

**(FORMAL ORDINANCE TO
ADOPT AFTER PH TO
ENACT CHANGES)**

CITY OF ELKHART

ORDINANCE NO. 2025-15

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ELKHART, IOWA, BY AMENDING PROVISIONS PERTAINING TO SITE PLAN INFORMATION REQUIRED

Be It Enacted by the City Council of the City of Elkhart, Iowa:

SECTION 1. SECTION MODIFIED. Section 167.06 of the Code of Ordinances of the City of Elkhart, Iowa, is repealed and the following adopted in lieu thereof:

167.06 SITE PLAN INFORMATION.

The purpose of the site plan is to show all information needed to enable the City Engineer, City staff, the Planning and Zoning Commission, and the Council to determine if the proposed development meets the requirements of this chapter and other provisions of this Code of Ordinances. The City Engineer, City staff, the Planning and Zoning Commission, or the Council may waive certain required information at their discretion.

1. Information Required. The site plan shall include the following information concerning the proposed development:
 - A. Names of all persons having an interest in the property, legal description of property, point of compass, scale, and date.
 - B. Applicant's name, address, project location, proposed land use and present zoning, location and names of adjoining subdivisions, the numbers of the adjoining lots therein, and the names and addresses of adjoining landowners.
 - C. If the applicant is other than the legal owner, the applicant's interest shall be stated.
 - D. Name and address of persons who prepared the site plan.
2. Required Illustrations. The site plan shall clearly set forth the following information concerning the proposed development.
 - A. Property boundary lines, dimensions, and total area of the proposed development.
 - B. Existing and proposed contour lines of the proposed development and 50 feet beyond the boundaries of the proposed development at intervals of not more than two feet. If substantial topographic change is proposed, the existing topography of the development and of the surrounding area shall be illustrated on a

separate map, and the proposed finished topography shown on the site Plan.

C. The availability, location, size, and capacity of existing utilities, and of proposed utilities.

D. The proposed use of building materials, location, size, height, shape, use, elevation, building sign type, and illustration of all buildings or structures

E. The total square footage of building floor areas, both individually and collectively in the proposed development.

F. Existing buildings, rights-of-way, public sidewalks, street improvements, utility easements, drainage courses, streams and wooded areas.

G. The number of dwelling units, offices, etc., planned for the site.

H. A vicinity sketch showing adjacent existing land uses within 500 feet of the property.

I. Location number, dimensions and design of off-street parking in the proposed development, including:

- (1) Driveways, islands and planters.
- (2) Striping and curbs.
- (3) Loading facilities.
- (4) Type and location of lighting.
- (5) Surface treatment.

J. Open spaces, recreational areas, public sidewalks, walkways and driveways, outside lighting, walls, fences, monuments, statues, and other manmade features to be used in the landscape of the proposed development.

K. Facilities for the collection and disposal of garbage and trash, and screening structures.

L. Walls, fences, or other artificial screens to be used as buffers shall be shown in elevation and prospective with proposed height and structural material indicated.

M. A site lighting plan shall be provided, indicating the location, type, fixture height, power rating, and shielding method of all existing and proposed lighting. A photometric plan shall be provided that details the horizontal illumination of the site and the vertical light trespass along the perimeter of the site.

N. Stormwater Management Plan shall be provided which shall include calculations of detention sizing and release rate control facilities.

O. Traffic considerations or utility capacities and all other considerations pertinent to the proposed use may be requested for illustration or statistical purposes.

P. Free standing identification signs; location, setback, dimensions, height and illustrations.

Q. Location and type of all plants, trees, ground cover to be used in the landscape. Landscaping to be used for screening purposes shall be illustrated with the size and exact names of plants, shrubs or trees to be planted clearly indicated. The planting location shall not adversely affect utility easements or service lines.

R. Such additional information, drawings, or other materials necessary to describe a proposed project as may be requested by the City Engineer or Planning and Zoning Commission.

S. **Site plan shall include a Traffic Impact Study in accordance with Chapter 166, Subdivision Regulations, if required by the City Engineer.**

SECTION 2. SEVERABILITY CLAUSE. If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Elkhart City Council on the Xth day of January 2026.



Mayor John M. Kaczmarczyk



Debra J. Nabity, City Clerk

First Consideration:

Second Consideration:

Third Consideration:

USA TODAY CO.



PO Box 631851 Cincinnati, OH 45263-1851

AFFIDAVIT OF PUBLICATION

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Elkhart, City Of
Po Box 77
Elkhart IA 50073-0077

STATE OF WISCONSIN, COUNTY OF BROWN

The Des Moines Register and Tribune Company, a newspaper printed and published in the city of Des Moines, Polk County, State of Iowa, and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issue:

DES Des Moines Register 03/25/2026
DES desmoinesregister.com 03/25/2026

and that the fees charged are legal.
Sworn to and subscribed before on 03/25/2026

Legal Clerk

Notary, State of WI, County of Brown

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SECTION 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law. Passed by the Elkhart City Council on the 17th day of March 2025.

Mayor John M. Kaczmarczyk

Debra J. Nability, City Clerk

First Consideration: January 20, 2025

Second Consideration: February 17, 2025

Third Consideration: March 17, 2025

CLERK'S CERTIFICATE

I, Debra J. Nabity, hereby certify that the foregoing Ordinance No. 2025-15 was published as required by law on the XX day of XX 2025.

25th 03-2026



Debra J. Nabity, City Clerk