

2.5.4 B -> restate the sentence to add that stub streets requires construction of temporary cul-de-sac of 100'. Aligns with current street standards

Existing:

2.5.4 Construction of Streets

B. Cul-de-sacs (permanent Dead-end Streets)

Required where a street does not extend beyond the boundary of the subdivision and its continuation is not required by the Commission or is nearer to such boundary than fifty (50) feet. However, the Commission may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic, or utilities. A cul-de-sac turnaround shall be in accordance with Street Standards. For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall be limited in length to 1,000 feet. (Measured from the point of intersection of centerlines through the center of the circle to the end of the right-of-way).

Proposed:

2.5.4 Construction of Streets

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Required where a street does not extend beyond the boundary of the subdivision and its continuation is not required by the Commission or is nearer to such boundary than fifty (50) feet. However, the Commission may require the reservation of an appropriate easement to accommodate drainage facilities, pedestrian traffic, or utilities. A cul-de-sac turnaround shall be in accordance with Street Standards **and a stub street requires a 100' temporary turn around.** For greater convenience to traffic and more effective police and fire protection, permanent dead-end streets shall be limited in length to 1,000 feet. (Measured from the point of intersection of centerlines through the center of the circle to the end of the right-of-way).

2.20.1 -> restate the sentence – when sidewalks are constructed - to be constructed outside of the ROW

Existing:

2.20.1 Easement Required

In order to facilitate pedestrian access from streets to schools, parks, playgrounds, or other nearby streets, the Plan Commission may require a perpetual unobstructed easement at least twelve (12) feet in width. This easement shall be indicated on both the primary and secondary plats. A preliminary cross section of the pedestrian way shall be shown on the primary plat. Where a sidewalk is adjacent to a street and or will be in the street right-of-way, Street Standards shall apply.

Proposed:

2.20.1 Easement Required

In order to facilitate pedestrian access from streets to schools, parks, playgrounds, or other nearby streets, the Plan Commission may require a perpetual unobstructed easement at least twelve (12) feet in width. This easement shall be indicated on both the primary and secondary plats. A preliminary cross section of the pedestrian way shall be shown on the primary plat. **Where a sidewalk is adjacent to a street and or will be in the street right-of-way, Street Standards shall apply.**

2.21.7 -> Proposed new item – when stormwater areas are constructed that shall be constructed in common areas with 1/x interest (as per the number of lots in the subdivision)

2.21.7 Stormwater Basin Common Area

Stormwater basins shall be designated as common areas on the plat. Ownership, as stated on the plat, shall be divided by an interest of the number of lots on the plat. i.e. 10 lots provide that each lot owns 1/10 interest in the stormwater basin.

3.4.4 H -> Proposed new item – highway will review stormwater areas for minor subdivisions

3.4.4 Highway Department

H. Stormwater review for minor subdivisions will follow the Street Standards.

3.5.5 B -> restate the sentence to remove the 48 hour submittal deadline. Utilize current language to pass petitions to the plan commission with denials, from the tech committee, when petitions fail to meet criteria.

3.5.5 Technical Revisions Committee

Existing:

The Technical Revisions Committee shall meet one (1) week after the Technical Review Committee meeting; in the event of a conflict with a County organized holiday, the meeting shall be held on a different date as published on the Plan Commission's annual Planning Calendar. To be considered by the committee all revisions must be submitted to the Plan Commission Staff at least forty-eight (48) hours prior to the Technical Revisions Committee meeting. Revisions not received forty-eight (48) hours prior to the Technical Revisions Committee meeting will, at the request of the petitioner, be rescheduled to the next regularly scheduled Technical Review Committee. If all technical deficiencies have been resolved and the application is technically correct it will be forwarded to the Plan Commission with a positive recommendation.

If the petitioner chooses to hold the application for a later Technical Revisions Committee meeting, the petitioner must so indicate at the Technical Review meeting. The Plan Commission Staff will hold the application for no longer than 90 days at which time the application will expire.

If the application is not technically correct and the petitioner:

- A. Chooses not to attend the Technical Revisions Committee meeting or
- B. Does not submit revisions to the Plan Commission Staff at least forty-eight (48) hours prior to the Technical Revisions Committee meeting and does not request a rescheduling, the application will be forwarded to the Plan Commission with a recommendation for denial.

It is the desire of the Plan Commission that either the Technical Review Committee or the Technical Revisions Committee review all changes to an application. Revisions or changes made to an application presented to the Plan Commission, which have not been reviewed by the Technical Review Committee and/or the Technical Revisions Committee shall be returned to the Technical Review Committee or the entire proposal denied at the Plan Commission's discretion.

Proposed:

The Technical Revisions Committee shall meet one (1) week after the Technical Review Committee meeting; in the event of a conflict with a County organized holiday, the meeting shall be held on a different date as published on the Plan Commission's annual Planning Calendar. To be considered by the committee all revisions must be submitted to the Plan Commission Staff at least forty-eight (48) hours prior to the Technical Revisions Committee meeting. Revisions not received forty-eight (48) hours prior to the Technical Revisions Committee meeting will, at the request of the petitioner, be rescheduled to

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If the application is not technically correct and the petitioner:

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B. Does not submit revisions to the Plan Commission Staff **at least forty eight (48) hours** prior to the Technical Revisions Committee meeting and does not request a rescheduling, the application will be forwarded to the Plan Commission with a recommendation for denial.

