through the board's approval of a preliminary plan, without following up with a plat, or does it need to be memorialized through a formal plat? The petitioner seems to believe that it can be memorialized simply by a plat. However, the staff believes that it should go through the complete plat process. I do have one question for the staff.

Schaffer asks the staff, based on what Miss Hughes mentioned, if we document this throughout the plat process, will only Lot C3, where the easement is located, need to be replotted, or will Lot C4 also require replanning.

Trotter replies only C3

Schaffer asks if there are questions from the Commission.

Schaffer states that this is the body's final decision. As you consider a motion, I think there are two questions you need to ask yourselves:

A) Do you have any concerns regarding the easement itself? It is already being recorded, and we are just memorializing it for the city.

B) Do you feel that this needs to go all the way through the final plat process, or is bringing it to us today sufficient to memorialize it for the city?

The motion should address the approval of the preliminary subdivision plan, which would involve our acceptance of this easement and the documents provided by the petitioner. Additionally, your motion should also consider whether the plan commission wants to waive the requirement for the final plat. We might need to consult with our attorney to determine if that's legal, especially since the easement has already been recorded.

Newbill asks Schaffer whether we are including any specific conditions.

Schaffer responded that if you believe the final plat should be waived, it would be a condition of approval, which is what the petitioner is requesting.

Schaffer calls for a motion.

Maggie Marnocha, the city attorney, confirmed that final approval can happen here. Staff and legal teams are in agreement because the petitioner is in the process of purchasing it, and it has already been recorded.

Schaffer states so legal's telling us that waiving the final plat requirement is would be a proper action.

Schaffer states I would entertain a motion that we grant preliminary approval to 25-SUB-02 and waive the requirement for the final plat granting final approval with this action.

Lawson makes a motion to approve 25-SUB-02 with a Do-Pass Recommendation ; Second by Newbill. Motion carries

Newbill- Yes

Jones- Yes

Boecker- Yes

Lawson-Yes

Murray-Yes

Schaffer-Yes

#### 25-SI-09

Approval of proposed addresses for the City of Elkhart.

#### Staff Analysis

The Planning and Zoning Department is requesting approval of the addresses that have been reserved for structures in the City of Elkhart.

#### Residential

1222 West Blaine Ave New Single-Family Dwelling 20-06-07-482-006.000-012

Recommendation

Staff recommends that the Plan Commission assign the proposed addresses based on staff recommendation.

Lawson makes a motion to approve 25-SI-09 with a Do-Pass Recommendation ; Second by Jones. Motion carries

ADJOURNMENT

Jones makes a motion to adjourn; Second by Lawson. Motion carries

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Jeff Schaffer, President

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Aaron Mishler, Vice-President

DRAFT

PLAN COMMISSION

-MINUTES-

Monday, December 1, 2025 - Commenced at 1:45 P.M. & adjourned at 1:50 P.M.

City Council Chambers – Municipal Building

The Elkhart City Plan Commission was called to order by Jeff Schaffer at 1:45 P.M.

MEMBERS PRESENT

Diana Lawson

Rochali Newbill

Andy Jones

Dave Osborne

Bil Murray

Jeff Schaffer

Members Absent

Dan Boecher

Aaron Mishler

REPRESENTING THE PLANNING DEPARTMENT

Eric Trotter-Asst. Director of Planning

Kyle Anthony-Petter-Planner 2

LEGAL DEPARTMENT

Maggie Marnocha, Corporation Counsel

RECORDING SECRETARY

Raen Levendowski

APPROVAL OF AGENDA

Motion to approve by Lawson; Second by Boecher. Voice vote carries

APPROVAL OF MINUTES JULY

Motion to approve by Osborne; Second by Lawson. Voice vote carries.

APPROVAL OF MINUTES AUGUST

Motion to approve by Lawson; Second by Osborne. Voice vote carries.

APPROVAL OF MINUTES OCT

Motion to approve by Osborne; Second by Newbill. Voice vote carries.

APPROVAL OF MINUTES OCT 20 (SPECIAL MEETING)

Motion to approve by Jones; Second by Lawson. Voice vote carries.

APPROVAL OF 2026 CALENDAR

Motion to approve by Lawson; Second by Jones. Voice vote carries.

Schaffer asks Trotter to briefly explain whether the timeframe between the file date and the meeting date is essentially the same.

Trotter replies yes, it's approximately five weeks between the file date and the meeting, allowing time to advertise the meeting.

#### NEW BUSINESS

##### 25-SI-10

Approval of proposed addresses for the City of Elkhart.

##### Staff Analysis

The Planning and Zoning Department is requesting approval of the addresses that have been reserved for structures in the City of Elkhart.

##### Residential

1416 Krau Street	New Single-Family Dwelling	20-06-07-277-019.000-012
515 East Street	Residential Apartments	20-06-05-479-008.000-012
1922 Oakland Avenue	New Single-Family Dwelling	20-06-08-354-006.000-012
1809 Stevens Avenue	New Single-Family Dwelling	20-06-09-353-011.000-012

##### Residential Subdivision

##### Commercial

2108 Airport Drive H#31-New Hanger  
1631 Fieldhouse Avenue- New Service  
5150 County Road 6 Change of Addresses annexed Commercial building  
1914 Cassopolis Street- New Commercial building

##### Industrial

2900 Independence Court Change of Addresses annexed Industrial building  
2917 Independence Court Change of Addresses annexed Industrial building  
5600 Executive Drive Change of Addresses annexed Industrial building

##### Recommendation

Staff recommends that the Plan Commission assign the proposed addresses based on staff recommendation.

Schaffer calls for a motion.

Jones makes a motion to approve 25-SI-10; Second by Newbill. Motion carries

Trotter, on behalf of the staff, would like to thank you for your service in 2025 and looks forward to seeing you in 2026. Have a happy and healthy holiday season.

##### ADJOURNMENT

Osborne makes a motion to adjourn; Second by Lawson. Motion carries

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Jeff Schaffer, President

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Aaron Mishler, Vice-President

DRAFT



City of Elkhart

# Staff Report

Planning & Zoning

<u>Petition:</u>	25-Z-04
<u>Petition Type:</u>	Rezoning
<u>Date:</u>	January 5, 2026
<u>Petitioner:</u>	Polly Properties, LLC
<u>Site Location:</u>	345 Country Club Drive and 1839 Cassopolis Street
<u>Request:</u>	Per Section 29.11.B, Map Amendments, a request to rezone 345 Country Club Drive (pt 02-32-201-010 and pt 02-32-201-009) from R-3, Two Family Dwelling District to B-1, Neighborhood Business District. And to rezone 1839 Cassopolis Street (pt 02-32-201-010 and pt 02-32-201-009) and (02-32-201-013) from R-3, Two Family Dwelling District to B-3, Service Business District.
<u>Parcel I.D. Number(s):</u>	20-02-32-201-013.000-027 20-02-32-201-009.000-027 20-02-32-201-010.000-027
<u>Existing Zoning:</u>	R-3, Two Family Dwelling District and B-3, Service Business District
<u>Size:</u>	+- 0.66 Acres
<u>Thoroughfares:</u>	Country Club Drive and
<u>School District:</u>	Elkhart Community Schools
<u>Utilities:</u>	Available to site

#### Surrounding Land Use & Zoning:

The property is located amongst a mix of business and residential uses zoned R-3, Two Family Dwelling District and B-3, Service Business District.

#### Applicable Sections of the Zoning Ordinance:

See enumerated in request.

#### Comprehensive Plan:

The Comprehensive Plan calls for this area to be developed with mixed land uses.

**Plan Commission Action:** Recommendation to Common Council.



## **Staff Analysis**

Per Section 29.11.B, Map Amendments, a request to rezone 345 Country Club Drive (pt 02-32-201-010 and pt 02-32-201-009) from R-3, Two Family Dwelling District to B-1, Neighborhood Business District. And to rezone 1839 Cassopolis Street (pt 02-32-201-010 and pt 02-32-201-009) and (02-32-201-013) from R-3, Two Family Dwelling District to B-3, Service Business District.

The petitioner owns five parcels that total approximately .66 acres on the south side of Country Club Drive. The petitioner is requesting to rezone the rear of 345 Country Club Drive from R-3, Two Family Dwelling District to B-1, Neighborhood Business District. This rezoning of the B-1, Neighborhood Business District is meant to act as a buffer of the B-3, Service Business District from the residential.

The petitioner is also requesting to rezone the west part of 1839 Cassopolis Street from R-3, Two Family Dwelling District to B-3, Service Business District.

The petitioner is looking to align the zoning with the uses of the property in question.

In 2017, the then owner of the restaurant, filed with the Board of Zoning Appeals, at 1839 Cassopolis Street acquired 345 Country Club Drive as the southern portion of the property was needed to expand the drive thru for the restaurant. A use and developmental variance were approved to permit the expansion.

Staff support the request. The residential zoning is no longer appropriate for this property on Country Club Drive as the use as residential no longer exists and is now being used as an office. The rezoning request on Cassopolis Street reflects the use of the property.

# Recommendation

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The Staff recommends **approval** of the rezoning request based on the following findings of fact:

- 1) The proposed rezoning is compatible with the Future Land Use map, which calls for the area to be developed with mixed land uses;
- 2) Current conditions and the character of current structures and uses in each district will not be impacted because the proposed use will blend well with the surrounding commercial and existing residential uses;
- 3) The B-1, Neighborhood Business District does allow for the most desirable uses for which the land can be adapted;
- 4) The proposed rezoning will preserve the conservation of property values throughout the City because it is adjacent to other residential and commercial uses;
- 5) The rezoning of the property to B-3, Service Business District and B-1, Neighborhood Business District is compatible with the surrounding properties and does reflect responsible growth and development, because commercial uses are permitted within the Business Districts.

# Photos

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# Attachments

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Petition, appeal letter, affidavit, and site plan.

**PETITION #:** 25-2-04

**FILING FEE: \$** 400 -

## **PETITION to the PLAN COMMISSION**

### **PETITION TYPE: REZONING**

This action requires final approval from the Common Council

Property Owner(s): Polly Properties, LLC

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: [REDACTED]

Contact Person: Patrick M. O'Neil

Mailing Address: [REDACTED]

Phone #: [REDACTED] Email: 1839 Cassopolis Street, Elkhart, IN, 46514

**Subject Property Address:** 345 Country Club Drive, Elkhart, IN, 46514

Zoning: Zoned: R3 - Proposed B1

Present Use: Commercial Proposed Use: Commercial

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): Polly Properties, LLC, Patrick M. O'Neil, Member

SIGNATURE(S): 

DATE: 11/06/2025

### **STAFF USE ONLY:**

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

- One copy of the Appeal Letter signed in ink by the owner (or representative) of the property.
- 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", 25 copies must be submitted.
- Any other information listed in the Instructions and Filing Procedure for this type of Petition.

Ordinance Requirement: Section(s): \_\_\_\_\_

Map #: \_\_\_\_\_ Area: \_\_\_\_\_

RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

Date: October 29, 2025  
To: Honorable Members of the Plan Commission and Common Council  
Regarding: Zone Change Petition for 1839 Cassopolis Street and  
345 Country Club Drive from R-3 to B-1

The undersigned petitioner respectfully shows the Plan Commission and Common Council:

1. I, Patrick M. O'Neil, am the owner of the following described real estate located within the City of Elkhart, Concord Township, Elkhart County, State of Indiana, to-wit:

See Exhibit A

2. The above-described real estate presently has a zoning classification of R-3 District under the Zoning Ordinance of the City of Elkhart.
3. Petitioner proposes to occupy the above-described property in the following manner:  
Dairy Queen parking lot, pavement and undeveloped area (1839 Cassopolis St.)  
Office for Dairy Queen owner (345 Country Club Drive)
4. Petitioner desires to rezone said real estate as follows:  
1839 Cassopolis Street: parking lot, pavement and undeveloped area: R-3 to B-3 for current uses.  
345 Country Club Drive: R-3 to B-1 for current uses.

5. Using the standards from page 3, address each standard.

1. The Comprehensive Plan:  
The B-3 zone for the west part of the 1839 property is consistent with the current use. The east part of the property is currently zoned B-3.  
The B-1 zone for the 345 property is consistent with the current use. It would provide a transition zone between the B-3 zone to the east and the R-1 zone to the west.

2. Current conditions and the character of current structures and uses in each district;  
1839 property use is parking, pavement and undeveloped area for the Dairy Queen restaurant on the east part of this property.  
345 property is an existing building used by the Dairy Queen owner for the business.

3. The most desirable use for which the land in each district is adapted;  
The most desirable use for this property is related to the current uses. No change in use is planned.
4. The conservation of property values throughout the jurisdiction;  
1839 property values will be preserved by a consistent zone for the entire property.  
345 property values will be preserved by designating a low intensity business zone to reflect the current use.
5. Responsible growth and development.  
It is responsible growth and develop to designate property zones that agree with current uses.

WHEREFORE, Petitioner prays and respectfully requests a hearing on this appeal and that after such hearing, the Plan Commission make a do pass recommendation and the Council, after hearing, pass on appropriate ordinance rezoning the above-described parcel of land located in the City of Elkhart.

Signature of Property Owner:

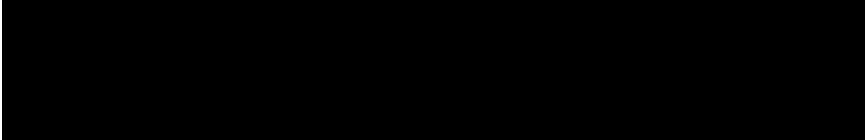


Printed Name:

Patrick M. O'Neil, Polly Properties LLC

Contact Person:

Patrick M. O'Neil, Polly Properties LLC



October 21, 2025

To: Plan Commission Members, City of Elkhart, Indiana

Re: Minor Subdivision and Zone Change Petitions, Elkhart IN

I am the authorized agent for Polly Properties LLC which is the owner of the property at 1839 Cassopolis Street and 345 Country Club Drive, Elkhart IN.

Parcel ID Numbers are:

20-02-32-201-009.000-027

20-02-32-201-010.000-027

20-02-32-201-013.000-027

20-02-32-201-015.000-027

I authorize Surveying And Mapping LLC (SAM) to submit Minor Subdivision and Zone Change Petitions on the company's behalf.

Please contact me if there are any questions.

Thank you.

A handwritten signature in blue ink, appearing to read "Patrick M. O'Neil".

Patrick M. O'Neil, Member

## AFFIDAVIT IN SUPPORT OF REZONING PETITION

Patrick M. O'Neil

I, \_\_\_\_\_, being first duly sworn upon his/her oath deposes and says that he/she is familiar with and has personal knowledge of the facts herein and, if called as a witness in this matter, would testify as follows:

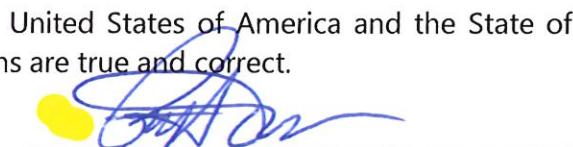
1. I am over eighteen (18) years of age and am competent to testify to the matters contained herein.
2. I make this affidavit in support of my rezoning petition filed contemporaneously herewith.
3. I am now and at all times relevant herein have been, the owner of record of the property located at  
1839 Cassopolis Street Elkhart, Indiana.  
345 Country Club Drive
4. FURTHER AFFIANT SAYETH NOT.

EXECUTED on the 6<sup>th</sup> day of November, 20 25.



Printed: Patrick M. O'Neil

I certify under the penalties for perjury under the laws of the United States of America and the State of Indiana that the foregoing factual statements and representations are true and correct.



Printed: Patrick M. O'Neil

STATE OF INDIANA )

) SS:

COUNTY OF ELKHART )

Before me the undersigned, a Notary Public in and for the State of Indiana, personally appeared

Patrick O'Neil, and acknowledged his/her execution of the foregoing. Subscribed and sworn to before me this 6<sup>th</sup> day of November, 20 25.



Printed: Devyn Rhiannon Tingley

Notary Public in and for the State of Indiana  
Resident of Tippecanoe County, Indiana

My Commission Expires:

12/17/25

Comm # 708563



City of Elkhart

# Staff Report

Planning & Zoning

Petition: 25-PUDA-02R

Petition Type: Major Amendment to PUD

Date: January 5, 2026

Petitioner: Emerson North Creek Development and Northern Investments, LLC

Site Location: VL Emerson Drive and Karen Drive

Request: Petitioner has filed to amend approved Plan Commission petition 25-PUDA-02 as 25-PUDA-02R which will amend the approved conceptual site plan by consolidating the drive access points to the project to Emerson Drive eliminating the Karen Drive auto access. The amended site plan addresses the condition placed by Plan Commission.

Per Section 20.4.B and 20.10.B.1, a Major Amendment to Planned Unit Development Ordinance 4143 and 4360 as a conceptual planned unit development, to add land not previously included in the Northfield Market PUD, approximately 16.62 acres to the PUD, to allow for the uses and the construction of: a 336 unit apartment complex (R-4, Multi Family Dwelling District) and a climate controlled self-storage facility (B-3, Service Business District). To also permit a minimum dwelling unit size of 550 square feet (for a studio) and 720 square feet (for one bedroom), where 750 square feet is the minimum dwelling unit size.

Parcel numbers:  
20-02-29-176-009  
20-02-29-176-010  
20-02-29-176-017  
20-02-29-176-011  
20-02-29-176-012  
20-02-29-176-013  
20-02-29-176-015  
20-02-29-176-018

Existing Zoning: PUD – Planned Unit Development and R-1, One Family Dwelling District

Size: +/- 16.62 Acres

**Thoroughfares:** Emerson Drive and Karen Drive

**School District:** Elkhart Community Schools

**Utilities:** Available and provided to the site.

**Plan Commission Action:** Recommendation to Common Council to either approve, deny or make no recommendation - with or without additional conditions

### **Surrounding Land Use & Zoning:**

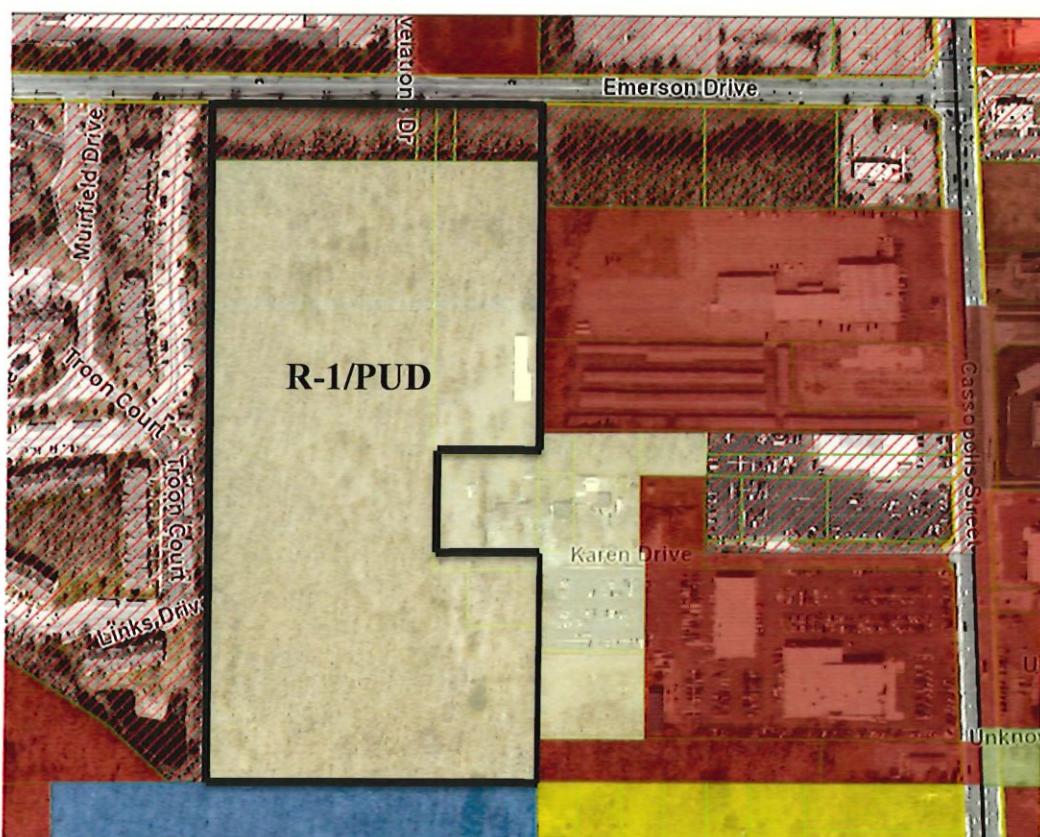
Properties surrounding the property are to the north and west is multifamily residential and large/big box commercial land zoned Planned Unit Development (Northfield Market PUD), land to the east is largely commercial uses zoned B-3, Service Business District, land to the south is land zoned R-1, One Family Dwelling District.

### **Applicable Sections of the Zoning Ordinance:**

See enumerated in request.

### **Comprehensive Plan:**

The Comprehensive Plan calls for the land to be developed with Mixed Land uses.



# Staff Analysis

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Petitioner has filed to amend approved Plan Commission petition 25-PUDA-02 as 25-PUDA-02R which will amend the approved conceptual site plan by consolidating the drive access points to the project to Emerson Drive eliminating the Karen Drive auto access. The amended site plan addresses the condition placed by Plan Commission.

## *This is the original analysis from staff report for 25-PUDA-02*

Per Section 20.4.B and 20.10.B.1, a Major Amendment to Planned Unit Development Ordinance 4143 and 4360 as a conceptual planned unit development, to add land not previously included in the Northfield Market PUD, approximately 16.62 acres to the PUD, to allow for the uses and the construction of: a 336 unit apartment complex (R-4, Multi Family Dwelling District) and a climate controlled self-storage facility (B-3, Service Business District). To also permit a minimum dwelling unit size of 550 square feet (for a studio) and 720 square feet (for one bedroom), where 750 square feet is the minimum dwelling unit size.

The petitioner is seeking to add land to the Northfield Market Planned Unit Development in order to construct a 336-unit apartment complex on the south side of Emerson Drive west of Cassopolis Street. There is proposed to be seven (7) buildings, each with 48 units comprising studio, one bedroom and two-bedroom apartments. The complex will have a club house with a pool and pickleball courts. Other amenities within the complex are a dog run area, grilling area, gathering pavilions and a one-mile walking trail that will ring the perimeter. It is also proposed to have approximately ten acres of existing wooded area be maintained along with a self-storage facility for the use of the residents. The phasing for the development has not yet been established. When the project is submitted for Technical Review and for Final Site Plan to the Plan Commission the developer will have had time to refine the phasing for the project.

Currently the zoning ordinance permits the smallest dwelling unit size of 750 square feet. This project is requesting as part of the approval to have the smallest studio unit be 550 square feet and the smallest one-bedroom unit be 720 square feet. The request is in keeping with other new apartment complex developments that have been approved within the last two years.

Primary access will be from Emerson Drive. That entrance provides connections to signalized intersections both at Cassopolis Street and County Road 6. The secondary exit will be by way of Karen Drive. In 2022, the city along with the two commercial auto dealers, negotiated the dedication of the first 525 feet Karen Drive from Cassopolis Street, between those two property owners. The plan is to connect the proposed development to the dedicated right of way portion of Karen Drive. The city has engaged a consultant to negotiate with the remaining three property owners.

This project will add an additional 336 housing units to the community. These units will fill a need and are targeted for workers between 80% to 120% Area Median Income. The Zimmerman Volk Housing study, updated in 2022, highlighted the need for housing for every income level and type for the city.

## *Additional analysis based on modified site plan –*

The site plan has been updated to remove the auto access to Karen Drive. There is the ability along the Karen Drive access, whether by parcel or public right of way, to construct underground utilities without auto access. With this modification/consolidation of auto access to Emerson Drive, the developer has addressed the condition

placed by the Plan Commission in October 2025, which required the establishment of the public right of way before Common Council hearing the major amendment.

## Recommendation

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The Staff recommends approval of the amended site plan (to consolidate auto access to Emerson Drive and eliminate auto access to Karen Drive) which is a Major Amendment to the Planned Unit Development per Section 20.4.B and 20.10.B.1, Ordinance 4143 and 4360, as a conceptual planned unit development, to add land not previously included in the Northfield Market PUD, approximately 16.62 acres to the PUD, to allow for the uses and the construction of: a 336 unit apartment complex (R-4, Multi Family Dwelling District) and a climate controlled self-storage facility (B-3, Service Business District). To also permit a minimum dwelling unit size of 550 square feet (for a studio) and 720 square feet (for one bedroom), where 750 square feet is the minimum dwelling unit size, based on the following findings of fact:

- 1) The Comprehensive Plan calls for this area to be developed with mixed land uses. The proposed apartment complex is compatible with the current commercial uses that surround a majority of the site.
- 2) The proposed apartment complex, storage facility and amended unit size should not impact the other permitted uses approved for this PUD or have a substantial negative effect on the surrounding uses.
- 3) The proposed apartment complex, storage facility and amended unit size will not adversely impact the land within the area of the Planned Unit Development as the proposed uses are already permitted within the Northfield Market Planned Unit Development.

# Photos

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## Attachments

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Petition, appeal letter, site plan.



# Staff Report

Planning & Zoning

<u>Petition:</u>	26-PUDA-01
<u>Petition Type:</u>	Major Amendment to PUD
<u>Date:</u>	January 5, 2025
<u>Petitioner:</u>	Elkhart Concord LLC
<u>Site Location:</u>	3701 South Main Street
<u>Request:</u>	Per Section 20.10.B.2, Modifications to Approved Final Site Plan, by changing the density, which is a Major Amendment to the Concord Mall Planned Unit Development District, Ordinance 5029, to allow for the establishment of development parcels within the Planned Unit Development. The initial request will establish a parcel to be known as Lot 1 of the Elkhart Concord Planned Unit Development.
<u>Existing Zoning:</u>	PUD – Planned Unit Development
<u>Size:</u>	+/- 67 Acres
<u>Thoroughfares:</u>	South Main Street
<u>School District:</u>	Concord Community Schools
<u>Utilities:</u>	Available and provided to the site.
<u>Plan Commission Action:</u>	Approve or deny with recommendation to Common Council

#### Surrounding Land Use & Zoning:

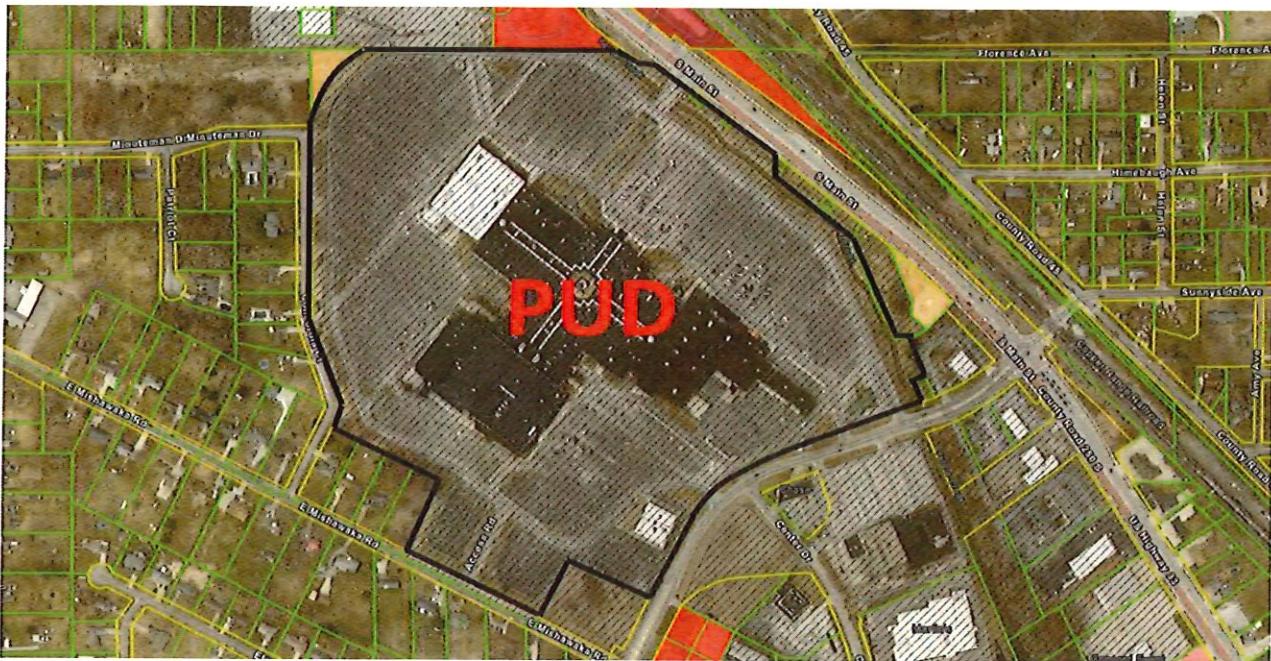
Properties surrounding the property are commercial in nature permitted within the Planned Unit Development.

#### Applicable Sections of the Zoning Ordinance:

See enumerated in request.