It is the desire of the Plan Commission that either the Technical Review Committee or the Technical Revisions Committee review all changes to an application. Revisions or changes made to an application presented to the Plan Commission, which have not been reviewed by the Technical Review Committee and/or the Technical Revisions Committee shall be returned to the Technical Review Committee or the entire proposal denied at the Plan Commission's discretion.

3.18.5 -> Proposed new item – language that allows surveyors office to provide oversight of inspections of stormwater areas.

3.18.5 Inspection

Existing:

The Elkhart County Highway Division will conduct inspections of the completed improvements in accordance with the Street Standards. All revisions must be approved per Street Standards.

Proposed:

The Elkhart County Highway Division will conduct inspections of the completed improvements in accordance with the Street Standards. All revisions must be approved per Street Standards. **The office of The Elkhart County Surveyor will provide additional oversight in construction inspection during construction and after construction to assure standards for private stormwater basins are constructed in accordance with approved design.**

4.1.2 A -> restate the sentence to allow all residual pieces to be buildable lots if they meet developmental standards

4.1.2 General Requirements and Standards:

Existing:

A. That one (1) new buildable tract, at least three (3) acres in size, is created. Residual parcels created by the administrative subdivision that are improved (have been issued an improvement location permit prior to the residual parcels creation) and still meet the minimum requirements of this Ordinance for a lot have standing as buildable tracts without going through the subdivision process.

Proposed:

A. ~~That one (1) new~~ A buildable tract, at least three (3) acres in size, is created. Residual parcels created by the administrative subdivision ~~that are improved (have been issued an improvement location permit prior to the residual parcels creation)~~ and still meet the minimum requirements of this Ordinance for a lot have standing as buildable tracts as either an administrative, minor or major subdivision. ~~without going through the subdivision process.~~

4.1.2 H -> restate the sentence to add administrative subdivision

4.1.2 General Requirements and Standards:

Existing:

H. A buildable tract created by the administrative subdivision may thereafter only be further split by a minor or major subdivision.

Proposed:

H. A buildable tract created by the administrative subdivision may thereafter only be further split by an **administrative**, minor or major subdivision.

4.1.2 J 6 -> Proposed new item – to require affidavit of land owner to state they are responsible for drainage on their property

4.1.2 J 6 Affidavit for stormwater drainage responsibility:

An affidavit by the land owner of the proposed Administrative Subdivision shall require the land owner to be responsible for all stormwater drainage.

4.1.2 J 7 -> Proposed new item – require site plan for drainage on admin sub. lot. Can be a hand drawing. Drawing will show how stormwater will remain on site.

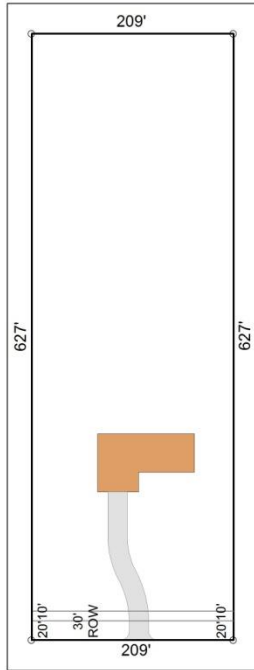
4.1.2 J 7 Stormwater drainage site plan:

A site plan supplied by the home owner, developer, builder, surveyor or architect shall demonstrate how stormwater will be managed and kept on site.

4.1.2 K -> Proposed new item to dedicate ROW for administrative subdivision. ROW dedication assures no additional acreage is required for 3 acre cut out. (i.e. whether a cumulative 30' or 40' or xx' of ROW dedication, lot dimensions can still be 209'X627'). The goal is to assure ROW can be dedicated and land owner will not have to acquire additional acreage because of additional ROW.

4.1.2 K Right of Way (ROW) dedication for Administrative Subdivisions:

Right of way (ROW) dedication shall follow the Highway Street Standards. Additional ROW dedication and existing (ROW) will not count total acreage dedicated towards Administrative Subdivision Lot. Acreage size will be measured from existing center of ROW in effort that acreage size calculation includes all existing and dedicated ROW. ROW dedication and existing ROW will be deeded as fee simple ownership.



Note: diagram shows 627' measurement including full ROW dedication.

6.2 -> restate language to allow for residual pieces to be built on.

Existing:

SUBDIVISION, ADMINISTRATIVE. The division of land into not more than one (1) buildable tract, of three acres or more, in lieu of platting, under limited conditions, with the technical review and certification necessary for development in Elkhart County overseen entirely by the Plan Commission Staff, with appeal to the Plan Commission. Residual parcels created by this division of land have no standing as buildable tracts.

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