#### Comprehensive Plan:

The Comprehensive Plan calls for the land to be developed with commercial uses.

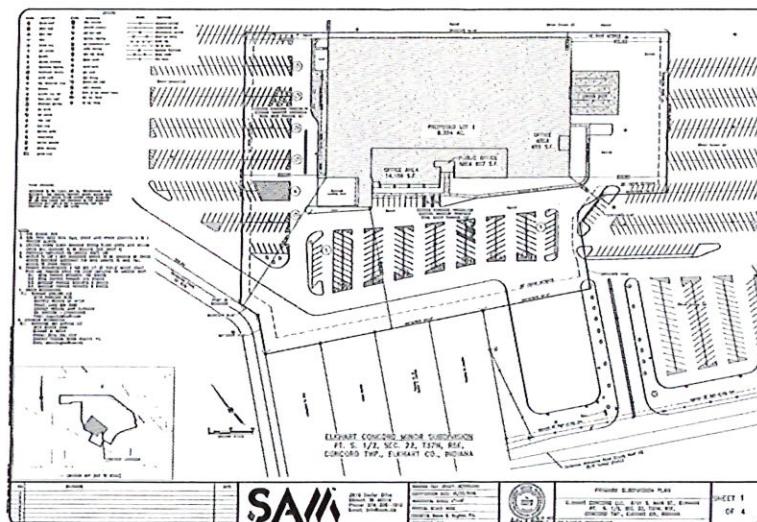


## Staff Analysis

The petitioner is requesting a major amendment to the PUD to allow for the establishment of development parcels within the Planned Unit Development. The initial request will establish a parcel to be known as Lot 1 of the Elkhart Concord Planned Unit Development.

The petitioner is requesting the ability to establish development lots within the Planned Unit Development. The first lot will create an 8.39 acre lot where the former JC Penny store was located, along the Mishawaka Road side of the development. This action will allow the petitioner the opportunity to plat and sell development lots within the project site – from this point forward.

The request is consistent with the original plan that also called for the creation of commercial lots along South Main Street.



# Recommendation

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The Staff recommends **approval** of the major amendment to the Planned Unit Development, Per Section 20.10.B.2, Modifications to Approved Final Site Plan, by changing the density, which is a Major Amendment to the Concord Mall Planned Unit Development District, Ordinance 5029, to allow for the establishment of development parcels within the Planned Unit Development. The initial request will establish a parcel to be known as Lot 1 of the Elkhart Concord Planned Unit Development, based on the following findings of fact:

- 1) The Comprehensive Plan calls for this area to be developed with commercial uses. The proposed use is compatible with commercial uses.
- 2) The proposed development parcels should not impact the future development within the PUD. The proposed use should not negatively impact surrounding properties.
- 3) The increase in density will not adversely impact the ability to redevelop the land within the area of the Planned Unit Development as the proposed access to the site and out lot will be incorporated into a new development plan.

## Conditions

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If the Council chooses to approve the PUD Amendment, staff recommends that the following conditions be placed upon the approval:

1. Each lot must be submitted as an individual plat to establish new lots moving forward.

## Photos

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## Attachments

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Petition, appeal letter, site plan.

**PETITION #:** 24-PUDA-01 **FILING FEE:** \$ 200.00

## **PETITION to the PLAT COMMITTEE**

### **PETITION TYPE: MINOR SUBDIVISION**

Property Owner(s): Elkhart Concord LLC

Mailing Address: ██████████

Phone # ██████████ Email: ██████████

Contact Person: Jamie Supanich, Senior Director-Engineering

Mailing Address ██████████

Phone # ██████████ Email: ██████████

**Subject Property Address:** 3701 S. Main Street, Elkhart, IN, 46517

Zoning: PUD

Present Use: Commercial Proposed Use: Commercial

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): Elkhart Concord LLC

SIGNATURE(S): Sarah Myhr

DATE: 10/22/2021

### **STAFF USE ONLY:**

#### Staff Checklist for the applicant's submittal of a complete Petition to the Plat Committee:

- A completed Petition form signed by the legal owner of record (or approved representative).
- A completed Application for Approval of a New Subdivision.
- 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.
- Two bonds and two mylars of the proposed plat drawing signed by the legal owner of record.
- One copy of the Appeal Letter signed in ink by the owner (or representative) of the property. (Optional)
- Any other information listed in the Instructions and Filing Procedure for this type of Petition.

Ordinance Requirement: Section(s): ██████████

Map #: ██████████ Area: ██████████

RECEIVED BY: ██████████ DATE: ██████████

October 22, 2025

To: Plan Commission Members, City of Elkhart, Indiana

Re: Minor Subdivision Petition, 3701 S. Main Street, Elkhart IN

I am the authorized agent for Elkhart Concord LLC which is the owner of the property at 3701 S. Main Street, Elkhart IN.

Parcel ID Number is: 20-06-22-401-002.000-011

I authorize Surveying And Mapping LLC (SAM) to submit a Minor Subdivision Petition on the company's behalf.

Please contact me if there are any questions.

Thank you.

  
Sarah Dyrn, Agent  
Elkhart Concord LLC  




City of Elkhart

# Staff Report

Planning & Zoning

Petition: 26-TXT-01

Petition Type: Text Amendment

Date: January 5, 2026

Petitioner: City of Elkhart, Indiana

Site Location: All properties located within the City of Elkhart

Request: The City of Elkhart seeks the review and adoption of updated language found in Unified Development Ordinance (UDO).

The amendments are as follows:

- Update scrivener's errors for cross references in document.
- Incorporate standards for Toll Road Signs.
- Changes in the special exception conditions for day cares.
- Modifying the uses in the Airport Airspace Overlay District to be compatible with airport operations and airspace usage.
- Updated sign standards for places of worship.

Plan Commission Action: Recommendation to Common Council.

# Staff Analysis

---

Subsequent to the Plan Commission approval of the Unified Development Ordinance, a few oversites and omissions were found along with an update at the request of the administration. The amendments are as follows:

- Update scrivener's errors for cross references in document.
- Incorporate standards for Toll Road Signs.
- Changes in the special exception conditions for day cares.
- Modifying the uses in the Airport Airspace Overlay District to be compatible with airport operations and airspace usage.
- Updated sign standards for places of worship.

In Chapter 5, Building Typologies, there were a number of footnote references that were omitted from the final text. Specifically, within the tables for the specific development standards.

In Chapter 11, Signs, we omitted the standards for Limited Access Highways (Toll Road). Those standards have now been included in the document. The city did not have development standards for the Toll Road in the current ordinance. The standards are consistent with other jurisdictions along the Toll Road.

In Chapter 4, Use Specific Standards, the use specific standards have been included that reflect the standard conditions the Board of Zoning Appeals has been placing on all Day Care Homes and Day Care Centers for approximately the past 20 years. The conditions generally speak to the need to maintain a license current with the State of Indiana, the number of permitted children, the maintenance for the facility, number of children and programming for pick up and drop off. The list of conditions have been added to this chapter of the UDO.

In Chapter 4, Table of Uses for Airport Overlay Districts, staff inadvertently used another list of uses and the error was not caught prior to the last meeting. The uses have been updated to reflect primary airport operations and provide uses for future growth.

In Chapter 11, Signs, the administration asked that the sign requirements be amended to permit for Places of Worship double the number of yard signs, banners and feather signs to recognize the unique challenges in alerting the public of activities occurring at the respective churches. There would also be no limit of time for each specialty sign type, however they must be kept in good repair. Not keeping the signs in good repair will constitute a violation of the sign section of the UDO.

# Recommendation

---

Staff recommends approval of case 26-TXT-01, the proposed zoning ordinance text amendment to a Unified Development Ordinance (UDO), as described above and send to the Common Council with a “Do Pass” recommendation.

## Attachments

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Select pages from draft UDO that reflect changes as described in staff report.

# CHAPTER 5:

## BUILDING TYPOLOGIES

5.1	INTENT	122
5.2	APPLICABILITY	122
5.3	BUILDINGS TYPES ALLOWED BY DISTRICT	122
5.4	BUILDING TYPES	123

[RETURN TO UDO TABLE OF CONTENTS](#)

## 5.1 INTENT

This section includes regulations that establish the scale and design of buildings that are unique to the City of Elkhart in each Zoning/Overlay district. The regulations in this article are intended to improve the physical quality of the buildings that contribute to the overall character of the City, emphasizing the importance of how buildings relate to the public right-of-way. The building type names are not intended to limit uses permitted within the building as established in [Chapter 4](#). All graphic depictions of building types are for illustrative purposes only.

## 5.2 APPLICABILITY

- This section shall apply to all new development and all additions to existing development shall comply with the standards of this section except accessory structures.
- If there is a conflict with these standards and the Base Zoning District development standards in [Section 3.4](#), the standards of this section shall govern.
- If there is a conflict with these standards and the Overlay or Form-Based Zoning District development standards in [Section 3.5](#) or [3.6](#), the standards of [Section 3.5](#) or [3.6](#) shall govern.

## 5.3 BUILDINGS TYPES ALLOWED BY DISTRICT

Building types (as defined in [Sec. 5.4](#)) are permitted by each zoning and/or overlay district as noted in [Table 5.3-1](#). Planning Staff may allow for building types not listed in this table where appropriate. Examples: residential amenity buildings, religious buildings with unique architecture

TABLE 5.3-1: BUILDING TYPES AND DISTRICT ALIGNMENT

BUILDING TYPES	BASE ZONING/OVERLAY DISTRICTS											OVERLAY						
	SUB-R	COM-R	URB-R	MIX-R	MHP	INST	NEI-B	COM-B	REG-B	CBD	R&D-I	MAN-I	PUD	AC	DTWN	RO	HP	BNO
Dwelling Detached Narrow	■	■	■	■			■						■			■	■	■
Dwelling Detached Standard	■	■	■	■	■	■	■						■		■	■	■	■
Detached ADU	■	■	■	■	■								■		■	■	■	■
Cottage	■	■	■	■	■	■	■	■	■				■		■	■	■	■
Duplex		□	■	■	■	■	■	■	■				■		■	■	■	■
Triplex		□	□	■	■	■	■	■	■				■		■	■	■	■
Quadplex		□	□	■	■	■	■	■	■				■		■	■	■	■
Townhome		□	■	■	■	■	■	■	■	□			■		■	■	■	■
Neighborhood Multi-Dwelling			□	■	■	■	■	■	■	■			■		■	■	■	■
Multi-Dwelling			□	□	■	■	■	■	■	■	■		■		■	■	■	■
Mid-Rise			□	■	■	■	■	■	■	■	■		■	■	■	■	■	■
Urban Streetfront					■	■	■	■	■	■	■		■		■	■	■	■
Neighborhood Streetfront				□	■	■	■	■	■	■	■		■		■	■	■	■
Flex (1-3 stories)					■	■	■	■	■	■	■		■		■	■	■	■
Flex Attached					■	■	■	■	■	■	■		■		■	■	■	■
Auto-Oriented						■	■	■	■	■	■		■		■	■	■	■
Distribution and Storage													■					

■ = Permitted building types    □ = Conditional/Special Exception

## 5.4 BUILDING TYPES

### 5.4.1 DWELLING DETACHED NARROW

#### A. DESCRIPTION

A primary single, narrow detached dwelling unit on a historically traditional lot without a subordinate attached or detached ADU.

#### SAMPLE IMAGES

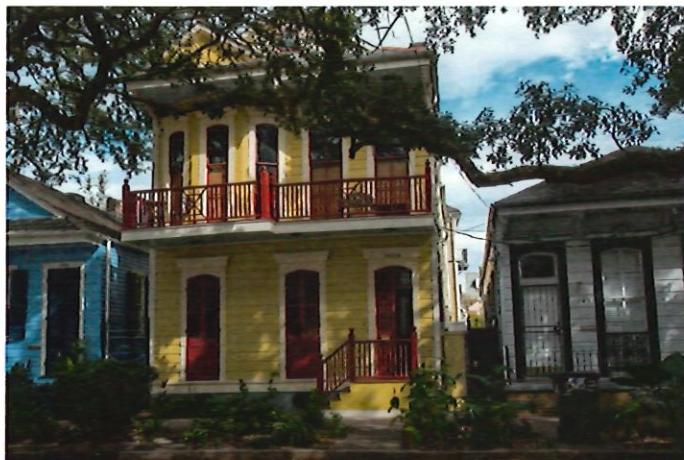


TABLE 5.4-1 BUILDING TYPE SPECIFIC STANDARDS: DWELLING DETACHED NARROW

#### General

Dwelling Units (min/max):	1 / 1 per parcel
ADU Permitted / Type:	No / NA

#### Site Standards

Lot Size (min):	Per Zoning/Overlay District
Street Frontage Width (min):	Per Zoning/Overlay District
Lot Width (min):	Per Zoning/Overlay District
Lot Depth (min):	Per Zoning/Overlay District
Lot Coverage (max):	Per Zoning/Overlay District
Common Outdoor Space (min):	NA

#### Placement

Front Setbacks (min/max):	Per Zoning/Overlay District
Side-Interior Setback (min):	Per Zoning/Overlay District
Side-Street Setbacks (min/max):	Per Zoning/Overlay District
Rear Setback (min):	Per Zoning/Overlay District
Front Streetfront Width (min):	NA
Side Streetfront Width (min):	NA
Orientation:	Front door towards street

#### Parking & Access

Vehicular Access:	Front, Side, Rear, Alley
Driveway Type:	Private or Shared
Primary Pedestrian Entrance:	Street facing facade
Parking Location:	any yard / max. 50% front yard

#### Height

Primary Structure (min/max):	NA / 35' (2.5 stories)
Min. Floor-to-Ceiling (1st floor):	8'
Max. Height in BTZ (front/side):	NA / NA
Height Stepback (front/side):	NA / NA

#### Massing

Gross Floor Area (min/max):	850 sq.ft. / NA
Floor Area Ratio (max):	NA
Building Width (min/max):	16' / 20'
Building Depth (min/max):	NA / NA
Dwelling Unit Width (min/max):	16' / 20'

#### Facade Requirements

Transparency: 1st Floor (min):	NA
Transparency: Upper Floors (min):	NA
Blank Wall Limitations:	NA
Required Streetfront Entrances:	1

#### B. CONDITIONS

1. None

## 5.4.2 DWELLING DETACHED STANDARD

### A. DESCRIPTION

A freestanding residential structure containing one single dwelling unit on conventional lot with or without a subordinate Attached or Detached ADU.

#### SAMPLE IMAGES



**TABLE 5.4-2 BUILDING TYPE SPECIFIC STANDARDS: DWELLING DETACHED STANDARD**

#### General

Dwelling Units (min/max):	1 / 2 with an ADU per parcel
ADU Permitted / Type:	Yes / Attached or Detached

#### Site Standards

Lot Size (min):	Per Zoning/Overlay District
Street Frontage Width (min):	Per Zoning/Overlay District
Lot Width (min):	Per Zoning/Overlay District
Lot Depth (min):	Per Zoning/Overlay District
Lot Coverage (max):	Per Zoning/Overlay District
Common Outdoor Space (min):	NA

#### Placement

Front Setbacks (min/max):	Per Zoning/Overlay District
Side-Interior Setback (min):	Per Zoning/Overlay District
Side-Street Setbacks (min/max):	Per Zoning/Overlay District
Rear Setback (min):	Per Zoning/Overlay District
Front Streetfront Width (min):	NA
Side Streetfront Width (min):	NA
Orientation:	Front door towards street

#### Access

Vehicular Access:	Front, Side, Rear, Alley
Driveway Type:	Private or Shared
Primary Pedestrian Entrance:	Street facing facade
Parking Location:	any yard / max. 50% front yard

#### Height

Primary Structure (min/max):	NA / 40' (2.5 stories)
Min. Floor-to-Ceiling (1st floor):	8'
Max. Height in BTZ (front/side):	NA / NA
Height Stepback (front/side):	NA / NA

#### Massing

Gross Floor Area (min/max):	950 sq.ft. / NA
Floor Area Ratio (max):	NA
Building Width (min/max):	24' / NA
Building Depth (min/max):	NA / NA

Dwelling Unit Width (min/max):	24' / 35'
--------------------------------	-----------

#### Facade Requirements

Transparency: 1st Floor (min):	NA
Transparency: Upper Floors (min):	NA
Blank Wall Limitations:	NA
Required Streetfront Entrances:	1

### B. CONDITIONS

1. ADUs require Special Exceptions
2. ADU's size limitations: No more than 75% of the floor area of the primary structure up to 1,000 square feet.

### 5.4.3 DETACHED ACCESSORY DWELLING UNIT

#### A. DESCRIPTION

A Detached Accessory Dwelling Unit (ADU) is a self-contained, habitable dwelling unit that is secondary to a primary dwelling on the same lot. A detached structure separate from the primary dwelling, or attached to or part of an accessory structure (like a garage) that is detached from the primary dwelling.

An ADU includes all basic facilities needed for independent living, such as sleeping, cooking, and sanitation areas.

#### SAMPLE IMAGES



**TABLE 5.4-3 BUILDING TYPE SPECIFIC STANDARDS: DETACHED ADU**

#### General

Dwelling Units (min/max):	1 ADU per parcel
ADU Permitted / Type:	Yes / Detached

#### Site Standards

Lot Size (min):	Per Zoning/Overlay District
Street Frontage Width (min):	Per Zoning/Overlay District
Lot Width (min):	Per Zoning/Overlay District
Lot Depth (min):	Per Zoning/Overlay District
Lot Coverage (max):	Per Zoning/Overlay District
Common Outdoor Space (min):	NA

#### Placement<sup>1,2</sup>

Front Setbacks (min/max):	must locate at or behind the established principal front setback
Side-Interior Setback (min):	Per Zoning/Overlay District
Side-Street Setbacks (min/max):	Per Zoning/Overlay District
Rear Setback (min):	Per Zoning/Overlay District
Front Streetfront Width (min):	Per Zoning/Overlay District
Side Streetfront Width (min):	Per Zoning/Overlay District
Orientation:	NA

#### Access

Vehicular Access:	Front, Side, Rear, Alley
Driveway Type:	Private or Shared
Primary Pedestrian Entrance:	Street facing facade
Parking Location:	any yard / max. 50% front yard

#### Height

Structure (min/max):	NA / 29' (up to 2 stories if integrated into a detached accessory building/garage)
Min. Floor-to-Ceiling:	8'
Max. Height in BTZ (front/side):	NA / NA
Height Stepback (front/side):	NA / NA

#### Massing

Gross Floor Area (min/max):	NA / 75% of primary structure up to a max of 1,000 sq. ft.
Floor Area Ratio (max):	NA
Building Width (min/max):	NA / NA
Building Depth (min/max):	NA / NA
Dwelling Unit Width (min/max):	NA / NA

#### Facade Requirements

Transparency: 1st Floor (min):	NA
Transparency: Upper Floors (min):	NA
Blank Wall Limitations:	NA
Required Streetfront Entrances:	NA

<sup>1</sup> With exceptions based on hardships due to topography and/or primary structure built in unconventional location - requires administrative decision by planning staff.

<sup>2</sup> In addition to the required setbacks, a Detached ADU must have a minimum of 10' of clearance from all sides from any other building.

#### B. CONDITIONS

1. Only one entrance is permitted on the front facade while the second entrance can be on the side or rear of the building.
2. Shall be secondary and accessory to the main dwelling.
3. May be detached or attached to another detached structure.
4. Shall be fully functional as an independent living space.
5. Shall be on the same lot as the primary dwelling.
6. Must meet Accessory Structure Setbacks.
7. Primary or ADU must be occupied by the property owner of record.

## 5.4.4 COTTAGE

## A. DESCRIPTION

A freestanding residential structure containing one dwelling unit. A cottage may be a principal structure or an accessory structure because of its small size. The minimum floor area of any cottage dwelling unit is 700 square feet, and the maximum is 1,200 square feet.

## SAMPLE IMAGES



**TABLE 5.4-4 BUILDING TYPE SPECIFIC STANDARDS: COTTAGE**

General	
Dwelling Units (min/max):	1 / 2 per parcel 3 / 12 cottage court
ADU Permitted / Type:	No / NA
Site Standards <sup>1</sup> for Cottage Courts	
Lot Size (min):	4,000 sq. ft. per parcel <sup>2</sup>
Street Frontage Width (min):	Per Zoning/Overlay District
Lot Width (min):	25'
Lot Depth (min):	NA
Lot Coverage (max):	55% per parcel
Common Outdoor Space (min):	200 sq.ft. per dwelling <sup>3</sup>
Placement <sup>1</sup> for Cottage Courts	
Front Setbacks (min/max):	10' / 20' from street ROW
Side-Interior Setback (min):	5' (8' between dwellings)
Side-Street Setbacks (min/max):	Average setback / NA
Rear Setback (min):	5'
Front Streetfront Width (min):	Per Zoning/Overlay District
Side Streetfront Width (min):	Per Zoning/Overlay District
Orientation:	Entrance facing the courtyard
Access <sup>1</sup> for Cottage Courts	
Vehicular Access:	Side, Rear, Alley
Driveway Type:	Shared
Primary Pedestrian Entrance:	Courtyard facing facade
Parking Location:	side, rear, or rear corner yard
Height	
Primary Structure (min/max):	NA / 29' (1.5 stories)
Min. Floor-to-Ceiling (1st floor):	8'
Max. Height in BTZ (front/side):	NA / NA
Height Stepback (front/side):	NA / NA
Massing	
Gross Floor Area (min/max):	700 sq. ft. / 1,200 sq. ft.
Floor Area Ratio (max):	NA
Building Width (min/max):	15' / 30'
Building Depth (min/max):	NA / 80'
Dwelling Unit Width (min/max):	15' / 80'
Facade Requirements	
Transparency: 1st Floor (min):	NA
Transparency: Upper Floors (min):	NA
Blank Wall Limitations:	NA
Required Streetfront Entrances:	NA

<sup>1</sup>Sites with 1 or 2 cottage dwellings are subject to their respective Zoning/Overlay district standards

<sup>2</sup>May credit Common Outdoor Space towards minimum lot area

<sup>3</sup>Common Outdoor space may be on its own parcel or reserved by recorded access easement

## B. CONDITIONS

1. Development sites with 3 or more cottage dwellings are subject to the standards in Section 9.10.4 Cottage Courts.
2. Cottage Courts developments shall be subdivided so that no more than 2 dwelling units are on an individual parcel. Minimum right-of-way frontage may be waived by Planning Staff.

## 5.4.5 DUPLEX

## A. DESCRIPTION

A residential building designed for, or used as, two separate attached dwellings on one lot, having the exterior appearance of a single-dwelling house.

## SAMPLE IMAGES



TABLE 5.4-5 BUILDING TYPE SPECIFIC STANDARDS: DUPLEX

## General

Dwelling Units (min/max):	2 / 3 with ADU per parcel
ADU Permitted / Type:	Yes / Detached
<b>Site Standards</b>	
Lot Size (min):	Per Zoning/Overlay District
Street Frontage Width (min):	Per Zoning/Overlay District
Lot Width (min):	Per Zoning/Overlay District
Lot Depth (min):	Per Zoning/Overlay District
Lot Coverage (max):	Per Zoning/Overlay District
Common Outdoor Space (min):	NA
<b>Placement</b>	
Front Setbacks (min/max):	Per Zoning/Overlay District
Side-Interior Setback (min):	Per Zoning/Overlay District
Side-Street Setbacks (min/max):	Per Zoning/Overlay District
Rear Setback (min):	Per Zoning/Overlay District
Front Streetfront Width (min):	Per Zoning/Overlay District
Side Streetfront Width (min):	Per Zoning/Overlay District
Orientation:	Front doors towards street
<b>Access</b>	
Vehicular Access:	Front, Side, Rear, Alley
Driveway Type:	Private or Shared
Primary Pedestrian Entrance:	Street facing facade
Parking Location:	any yard / max. 50% front yard
<b>Height</b>	
Primary Structure (min/max):	NA / 40' (2.5 stories)
Min. Floor-to-Ceiling (1st floor):	8'
Max. Height in BTZ (front/side):	NA / NA
Height Stepback (front/side):	NA / NA
<b>Massing</b>	
Gross Floor Area (min/max):	750 sq. ft. per dwelling unit / 4,000 sq. ft.
Floor Area Ratio (max):	NA
Building Width (min/max):	NA / 75'
Building Depth (min/max):	NA / 75'
Dwelling Unit Width (min/max):	NA / NA
<b>Facade Requirements</b>	
Transparency: 1st Floor (min):	NA
Transparency: Upper Floors (min):	NA
Blank Wall Limitations:	NA
Required Streetfront Entrances:	Min 2 entrances

## B. CONDITIONS

1. Permitted as a Special Exception in the COM-R district.
2. The Plan Commission may waive the minimum lot size, lot width, ROW frontage, and side-interior setback in order to subdivide a duplex.
3. ADUs require a special exception.
4. ADUs must be detached from the principal structure, but may be integrated with a detached accessory building/garage.

## 5.4.6 TRIPLEX

## A. DESCRIPTION

A triplex is defined as a residential building containing three distinct and separate dwelling units on one lot, designed for occupancy by three different families, each with their own independent living facilities.

## SAMPLE IMAGES



**TABLE 5.4-6 BUILDING TYPE SPECIFIC STANDARDS:TRIPLEX**

General	
Dwelling Units (min/max):	3 / 3 per parcel
ADU Permitted / Type:	No / NA
Site Standards	
Lot Size (min):	2 x Zoning/Overlay District <sup>1</sup>
Street Frontage Width (min):	Per Zoning/Overlay District
Lot Width (min):	1.5 x Zoning/Overlay District <sup>1</sup>
Lot Depth (min):	Per Zoning/Overlay District
Lot Coverage (max):	Per Zoning/Overlay District
Common Outdoor Space (min):	NA
Placement	
Front Setbacks (min/max):	Per Zoning/Overlay District
Side-Interior Setback (min):	Per Zoning/Overlay District
Side-Street Setbacks (min/max):	Per Zoning/Overlay District
Rear Setback (min):	Per Zoning/Overlay District
Front Streetfront Width (min):	NA
Side Streetfront Width (min):	NA
Orientation:	Front doors towards street
Access	
Vehicular Access:	Front, Side, Rear, Alley
Driveway Type:	Private or Shared
Primary Pedestrian Entrance:	NA
Parking Location:	side or rear yard; may have attached garages facing a front yard or corner side yard
Height	
Primary Structure (min/max):	NA / 35' (2.5 stories)
Min. Floor-to-Ceiling (1st floor):	8'
Max. Height in BTZ (front/side):	NA / NA
Height Stepback (front/side):	NA / NA
Massing	
Gross Floor Area (min/max):	500 sq. ft. per dwelling unit / NA
Floor Area Ratio (max):	Per Zoning/Overlay District
Building Width (min/max):	NA / 50'
Building Depth (min/max):	NA / 60'
Dwelling Unit Width (min/max):	NA / NA
Facade Requirements	
Transparency: 1st Floor (min):	NA
Transparency: Upper Floors (min):	NA
Blank Wall Limitations:	NA
Required Streetfront Entrances:	Min 1 entrance

<sup>1</sup> Varies by Zoning/Overlay district (min standard)

## B. CONDITIONS

1. Combination and orientation of units: 2 units over 1 unit, 1 unit over 2 units, 1 unit in front of 2 units, 2 units in front of 1 unit, side-by-side units.
2. Permitted as a special exception in the URB-R Districts; must locate on street corners fronting arterial or collector streets.
3. Any dwelling unit outside of the principal building shall be an "Detached ADU" (not permitted) even if adjoined to a detached garage. See Section 5.4.5 DUPLEX.
4. Planning staff may administratively grant exceptions to FAR.
5. Triplices proposed for subdivision so that each unit is on its own lot must meet the standards for Townhomes in Section 5.4.8 TOWNHOMES.

## 5.4.7 QUADPLEX

## A. DESCRIPTION

A quadplex is a residential building containing four separate dwelling units on a single lot, each designed to be occupied by one household, with individual housekeeping and cooking facilities for each unit.

## SAMPLE IMAGES



**TABLE 5.4-7 BUILDING TYPE SPECIFIC STANDARDS: QUADPLEX**

## General

Dwelling Units (min/max):	4 / 4 per parcel
ADU Permitted / Type:	No / NA

## Site Standards

Lot Size (min):	2 x District <sup>1</sup>
Street Frontage Width (min):	Per Zoning/Overlay District
Lot Width (min):	1.5 x Zoning/Overlay District <sup>1</sup>
Lot Depth (min):	Per Zoning/Overlay District
Lot Coverage (max):	Per Zoning/Overlay District
Common Outdoor Space (min):	NA

## Placement

Front Setbacks (min/max):	Per Zoning/Overlay District
Side-Interior Setback (min):	Per Zoning/Overlay District
Side-Street Setbacks (min/max):	Per Zoning/Overlay District
Rear Setback (min):	Per Zoning/Overlay District
Front Streetfront Width (min):	NA
Side Streetfront Width (min):	NA
Orientation:	Front doors towards street

## Access

Vehicular Access:	Front, Side, Rear, Alley
Driveway Type:	Private or Shared
Primary Pedestrian Entrance:	Street facing facade
Parking Location:	side or rear yard; may have attached garages facing a front yard or corner side yard

## Height

Primary Structure (min/max):	NA / 35' (2.5 stories)
Min. Floor-to-Ceiling (1st floor):	8'
Max. Height in BTZ (front/side):	NA / NA
Height Stepback (front/side):	NA / NA

## Massing

Gross Floor Area (min/max):	500 sq. ft. per dwelling unit / NA
Floor Area Ratio (max):	Per Zoning/Overlay District
Building Width (min/max):	NA / NA
Building Depth (min/max):	NA / NA
Dwelling Unit Width (min/max):	NA / NA

## Facade Requirements

Transparency: 1st Floor (min):	NA
Transparency: Upper Floors (min):	NA
Blank Wall Limitations:	NA
Required Streetfront Entrances:	Min 2 entrances

<sup>1</sup> Varies by Zoning/Overlay district (min standard)

## B. CONDITIONS

- Combination and orientation of units: 2 units over 2 units, or 2 units in front of 2 units. See Section 5.4.8 TOWNHOMES for side-by-side units.
- Permitted as a special exception in the URB-R Districts; must locate on streetcorners fronting arterial or collector streets.
- Any dwelling unit outside of the principal building shall be an "Detached ADU" (not permitted) even if adjoined to a detached garage.
- Planning staff may administratively grant exceptions to FAR.
- Quadplexes proposed for subdivision so that each unit is on its own lot must meet the standards for Section 5.4.8 TOWNHOMES

## 5.4.8 TOWNHOMES

## A. DESCRIPTION

Attached dwelling unit in structures housing three or more dwelling units, contiguous to each other by the sharing of at least one common bearing wall; such structures are to be of the townhome building type as contrasted to multiple-dwelling apartment structures. No single structure shall contain in excess of six dwelling units and each dwelling unit shall have separate entrances.

These standards shall only apply to townhomes built after adoption date of this UDO.

## SAMPLE IMAGES



**TABLE 5.4-8 BUILDING TYPE SPECIFIC STANDARDS: TOWNHOMES**

General	
Dwelling Units (min/max):	3 / Per Zoning/Overlay District per development site
ADU Permitted / Type:	No / NA
Site Standards	
Lot Size (min):	Per Zoning/Overlay District
Street Frontage Width (min):	20'
Lot Width (min):	20'
Lot Depth (min):	Per Zoning/Overlay District
Lot Coverage (max):	Per Zoning/Overlay District
Common Outdoor Space (min):	See Section 8.8 BUFFERS
Placement	
Front Setbacks (min/max):	Per Zoning/Overlay District
Side-Interior Setback (min):	Per Zoning/Overlay District / 0' along common walls
Side-Street Setbacks (min/max):	Per Zoning/Overlay District
Rear Setback (min):	Per Zoning/Overlay District
Front Streetfront Width (min):	20'
Side Streetfront Width (min):	Per Zoning/Overlay District
Orientation:	Street or Courtyard facing facade
Access	
Vehicular Access:	Front, Side, Rear, Alley
Driveway Type:	Private, Shared, Common Parking Area
Primary Pedestrian Entrance:	Street facing facade
Parking Location:	Rear Yard, Corner Rear Yard
Height	
Primary Structure (min/max):	NA / 40' <sup>1</sup> (3 stories)
Min. Floor-to-Ceiling (1st floor):	8'
Max. Height in BTZ (front/side):	NA / NA
Height Stepback (front/side):	NA / NA
Massing	
Gross Floor Area (min/max):	800 sq. ft. per dwelling unit / NA
Floor Area Ratio (max):	Per Zoning/Overlay District
Building Width (min/max):	3 Units / 6 Units
Building Depth (min/max):	NA / NA
Dwelling Unit Width (min/max):	20' / NA
Facade Requirements	
Transparency: 1st Floor (min):	NA
Transparency: Upper Floors (min):	NA
Blank Wall Limitations:	NA
Required Streetfront Entrances:	1 per dwelling

<sup>1</sup> Varies by Zoning/Overlay district (min standard)

## B. CONDITIONS

1. Permitted as a Special Exception in the COM-R district.
2. Townhomes may incorporate an attached garage on the rear building elevation.
3. Any dwelling unit outside of the principal building shall be an "Detached ADU" (not permitted) even if adjoined to a detached garage.
4. Planning staff may administratively grant exceptions to FAR.

## 5.4.9 NEIGHBORHOOD MULTI-DWELLING

## A. DESCRIPTION

A detached structure with 5 or more dwelling units on a single lot arranged side-by-side and/or stacked, typically with a shared entry from the street. This type ideally has the appearance of a medium-to-large single-dwelling house but may in some instances take the form of a small apartment building.

## SAMPLE IMAGES



TABLE 5.4-9 BUILDING TYPE SPECIFIC STANDARDS: NEIGHBORHOOD MULTI-DWELLING

General	
Dwelling Units (min/max):	5 / NA <sup>1</sup>
ADU Permitted / Type:	No / NA
Site Standards	
Lot Size (min):	Per Zoning/Overlay District <sup>2</sup>
Street Frontage Width (min):	Per Zoning/Overlay District
Lot Width (min):	Per Zoning/Overlay District
Lot Depth (min):	Per Zoning/Overlay District
Lot Coverage (max):	Per Zoning/Overlay District
Common Outdoor Space (min):	10% / See Section 8.8 BUFFERS
Placement	
Front Setbacks (min/max):	Per Zoning/Overlay District / 15' past District Min.
Side-Interior Setback (min):	Per Zoning/Overlay District
Side-Street Setbacks (min/max):	Per Zoning/Overlay District
Rear Setback (min):	Per Zoning/Overlay District
Front Streetfront Width (min):	75%
Side Streetfront Width (min):	Per Zoning/Overlay District
Orientation:	Front door towards street
Access	
Vehicular Access:	Front, Side, Rear, Alley
Driveway Type:	Private, Shared, Common Parking Area
Primary Pedestrian Entrance:	Street facing facade
Parking Location:	Rear Yard, Corner Rear Yard
Height	
Primary Structure (min/max):	20 / 40' (3 stories)
Min. Floor-to-Ceiling (1st floor):	9'
Max. Height in BTZ (front/side):	NA / NA
Height Stepback (front/side):	NA / NA
Massing	
Gross Floor Area (min/max):	450 sq. ft. per dwelling unit / NA
Floor Area Ratio (max):	Per Zoning/Overlay District
Building Width (min/max):	50' / 80'
Building Depth (min/max):	40' / 80'
Dwelling Unit Width (min/max):	NA / NA
Facade Requirements	
Transparency: 1st Floor (min):	NA
Transparency: Upper Floors (min):	NA
Blank Wall Limitations:	NA
Required Streetfront Entrances:	NA

<sup>1</sup> Regulated by building form / size

<sup>2</sup> The minimum building size, setbacks, and lot coverage may require more than the Zoning/Overlay district's minimum lot size

## B. CONDITIONS

1. Parking is prohibited in the Build-To Zone (BTZ).
2. Limited to one principal building per Zoning/Overlay lot.

## 5.4.10 MULTI-DWELLING

### A. DESCRIPTION

A building type consisting of a large apartment or condominium structure that houses numerous residential units. Multi-dwelling buildings are usually part of a comprehensive development plan that may include similar structures or a mix of other building types. These medium-density residential buildings typically feature shared access points, common areas, and centralized parking facilities, which may be in the form of surface lots or multi-level parking decks.

#### SAMPLE IMAGES



**TABLE 5.4-10 BUILDING TYPE SPECIFIC STANDARDS: MULTI-DWELLING**

General	
Dwelling Units (min/max):	5 / NA <sup>1</sup>
ADU Permitted / Type:	No / NA
Site Standards	
Lot Size (min):	Per Zoning/Overlay District <sup>2</sup>
Street Frontage Width (min):	Per Zoning/Overlay District
Lot Width (min):	Per Zoning/Overlay District
Lot Depth (min):	Per Zoning/Overlay District
Lot Coverage (max):	Per Zoning/Overlay District
Common Outdoor Space (min):	See Section 8.8 BUFFERS
Placement	
Front Setbacks (min/max):	Per Zoning/Overlay District
Side-Interior Setback (min):	Per Zoning/Overlay District
Side-Street Setbacks (min/max):	Per Zoning/Overlay District
Rear Setback (min):	Per Zoning/Overlay District
Front Streetfront Width (min):	Per Zoning/Overlay District
Side Streetfront Width (min):	Per Zoning/Overlay District
Orientation:	Street or Courtyard facing facade
Access	
Vehicular Access:	Front, Side, Rear, Alley
Driveway Type:	Private or Shared
Primary Pedestrian Entrance:	Street facing facade
Parking Location:	Side, Rear, or Corner Rear Yard
Height	
Primary Structure (min/max):	NA / 40' (3 stories, or 4 stories if garden level)
Min. Floor-to-Ceiling (1st floor):	8'
Max. Height in BTZ (front/side):	NA / NA
Height Stepback (front/side):	NA / NA
Massing	
Gross Floor Area (min/max):	450 sq. ft. per dwelling unit / NA
Floor Area Ratio (max):	NA
Building Width (min/max):	NA / NA
Building Depth (min/max):	NA / NA
Dwelling Unit Width (min/max):	NA / NA
Facade Requirements	
Transparency: 1st Floor (min):	NA
Transparency: Upper Floors (min):	NA
Blank Wall Limitations:	NA
Required Streetfront Entrances:	NA

<sup>1</sup> Regulated by building form / size

<sup>2</sup> The minimum building size, setbacks, and lot coverage may require more

### B. CONDITIONS

1. Parking is prohibited in the Build-To Zone (BTZ).
2. Multi-Dwelling developments with 2 or more buildings must locate along collector or arterial streets.
3. The max. number of principal buildings is determined per Zoning/Overlay district.
4. Permitted as a special exception in the INST and R&D-I Districts

## 5.4.11 MID-RISE

## A. DESCRIPTION

The Mid-Rise building type is a medium to large sized structure, at least 4 stories tall, is flexible in use and often incorporates structured parking. It can be used to provide a vertical mix of uses with ground-floor retail or service uses and upper-floor office, service, or residential uses; or may be a single-use building, typically office, service, or residential, where ground floor retail is not appropriate.

## SAMPLE IMAGES



TABLE 5.4-11 BUILDING TYPE SPECIFIC STANDARDS: MID-RISE

General	
Dwelling Units (min/max):	NA / NA
ADU Permitted / Type:	No / NA
Site Standards	
Lot Size (min):	Per Zoning/Overlay District
Street Frontage Width (min):	Per Zoning/Overlay District
Lot Width (min):	Per Zoning/Overlay District
Lot Depth (min):	Per Zoning/Overlay District
Lot Coverage (max):	Per Zoning/Overlay District
Common Outdoor Space (min):	See Chapter 8 Landscaping
Placement	
Front Setbacks (min/max):	Per Zoning/Overlay District
Side-Interior Setback (min):	Per Zoning/Overlay District
Side-Street Setbacks (min/max):	Per Zoning/Overlay District
Rear Setback (min):	Per Zoning/Overlay District
Front Streetfront Width (min):	Per Zoning/Overlay District
Side Streetfront Width (min):	Per Zoning/Overlay District
Orientation:	Per Zoning/Overlay District
Access	
Vehicular Access:	Front, Side, Rear, Alley
Driveway Type:	Private or Shared
Primary Pedestrian Entrance:	Min 1 per street facing facade
Parking Location:	Side, Rear, or Corner Rear Yard
Height	
Primary Structure (min/max):	45' / Per Zoning/Overlay District
Min. Floor-to-Ceiling (1st floor):	12'
Max. Height in BTZ (front/side):	Per Zoning/Overlay District
Height Stepback (front/side):	Per Zoning/Overlay District
Massing	
Gross Floor Area (min/max):	450 sq. ft. per dwelling unit / NA
Floor Area Ratio (max):	Per Zoning/Overlay District
Building Width (min/max):	NA / 150'
Building Depth (min/max):	NA / NA
Dwelling Unit Width (min/max):	NA / NA
Facade Requirements	
Transparency: 1st Floor (min):	50% all street facing facades <sup>1</sup>
Transparency: Upper Floors (min):	20%
Blank Wall Limitations:	25' horizontal (max) / 30% Facade Area
Required Streetfront Entrances:	1/ground floor unit or 1/100' of facade (whichever is more)

## B. CONDITIONS

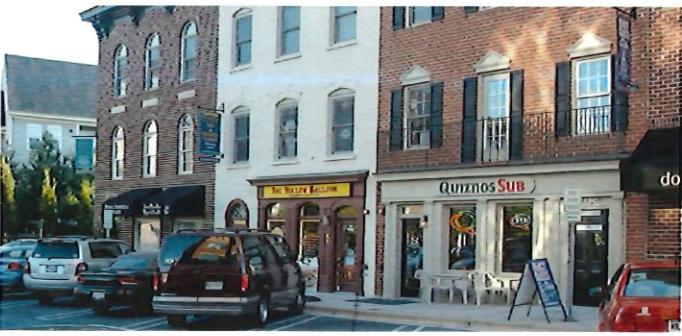
1. In the MIX-R District, a residential only mid-rise building may be permitted by special exception.
2. Any mid-rise building within the Airport Overlay District shall be subject to Section 3.5.1.E. Height Limitations.

## 5.4.12 NEIGHBORHOOD STREETFRONT

### A. Description

Neighborhood Streetfront: A versatile building type ranging from 1 to 3 stories that blends seamlessly into residential areas while offering space for commercial and mixed uses. These structures, which can be freestanding or attached, are scaled to complement surrounding homes and feature design elements that enhance the pedestrian experience. Neighborhood streetfront buildings may incorporate a mix of uses such as small-scale retail, dining establishments, professional offices, and residential units on upper floors, fostering a walkable, amenity-rich environment within the neighborhood.

#### SAMPLE IMAGES



**TABLE 5.4-12 BUILDING TYPE SPECIFIC STANDARDS: NEIGHBORHOOD STREETFRONT**

#### General

Dwelling Units (min/max):	NA / NA
ADU Permitted / Type:	No / NA
<b>Site Standards</b>	
Lot Size (min):	Per Zoning/Overlay District
Street Frontage Width (min):	20'
Lot Width (min):	20'
Lot Depth (min):	100'
Lot Coverage (max):	Per Zoning/Overlay District
Common Outdoor Space (min):	See Chapter 8 Landscaping
<b>Placement</b>	
Front Setbacks (min/max):	0' / 20'
Side-Interior Setback (min):	Per Zoning/Overlay District / 0' along common walls
Side-Street Setbacks (min/max):	0' / 10'
Rear Setback (min):	Per Zoning/Overlay District
Front Streetfront Width (min):	80%
Side Streetfront Width (min):	50%
Orientation:	Build to right-of-way
<b>Access</b>	
Vehicular Access:	Front, Side, Rear, Alley
Driveway Type:	Private, Shared, Public
Primary Pedestrian Entrance:	Street facing facade
Parking Location:	Side, Rear, or Corner Rear Yard
<b>Height</b>	
Primary Structure (min/max):	NA / 40'
Min. Floor-to-Ceiling (1st floor):	12'
Max. Height in BTZ (front/side):	40' / 40'
Height Stepback (front/side):	NA / NA
<b>Massing</b>	
Gross Floor Area (min/max):	450 sq. ft. per dwelling unit / 15,000 sq. ft. cumulative total
Floor Area Ratio (max):	1.2 (unit)
Building Width (min/max):	20' / 100'
Building Depth (min/max):	40' / 80'
Dwelling Unit Width (min/max):	20' / 100'
<b>Facade Requirements</b>	
Transparency: 1st Floor (min):	50% All Street facing facade
Transparency: Upper Floors (min):	20% All Street facing facade
Blank Wall Limitations:	20' horizontal (max) / <30% Facade Area
Required Streetfront Entrances:	1/ground floor unit or 1/50' of facade (whichever is more)

### B. CONDITIONS

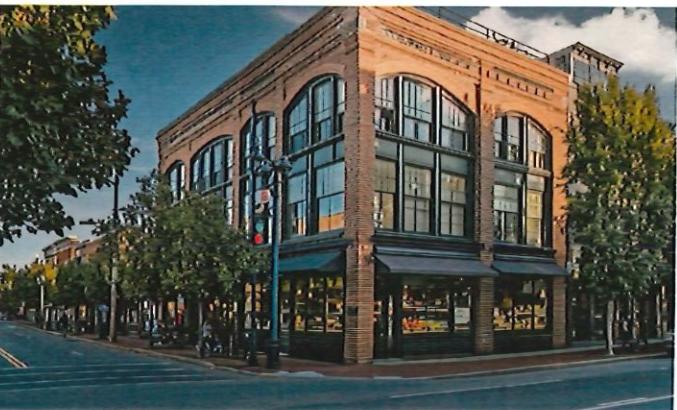
1. Should not be permitted on lots with topography that prohibits the ground floor to be ADA accessible from the sidewalk.
2. Exceptions may be provided for the Build-to Zone requirement if a courtyard, plaza, or other public amenity is provided.
3. Allow on streetcorners fronting arterials or collectors the MIX-R district. Certain uses may require special exceptions.

## 5.4.13 URBAN STREETFRONT

### A. DESCRIPTION

A multi-story structure designed to accommodate a vertical mix of uses, with at least 50% of the ground-floor gross floor area used for retail or service uses and upper-floor residential, office, or hospitality uses. This building type is intended to create a vibrant, pedestrian-oriented environment in urban areas.

#### SAMPLE IMAGES



**TABLE 5.4-13 BUILDING TYPE SPECIFIC STANDARDS: URBAN STREETFRONT**

General	
Dwelling Units (min/max):	NA / NA
ADU Permitted / Type:	No / NA
Site Standards	
Lot Size (min):	Per Zoning/Overlay District
Street Frontage Width (min):	Per Zoning/Overlay District
Lot Width (min):	Per Zoning/Overlay District
Lot Depth (min):	Per Zoning/Overlay District
Lot Coverage (max):	Per Zoning/Overlay District
Common Outdoor Space (min):	See Chapter 8 Landscaping
Placement	
Front Setbacks (min/max):	0' / 20'
Side-Interior Setback (min):	0' along common walls / 10' Detached
Side-Street Setbacks (min/max):	0' / 15'
Rear Setback (min):	Per Zoning/Overlay District
Front Streetfront Width (min):	80%
Side Streetfront Width (min):	60%
Orientation:	Build to right-of-way
Access	
Vehicular Access:	Front, Side, Rear, Alley
Driveway Type:	Private, Shared, or Public
Primary Pedestrian Entrance:	Front street facing facade
Parking Location:	Rear or Corner Rear Yard
Height	
Primary Structure (min/max):	16' / Per Zoning/Overlay District
Min. Floor-to-Ceiling (1st floor):	14'
Max. Height in BTZ (front/side):	44' / 44'
Height Stepback (front/side):	30' / 20'
Massing	
Gross Floor Area (min/max):	450 sq. ft. per dwelling unit / NA
Floor Area Ratio (max):	NA
Building Width (min/max):	NA / 150'
Building Depth (min/max):	NA / NA
Dwelling Unit Width (min/max):	NA / NA
Facade Requirements	
Transparency: 1st Floor (min):	65% (All street facing facades)
Transparency: Upper Floors (min):	30%
Blank Wall Limitations:	25' horizontal (max) / 25% Facade Area

### B. CONDITIONS

- Prominent ground-floor entrances shall face the primary street.
- Buildings should have active frontages with no off-street parking between building and street.
- Encourage public or semi-public spaces such as plazas or courtyards.
- Apply architectural articulation to break up long facades as prescribed in Chapter 10 Design Criteria for Development Plans.
- Allow encroachments for weather protection elements like awnings or canopies.

#### 5.4.14 FLEX (1-3 STORIES)

##### A. DESCRIPTION

A building type that accommodates nonresidential uses at varying scales dependent on the district in which it is located. These buildings are constructed to accommodate a single purpose or a variety of uses. These could include retail, office, and institutional types of uses.

##### SAMPLE IMAGES



**TABLE 5.4-14 BUILDING TYPE SPECIFIC STANDARDS: FLEX**

General	
Dwelling Units (min/max):	NA
ADU Permitted / Type:	No / NA
Site Standards	
Lot Size (min):	Per Zoning/Overlay District
Street Frontage Width (min):	Per Zoning/Overlay District
Lot Width (min):	Per Zoning/Overlay District
Lot Depth (min):	Per Zoning/Overlay District
Lot Coverage (max):	Per Zoning/Overlay District
Common Outdoor Space (min):	See Chapter 8 Landscaping
Placement	
Front Setbacks (min/max):	Per Zoning/Overlay District
Side-Interior Setback (min):	Per Zoning/Overlay District
Side-Street Setbacks (min/max):	Per Zoning/Overlay District
Rear Setback (min):	Per Zoning/Overlay District
Front Streetfront Width (min):	Per Zoning/Overlay District
Side Streetfront Width (min):	Per Zoning/Overlay District
Orientation:	Per Zoning/Overlay District
Access	
Vehicular Access:	Front, Side, Rear, Alley
Driveway Type:	Private or Shared
Primary Pedestrian Entrance:	Per Zoning/Overlay District
Parking Location:	side, rear, or corner side yard / not in a minimum setback
Height	
Primary Structure (min/max):	Per Zoning/Overlay District
Min. Floor-to-Ceiling (1st floor):	12'
Max. Height in BTZ (front/side):	NA/NA
Height Stepback (front/side):	Per Zoning/Overlay District
Massing	
Gross Floor Area (min/max):	NA / NA
Floor Area Ratio (max):	Per Zoning/Overlay District
Building Width (min/max):	NA / 150'
Building Depth (min/max):	NA / NA
Dwelling Unit Width (min/max):	NA / NA
Facade Requirements	
Transparency: 1st Floor (min):	30% all street facing facades
Transparency: Upper Floors (min):	NA
Blank Wall Limitations:	20' horizontal (max) / 20% facade area
Required Streetfront Entrances:	NA

##### B. CONDITIONS

1. None

## 5.4.15 FLEXED ATTACHED

## A. Description

A single-story or low-rise structure featuring multiple attached commercial units with shared walls and a common façade. Designed to accommodate a mix of retail, dining, and service uses with flexible interior spaces. Characterized by a linear arrangement parallel to the street, shared parking areas typically located in front or side of the building, and individual storefronts with direct exterior access. Common in suburban commercial corridors.

## SAMPLE IMAGES



TABLE 5.4-15 BUILDING TYPE SPECIFIC STANDARDS: FLEX ATTACHED

General	
Dwelling Units (min/max):	NA / NA
ADU Permitted / Type:	No / NA
Site Standards	
Lot Size (min):	Per Zoning/Overlay District
Street Frontage Width (min):	Per Zoning/Overlay District
Lot Width (min):	Per Zoning/Overlay District
Lot Depth (min):	Per Zoning/Overlay District
Lot Coverage (max):	Per Zoning/Overlay District
Common Outdoor Space (min):	15% / See Chapter 8 Landscaping
Placement	
Front Setbacks (min/max):	Per Zoning/Overlay District
Side-Interior Setback (min):	Per Zoning/Overlay District / 0' along common walls
Side-Street Setbacks (min/max):	Per Zoning/Overlay District
Rear Setback (min):	Per Zoning/Overlay District
Front Streetfront Width (min):	Per Zoning/Overlay District
Side Streetfront Width (min):	Per Zoning/Overlay District
Orientation:	Per Zoning/Overlay District
Access	
Vehicular Access:	Front, Side, Rear
Driveway Type:	Private or Shared
Primary Pedestrian Entrance:	Per Zoning/Overlay District
Parking Location:	any yard / not in a minimum setback
Height	
Primary Structure (min/max):	16' / 35'
Min. Floor-to-Ceiling (1st floor):	12'
Max. Height in BTZ (front/side):	NA / NA
Height Stepback (front/side):	NA / NA
Massing	
Gross Floor Area (min/max):	NA / NA
Floor Area Ratio (max):	Per Zoning/Overlay District
Building Width (min/max):	NA / NA
Building Depth (min/max):	NA / NA
Dwelling Unit Width (min/max):	NA / NA
Facade Requirements	
Transparency: 1st Floor (min):	50% all street facing facades
Transparency: Upper Floors (min):	NA
Blank Wall Limitations:	20' horizontal (max) / 30% facade area
Required Streetfront Entrances:	1 per Unit

## B. CONDITIONS

1. None

#### 5.4.16 AUTO-ORIENTED

##### A. Description

A building type designed primarily for vehicular access and service, typically single-story with prominent drive-through facilities, service bays, or fueling stations. Characterized by significant surface parking, minimal pedestrian features, and high-visibility signage. Uses include gas stations, drive-through establishments, car care centers, and similar auto-centric businesses. Intended for major arterials or intersections, discouraged in pedestrian-oriented or downtown areas.

##### SAMPLE IMAGES



**TABLE 5.4.16 BUILDING TYPE SPECIFIC STANDARDS: AUTO-ORIENTED**

##### General

Dwelling Units (min/max):	NA / NA
ADU Permitted / Type:	No / NA
<b>Site Standards</b>	
Lot Size (min):	Per Zoning/Overlay District
Street Frontage Width (min):	Per Zoning/Overlay District
Lot Width (min):	Per Zoning/Overlay District
Lot Depth (min):	Per Zoning/Overlay District
Lot Coverage (max):	Per Zoning/Overlay District
Common Outdoor Space (min):	10% / See Chapter 8 Landscaping

##### Placement

Front Setbacks (min/max):	Per Zoning/Overlay District
Side-Interior Setback (min):	0' attached / 10' detached
Side-Street Setbacks (min/max):	0' / 15'
Rear Setback (min):	Per Zoning/Overlay District
Front Streetfront Width (min):	80%
Side Streetfront Width (min):	60%
Orientation:	Street facing

##### Access

Vehicular Access:	Front, Side, Rear
Driveway Type:	Private or Shared
Primary Pedestrian Entrance:	Street facing facade
Parking Location:	any yard / not in a minimum setback / no drive-throughs in a front yard

##### Height

Primary Structure (min/max):	16' / Per Zoning/Overlay District
Min. Floor-to-Ceiling (1st floor):	14'
Max. Height in BTZ (front/side):	44' / 44'
Height Stepback (front/side):	30' / 20'

##### Massing

Gross Floor Area (min/max):	NA / NA
Floor Area Ratio (max):	Per Zoning/Overlay District
Building Width (min/max):	NA / 150'
Building Depth (min/max):	NA / NA
Dwelling Unit Width (min/max):	NA / NA

##### Facade Requirements

Transparency: 1st Floor (min):	30% all street facing facades
Transparency: Upper Floors (min):	20%
Blank Wall Limitations:	20' horizontal (max) / 20% facade area
Required Streetfront Entrances:	1/ground floor unit or 1/50' of facade (whichever is more)

#### B. CONDITIONS

- Prominent ground-floor entrances must face the primary street.
- Encourage public or semi-public spaces such as plazas or courtyards.
- Apply architectural articulation to break up long facades.
- Allow encroachments for weather protection elements like awnings or canopies.

## 5.4.17 DISTRIBUTION AND STORAGE

## A. Description

A distribution and storage building type is a large sized structure with a one to two story entry space that may accommodate general offices with the remainder of the structure devoted to activities related to distribution, warehousing, and storage using loading and unloading bays.

## SAMPLE IMAGES



TABLE 5.4.17 BUILDING TYPE SPECIFIC STANDARDS: DISTRIBUTION AND STORAGE

## General

Dwelling Units (min/max):	NA / NA
ADU Permitted / Type:	No / NA

## Site Standards

Lot Size (min):	Per Zoning/Overlay District
Street Frontage Width (min):	Per Zoning/Overlay District
Lot Width (min):	Per Zoning/Overlay District
Lot Depth (min):	Per Zoning/Overlay District
Lot Coverage (max):	Per Zoning/Overlay District
Common Outdoor Space (min):	See Chapter 8 Landscaping

## Placement

Front Setbacks (min/max):	Per Zoning/Overlay District
Side-Interior Setback (min):	Per Zoning/Overlay District
Side-Street Setbacks (min/max):	Per Zoning/Overlay District
Rear Setback (min):	Per Zoning/Overlay District
Front Streetfront Width (min):	NA
Side Streetfront Width (min):	NA
Orientation:	NA

## Access

Vehicular Access:	Front, Side, Rear
Driveway Type:	Private or Shared
Primary Pedestrian Entrance:	Street facing facade
Parking Location:	any yard / not in a minimum setback

## Height

Primary Structure (min/max):	Per Zoning/Overlay District
Min. Floor-to-Ceiling (1st floor):	15'
Max. Height in BTZ (front/side):	NA / NA
Height Stepback (front/side):	NA / NA

## Massing

Gross Floor Area (min/max):	NA / NA
Floor Area Ratio (max):	Per Zoning/Overlay District
Building Width (min/max):	NA / NA
Building Depth (min/max):	NA / NA
Dwelling Unit Width (min/max):	NA / NA

## Facade Requirements

Transparency: 1st Floor (min):	20% all street facing facades
Transparency: Upper Floors (min):	NA
Blank Wall Limitations:	NA
Required Streetfront Entrances:	1/ground floor unit

## B. CONDITIONS

- None

## 11.10 SPECIALTY SIGN TYPES

The following specialty sign types require zoning clearance permits unless exempt per Section 10.2.2. Signs Not Requiring a Permit.

TABLE 11.10.1 BANNER SIGNS

	<b>ZONING DISTRICT</b> Non-Residential
Installation	Temporary; 180 days business or industrial zoning, 30 days all other zoning <sup>1</sup>
Number of Signs	1
<b>SIGN STANDARDS</b>	
Max. Area	40 sq. ft.; max. 7.5ft. tall
Max. Height	20ft.
Illumination	N/A
Additional Standards	<p>Banners shall be maintained as installed and not allowed to droop, sag, flap, or become torn or frayed.</p> <p>Banners may not cover windows, doors, or other openings.</p> <p><small><sup>1</sup>Religious uses are exempt from these standards.</small></p>

TABLE 11.10.3 CONSTRUCTION SITE FENCE WRAPS

	<b>ZONING DISTRICT</b> All
Installation	Temporary, see below
Number of Signs	1 per street frontage
<b>SIGN STANDARDS</b>	
Sign must be affixed to perimeter fencing at a construction site.	
Fence wraps must be removed at the time a Certificate of Occupancy is issued for the final portion of any construction at that site or 24 months from the time the fence wrap was installed, whichever is shorter.	
Illuminated fence wraps are not permitted.	

TABLE 11.10.2 CONSTRUCTION POLE SIGN

	<b>ZONING DISTRICT</b> All
Installation	Temporary, see below
Number of Signs	1 per street frontage
<b>SIGN STANDARDS</b>	
Max. Area	32 sq. ft.
Max. Height	20ft.
Illumination	N/A
Additional Standards	<p>Signs may be displayed in concurrence with an active building permit. Signs shall be removed 5 days after completion of construction and prior to occupancy. No sign shall be erected until the applicable zoning approvals have been obtained.</p> <p>Signs must be mounted on poles or stakes in the ground.</p> <p>Signs shall be confined to the site of construction.</p>

TABLE 11.10.4 FEATHER FLAG SIGNS

	<b>ZONING DISTRICT</b> All
Installation	Temporary; during business hours only
Number of Signs	2 per tenant
<b>SIGN STANDARDS</b>	
Location	5ft. from any property line
Max. Height	10ft.
Max. Width	30 in.
Illumination	N/A
Additional Standards	The sign must not obstruct vehicles, bicycle, or pedestrian traffic, and must comply with ADA clearance and accessibility.

TABLE 11.10.9 SHORT-TERM EVENT SIGNS



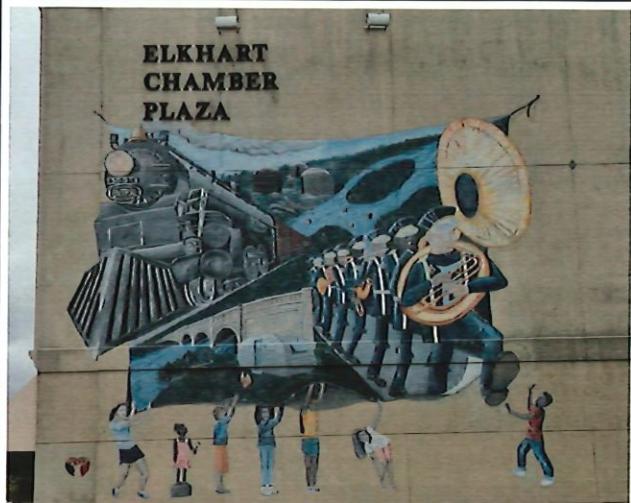
ZONING DISTRICT	All
Installation	Temporary; 30 days <sup>1</sup>
Number of Signs	4 <sup>2</sup>
SIGN STANDARDS	
Max. Area	6 sq. ft. per side
Max. Height	4ft.
Illumination	N/A
Setback (Freestanding)	5ft.
Additional Standards	<p>Short-Term Event Signs may be installed 14 days prior to the event, displayed for up to 10 days, and shall be removed 1 day after the event.<sup>1</sup></p> <p>Off-site signs shall obtain permission of the property owner.</p> <p>Recurring events may be advertised once per quarter, or per Planning Staff approval.<sup>1</sup></p> <p><sup>1</sup>Religious uses are exempt from these standards.</p> <p><sup>2</sup>Religious uses are allowed an additional 2 signs for every 250 ft. of frontage.</p>
EXAMPLES OF SHORT-TERM EVENT SIGNS	
Signs for Festivals, Signs for Sport Events, Signs for Community Events, Directional and/or Parking Signs for Events	

TABLE 11.10.10 SIDEWALK SIGNS



ZONING DISTRICT	CBD, Downtown Overlay
Installation	Temporary; during business hours only
Number of Signs	1 per tenant
SIGN STANDARDS	
Location	generally adjacent to the primary facade
Max. Area	6 sq. ft.
Max. Height	42 in.
Max. Width	36 in.
Illumination	N/A
Additional Standards	The sign must not obstruct vehicles, bicycle, or pedestrian traffic, and must comply with ADA clearance and accessibility.

TABLE 11.10.11 MURALS



ZONING DISTRICT	All
Installation	Permanent or Temporary
Number of Signs	N/A
MURAL STANDARDS	
Location	<p>prohibited on the primary building facade</p> <p>shall locate on unfinished facades or walls, or parts of walls devoid of windows and doors, except for emergency exits</p>
Max. Area	100% of the wall, if the mural contains no commercial message
Illumination	N/A, except lighting required by building codes
Additional Standards	<p>Murals or art shall not obstruct architectural features, windows, doors, and other points of access.</p> <p>Murals shall not use changeable-copy, electronic message centers or video displays for temporary murals.</p> <p>Installation and anchoring shall be accomplished in a manner that will not pose a risk of harm to any architectural features, nor compromise the building in any way.</p> <p>Basic maintenance shall occur including removal/replacement if deterioration is evident with rips, failure of anchoring, fading or discoloration, etc.</p> <p>Murals may contain the artist's signature, logo, and/or social media handle with a max. area of 2 sq. ft.</p>

TABLE 11.10.23 OFF-PREMISES SIGNS



ZONING DISTRICT		COM-B, R&D-I, MAN-I	
Installation		Permanent	
Number of Signs		1; 2 faces installed back-to-back	
SIGN STANDARDS BASED ON LOCATION		GENERAL	ON LIMITED ACCESS HIGHWAYS & TOLL ROADS
Applicability		any off-premises sign or outdoor advertisement located more than 660ft. from an INDOT Control Route	any off-premises sign or outdoor advertisement sign within 660 ft. of an INDOT Control Route (including I-80/90) shall also obtain a permit from INDOT and comply with the standards in 105 IAC 7-4 prior to issuance of a sign permit by the City of Elkhart
Max. Area		300 sq. ft.	672 sq. ft.
Max. Height		30 ft.	35 ft.
Distance between Signs		1,000ft. as measured along centerline of the ROW to which the sign is visible, from the point in the centerline closest to the leading edge of the sign 300 ft. in any direction (radial) from any other advertising sign	
Setback		25ft. from any ROW or intersection, or required front setback, whichever is greater	50 ft. from ROW, or required front setback, whichever is greater 500 ft. from an interchange, at-grade intersection, or rest area
Required Separation	Residential District or Park	60 ft.; 120 ft. when measured along a common ROW	100 ft.; 200 ft. when measured along a common ROW
	Local, State, or Federal Historic District or Structure	1,000 ft.	
	St. Joseph River, Elkhart River, or Christiana Creek	1,300 ft. as measured from the stream bed.	
Illumination		External	
Electronic Message Center		Up to 100% of the sign face; subject to all other standards in Table 11.10.18 Electronic Message Center Signs, except sign area	
Additional Standards		Shall be permitted as a ground sign unless otherwise restricted by this UDO. Shall not be located in the front yard adjacent to a residential district Subject to approval by Planning Staff. The owners of all off-premises signs shall provide to the Planning Staff an annual inventory of all such signs by March 15 of each year. The inventory shall include the following information: <ol style="list-style-type: none"> <li>1. Location by address and legal description;</li> <li>2. Height of sign;</li> <li>3. Number of faces and orientation;</li> <li>4. Size of sign(s); and</li> <li>5. Setbacks from property lines.</li> </ol>	

## 4.3 AGRICULTURAL USE CONDITIONS

Agricultural Uses are not permitted by right in the City of Elkhart, except as expressly stated in Section 12.6 Wetland Conservation Overlay District. Agricultural uses may only be permitted by a variance of use.

## 4.4 RESIDENTIAL USE CONDITIONS

### 4.4.1 Bed & Breakfast Inns

#### A. Intent

The provisions set forth in this Section of the Zoning Ordinance are intended to qualify and supplement the district regulations in the interest of public health, safety, and welfare to assure that bed and breakfast homes are developed, maintained, and operated in a manner consistent with the neighborhood in which they exist.

B. Short term rentals are permitted as a special exception. Short term rentals that are owner occupied are subject to Indiana Code 36-1-24-8 (or current statutes), short term rentals that are not owner-occupied are subject to Indiana Code 36-1-24-9 (or current statutes).

1. Limitations on short term rentals shall be subject to enforcement per Indiana Code 36-1-24-10 (or current statutes).

#### C. Development Standards

The following provisions shall apply to all bed and breakfast homes:

1. Food shall be offered only to overnight guests.
2. The Board of Zoning Appeals may attach other conditions to the operation of the Bed and Breakfast Home including but not limited to parking, signs, number of rooms, patrons, and time of operation.
3. No special exception shall be granted until the Board of Zoning Appeals, in their deliberations, determines that the Bed and Breakfast home will not

change the residential character of the neighborhood.

4. All uses and operations shall be conducted within completely enclosed buildings. All on-site vehicular circulation and traffic patterns shall be approved by the Planning and Zoning Staff.
5. No show windows or other exterior display, except for one sign which shall be a non-illuminated identification sign attached to the residence not exceeding 6 square feet.
6. Bed and Breakfast homes shall provide parking as required by Chapter 7. All parking shall be in rear yards and shall be screened from adjoining land uses.
7. Accessory buildings and structures such as barns, sheds, and the like may not be used for guest rooms in a Bed and Breakfast home.
8. A landscaping plan shall be submitted for approval by the Planning and Zoning Staff.
9. All bed and breakfast homes located in Residential Zoning Districts must be owner occupied and shall have a maximum of 5 guest rooms.

### 4.4.2 Convalescent Homes, Nursing Homes, or Hospices

A. The facility shall maintain a common dining room and common kitchen. The facility shall provide communal gathering areas.

B. Each residential room may have up to 2 occupants.

### 4.4.3 Day Care Home

A. Permitted as a special exception in residential districts. Any building renovation plans shall be submitted with the special exception application.

- B. The operator of a day care home must reside on the premises as their primary residence.
- C. Operation of a day care home is subject to State license requirements. A copy of the childcare home license shall be submitted to the Department of Planning and Zoning upon receipt from the Indiana Family and Social Services Administration.
- D. If the day care ceases to operate for more than 1 year, or the license is revoked, the special exception becomes null and void. Any violation of the terms of the special exception as determined by the Department of Planning and Zoning shall render the special exception invalid.
- E. All children shall be restricted to the building and fenced-in play area(s) except when arriving and leaving, or on supervised walks or outings.
- F. The facility and grounds must be always kept clean and free of trash or debris.
- G. There shall be no exterior display, signs, or other forms of advertising on the premises.
- H. There shall be a maximum of 16 children.
- I. Pick-up and drop-off shall be from alleys, if existing. Pick-up and drop-off queuing shall not disturb normal traffic.

#### 4.4.4 Dormitory

- A. A dormitory shall operate relative to an educational institution.
- B. Residential occupancy of these facilities shall be subject to educational enrollment or employment and may operate seasonally.
- C. Boarding rooms may or may not include individual bathrooms and/or kitchens.
- D. Facilities may include shared amenities such as communal bathrooms, kitchens, laundry rooms, and recreation areas.
- E. These facilities may include dining halls and convenience retail.

#### 4.4.5

#### Dwelling, Attached

- A. The building containing the attached dwelling units shall be configured as 1 residential structure.
- B. This use may include shared site amenities, such as recreation areas, access drives, and garages or parking structures.
- C. If configured horizontally, the units must share a common floor-to-ceiling wall.
- D. If configured vertically, the units must share a common floor/ceiling that extends to the exterior walls.
- E. Each unit must have its own entrance located at the front of the building unless otherwise specified in this UDO.
- F. Primary structures shall be oriented so that the front façade is facing a public or private street, a common open space, or plaza. The front façade should not face surface parking.
- G. Developments are encouraged to be designed to avoid long, monotonous rows of garage doors and blank building walls.
- H. All sides of a building shall display similar materials.
- I. Detached garages, carports, and surface parking shall not be located between any primary building and the adjacent public street frontage.
- J. No more than 4 garage units shall be within 1 detached garage structure.
- K. Garages shall be of the same building materials as the primary structure.
- L. Walkways shall connect all buildings to each other, parking areas, and existing public sidewalks adjacent to the development.

#### 4.4.6

#### Dwelling, Detached

- A. The primary structure's front door must face the street.

B. All grave sites must be set back 20 feet from surrounding properties to establish a buffer.	B. Parking requirements are subject to Chapter 7 Parking and Loading.
C. Where the subject property is in an area not served by public water and sewer, water table tests shall be conducted to assure that there is adequate filtration of drainage between burial depth and the level of the high-water table.	4.5.6 Libraries
D. A minimum of 3 acres shall be needed for any cemetery being developed as a principal use.	A. Libraries must provide pedestrian connections to all adjacent streets. B. Libraries may include a vehicle-accessed drop box where drive-throughs are permitted as accessory uses.
<b>4.5.2 Community Buildings or Centers</b>	4.5.7 Mass Transit Centers
A. Planning Staff may require technical review prior to issuance of a zoning clearance permit. B. Community centers may be subject to a traffic impact study.	A. Storage of transportation vehicles should be secured and screened with an opaque fence and landscaping. B. Mass Transit Centers with stations must provide adequate pedestrian amenities, such as paved sidewalks and loading platforms.
<b>4.5.3 Cultural &amp; Sport Facilities</b>	4.5.8 Museums
A. Planning Staff may require technical review prior to issuance of a zoning clearance permit.	A. Planning staff may require technical review prior to issuance of a zoning clearance permit. B. Museum signage is subject to the provisions of the sign ordinance in Chapter 11.
<b>4.5.4 Day Care Center</b>	4.5.9 Park & Ride Facilities
A. A day care center is subject to the requirements of Section 14.7.2 Special Exception. B. A day care center may be permitted as a primary or accessory use. C. A day care center shall comply with all applicable local, state, and/or federal licensing requirements. D. A day care center must provide safe and adequate pick-up and drop-off facilities. Vehicle queuing shall not disturb normal traffic. E. In the MHP district, a day care center shall only be for use by residents of the mobile home park.	A. Planning staff may require technical review prior to issuance of a zoning clearance permit. B. Shelters shall be provided for commuters or travelers waiting for transportation services.
<b>4.5.5 Hospitals &amp; Clinics</b>	4.5.10 Penal and/or Correctional Facilities
A. Planning staff may require technical review prior to issuance of a zoning clearance permit.	A. Penal and/or Correctional Facilities are permitted only as a conditional use. B. Planning staff may require technical review prior to issuance of a zoning clearance permit
<b>4.5.11 Places of Worship</b>	A. Places of worship located in residential districts shall follow the dimensional

## 4.2 TABLE OF USES

TABLE 4.2-1: USE MATRIX

USES BY DISTRICT	BASE DISTRICTS											OVERLAY DISTRICTS					
	SUB-R	COM-R	URB-R	MIX-R	MHP	INST	NEI-B	COM-B	REG-B	CBD	R&D-I	MAN-I	PUD	AO	DTWN	RD	HD
P = Permitted by-Right   S = Special Exception   C = Conditional   A = Accessory   T = Temporary																	
<b>Residential Uses</b>																	
<b>Bed &amp; Breakfast</b>	S	S	S	S						S				S	S	S	S
<b>Boarding House or Rooming House</b>				C			C	C		C		C		C	C	C	C
<b>Convalescent Homes, Nursing Homes, or Hospices</b>	S	S	S	S			P										
<b>Day Care Home</b>	S	S	S	S								S			S	S	S
<b>Dormitory</b>			S	S		P		S		S	S			S	S	S	S
<b>Dwelling, Attached</b>		S	P	P		P	P	P		S		P		S	S	P	P
<b>Dwelling, Detached</b>	P	P	P	P		P	P					P			P	P	P
<b>Dwelling, Live Work</b>				S		P	P	P		P		S		P	P	S	P
<b>Dwelling, Multi-Unit</b>		S	P	P		S	P	C		P		P		P	P	P	P
<b>Group Care Facility</b>	P	P	P	P			S	S				S		S	S	S	S
<b>Home Occupation</b>	P	P	P	P	P							P		P	P	P	P
<b>Lifestyle Community/Facility</b>	S	S	P	P								P		S		S	
<b>Mobile Home Park</b>					P												
<b>Short Term Rentals</b>	S	S	S	S	S							S		S	S	S	S
<b>Transitional or Sheltered Living Housing</b>				S		S	S	S				S		S	S	S	S
<b>Civic, Institutional, &amp; Cultural Uses</b>																	
<b>Cemeteries &amp; Mausoleums</b>	S	S	S	S		S									S		
<b>Community Buildings or Centers</b>	S	S	S	S	S	S	S	S				S			S		S
<b>Cultural &amp; Sports Facilities</b>						S		S	S	P				P	P	S	S
<b>Day Care Center</b>	S	S	S	S	S	S		S	S		S			S	S	S	S
<b>Hospitals &amp; Clinics</b>			S	S		P		S		S	S			S	S		
<b>Libraries</b>	S	S	S	S		P	P	P		P				P	P	P	P
<b>Mass Transit Centers</b>										P				P	P		
<b>Museums</b>						P				P				P	P	P	P
<b>Park &amp; Ride Facilities</b>				S		S	S	S	S	P	S			P	P		
<b>Penal and/or Correctional Institutions</b>						C				C				C			
<b>Places of Worship</b>	S	S	S	S	S	P	S	P	P	P	S	S	S	P	P	P	P
<b>Police &amp; Fire Stations</b>						P	P	P	P	P				P	P	P	P
<b>Post Office Branch</b>						P	P	P	P	P				P	P	P	P
<b>Private Clubs or Lodges</b>	S	S	S	S		S									S	S	
<b>Public Transportation Stations</b>						P			S	P				S	P	P	P
<b>Public Utilities Facilities</b>	S	S	S	P	P	S	S	S	S	S	S	P		P	S	S	
<b>Schools &amp; Colleges</b>				S		P	S	S		S	S			S	S	S	S
<b>Trade Schools</b>					S		S			P	A		S				

TABLE 4.2-1: USE MATRIX

USES BY DISTRICT	SUB-R	COM-R	URB-R	MIX-R	MHP	INST	NEI-B	COM-B	REG-B	CBD	R&D-I	MAN-I	PUD	AO	DTWN	RD	HD	BN
	Ch. 1	Ch. 2	Ch. 3	Ch. 4	Ch. 5	Ch. 6	Ch. 7	Ch. 8	Ch. 9	Ch. 10	Ch. 11	Ch. 12	Ch. 13	Ch. 14	Ch. 15	Ch. 16	Ch. 17	
<b>P = Permitted by-Right   S = Special Exception   C = Conditional   A = Accessory   T = Temporary</b>																		
<b>Park, Recreation, &amp; Open Space</b>																		
<b>Community Gardens</b>	P	P	P	P	P	A	A						P			P	P	
<b>Parks, Playgrounds, &amp; Recreation Facilities</b>	P	P	P	P	P	P	P	P		P		P	P	P	P	P	P	
<b>Recreational Vehicle Parks &amp; Campgrounds</b>				S														
<b>Commercial &amp; Business Uses</b>																		
<b>Adult Entertainment Establishments</b>												C	C					
<b>Airports or Aircraft Landing Fields &amp; Heliports</b>						S	S			S	S		P	S	S			
<b>Auction Barns or Rooms</b>						P				P	P							
<b>Automobile, Truck, Recreational Vehicle, &amp; Agricultural Implement Sales</b>						P	P											
<b>Bakery Shop</b>						P	P		P	A	A		P	P	P	P		
<b>Banking &amp; Financial Institutions</b>						S	P	P	P	P			P	P	P	P	P	
<b>Bar or Tavern</b>						P	P	P					P	P	P	P	P	
<b>Broadcasting &amp; Content Providers</b>						P	S	S	P				S	S				
<b>Building &amp; Trade Contractors</b>						P	P		P	P								
<b>Building Material &amp; Supply</b>						P	P		P	P								
<b>Catering</b>						P	P	P					P	P	P	P	P	
<b>Convenience Stores</b>						P	P	A					S	P	P			
<b>Drive-In Facilities</b>						S			S	S								
<b>Dry-Cleaning</b>						P	P		A				A	A				
<b>Firearm Retailer</b>						P												
<b>Funeral Homes, Crematories, &amp; Similar Services</b>	S	S	S	S		P	P		P	P	P		P					
<b>Greenhouses &amp; Wholesale Growers</b>						P	P											
<b>Grocery Store</b>						P	P	P	P				S	P	P	P	P	
<b>Heavy Equipment Rental</b>						P	S		P	P								
<b>Highway Rest Stop</b>						P	S		P	P								
<b>Hotels &amp; Motels</b>						P	P	P	P	S			S	P	P	P	P	
<b>Household Appliance Retail &amp; Repair</b>						P			P	P								
<b>Indoor Recreation &amp; Entertainment</b>						S	P	P	S				P	P	P	P	P	
<b>Indoor Shooting Ranges</b>						S			P	P								
<b>Kennels &amp; Animal Hospitals</b>						P	S		P	P								
<b>Laundromat</b>						P	P		P	P	P		P	P	P	P	P	
<b>Liquor Stores</b>						P												

TABLE 4.2-1: USE MATRIX

USES BY DISTRICT	BASE DISTRICTS												OVERLAY DISTRICTS				
	SUB-R	COM-R	URB-R	MIX-R	MHP	INST	NEI-B	COM-B	REG-B	CBD	R&D-I	MAN-I	PUD	AO	DTWN	RD	HD
<b>P = Permitted by-Right   S = Special Exception   C = Conditional   A = Accessory   T = Temporary</b>																	
Manufactured Home Sales					P		P		P	P							
Medical & Dental Offices & Clinics						P	P		P					P	P	P	P
Motor Vehicle Service Stations							P	P		P	P		S				
Motor Vehicle Wash							P	P									
Office: Business, Professional, or Governmental					P	P	P	P	P				P	P	P	P	P
Outdoor Recreation	S	S	S	S			S					S	S		S		
Outpatient Substance Abuse Treatment						S											S
Parking Lot as a Primary Use				S			P	P	S	P	P		P	S	S		S
Parking Structures as a Primary Use			S				P		P				P	P	P		P
Pawn Shops						P											
Personal Care Services						P	P		P								
Pharmacy						P	P		P				P	P	P	P	P
Restaurant						P	P	P	P	A	A		S	P	P	P	P
Retail, General						S	P	P	P				S	P	P	P	P
Service Business						S	P	S					S		P	P	P
Tattoo Parlors						S	S		S	S							
Therapeutic Massage						P	P		P	P			P	P	P	P	P
Wholesale Business						P	P		P	P							
<b>Industrial Uses</b>																	
Automobile and Truck Repair or Vehicle Conversion Shops										P	P		S				
Battery Energy Storage Systems (BESS)											S						
Bulk Fuel Storage, Petroleum Tank Farm, & Other Bulk Storage of Solids or Liquids									P	P			S				
Bulk Storage Tanks including materials that do not require filing a Tier 1 or 2 SARA report or those that do not exceed an NFPA classification of 2							S			S	S		S				
Cement & Lime Manufacturing Facilities											S						
Commercial Laundry											P						
Contractor's Yard						S	P		P	P							
Distribution, Warehouse, Wholesale Facility									P	P		S					

TABLE 4.2-1: USE MATRIX

USES BY DISTRICT	BASE DISTRICTS										OVERLAY DISTRICTS							
	SUB-R	COM-R	URB-R	MIX-R	MHP	INST	NEI-B	COM-B	REG-B	CBD	R&D-I	MAN-I	PUD	AO	DTWN	RD	HD	BN
<b>P = Permitted by-Right   S = Special Exception   C = Conditional   A = Accessory   T = Temporary</b>																		
Excavation Areas and Gravel Pits											S	S						
Food Production or Processing												P						
Hazardous Waste Disposal, Generators, and Facilities												S						
Manufacture of Gases, Acids, Chemicals, and Poisons												S						
Manufacturing, Artisan										S	P	P			S	S	S	S
Manufacturing, Heavy											P							
Manufacturing, Light										P	P							
Motor Freight Terminals										S	P			S				
Quarries											S							
Railroad Facilities							S				S	S						
Recycling Centers										S	P							
Research and Development Services							S	S		P	P		S					
Salvage Yards											S							
Self-Storage Facilities							S			P	P							
Sewage Treatment Facilities							S				P							
Solar, Community Scale											S			S				
Steel Mills											P							
Utility Substation and Transmission Facilities										P	P		S					
Vehicle Impound and Towing											P							
Wind Energy, Large											S							
Wireless Communications Facility							A	P	A	A	P	P		S	A	A	A	A
<b>Accessory Uses and Structures</b>																		
Accessory Dwelling Unit (ADU)	A, S	A, S	A, S	A, S									A, S				A, S	A, S
Accessory Structure, General	A	A	A	A	A	A	A	A	A	A	A	A		A	A	A	A	
Amateur Radio Tower, Accessory	A	A	A	A			A, S			A, S	A, S							
Antennas & Satellite Dishes	A	A	A	A	A	A	A	A	A	A	A	A	A	A, S	A	A	A	
Decks	A	A	A	A	A								A		A	A	A	
Drive-Through, Accessory							A	A	A					A	A		A	
Office Uses Related to Industrial Uses										A	A			A				
Outdoor Sales, Accessory							A	A									A	
Outdoor Seating								A	A	A					A	A	A	
Outdoor Storage Facilities										A	A		A, S					

TABLE 4.2-1: USE MATRIX

USES BY DISTRICT	BASE DISTRICTS												OVERLAY DISTRICTS					Ch. 1	Ch. 2	Ch. 3	Ch. 4	Ch. 5	Ch. 6	Ch. 7	Ch. 8	Ch. 9	Ch. 10	Ch. 11	Ch. 12	Ch. 13	Ch. 14	Ch. 15	Ch. 16	Ch. 17
	SUB-R	COM-R	URB-R	MIX-R	MHP	INST	NEI-B	COM-B	REG-B	CBD	R&D-I	PUD	DTWN	RD	HD	BN																		
<b>P = Permitted by-Right   S = Special Exception   C = Conditional   A = Accessory   T = Temporary</b>																																		
Outside Storage of Liquids or Gases in One or More Tanks	A	A							A			A	A				A, S																	
Parking Lots and Garages, Accessory	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A								
Residential Accessory Structure	A	A	A	A	A					A				A			A	A	A	A	A	A	A	A	A	A								
Residential Clubhouse or Management Office	A	A	A	A	A					A				A			A	A	A	A	A	A	A	A	A	A								
Residential Development Amenity or Recreation Spaces	A	A	A	A	A					A				A			A	A	A	A	A	A	A	A	A	A								
Rooftop Entertainment Areas										A								A	A	A	A	A	A	A	A	A								
Solar, Small Scale	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A									
Swimming Pool	A	A	A	A	A	A	A	A	A	A	A					A	A	A	A	A	A	A	A	A	A									
Vending Machines									A	A								A																
Wind Energy, Small	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A, S	A	A	A	A	A	A	A	A									
<b>Temporary Uses</b>																																		
Construction Trailer, Temporary	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T									
Outdoor Sales, Temporary/ Seasonal									T	T	T						T	T	T	T	T	T	T	T	T	T								
Rummage Sale, Temporary	T	T	T	T	T												T																	



City of Elkhart

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# Staff Report

Planning & Zoning

**Petition:** 26-SI-01

**Petition Type:** Staff Item - Addressing

**Date:** January 5, 2026

**Petitioner:** City of Elkhart Planning & Zoning Department

**Site Location:** City of Elkhart

## **Plan Commission Action:**

Approval of proposed addresses for the City of Elkhart.

## **Staff Analysis**

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The Planning and Zoning Department is requesting approval of the addresses that have been reserved for structures in the City of Elkhart.

### **Residential**

2407 South Main Street      New Duplex Dwelling 20-06-16-208-008.000-012

1722 Sterling Avenue      New Single-Family Dwelling 20-06-09-406-007.000-012

### **Residential Subdivision**

### **Commercial**

### **Industrial**

## **Recommendation**

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Staff recommends that the Plan Commission assign the proposed addresses based on staff recommendation.