



Elkhart County Zoning Ordinance Rewrite Project - FAQ

Elkhart County is undertaking the preparation of a new Zoning Ordinance to regulate land use in the unincorporated areas of the County and its planning jurisdiction, which includes the Towns of Bristol, Middlebury, Millersburg and Wakarusa. This is a major undertaking and there will be many questions from citizens, public officials and staff throughout the drafting process. This FAQ attempts to answer some common questions.

WHAT IS A ZONING ORDINANCE?

A Zoning Ordinance is an adopted set of laws that implement the Comprehensive Plan and that:

- Regulate the use of private property,
- Regulate the impacts of such use on other properties,
- Set community character (signs, driveways, landscaping, etc.)

Elkhart County has had zoning since the 1960s but has never done a comprehensive overhaul of its ordinance.

WHAT A ZONING ORDINANCE IS NOT

Some people may have unrealistic expectations regarding the issues that a Zoning Ordinance will resolve. Therefore, it is important to also know what a Zoning Ordinance is not.

It is not a Comprehensive Plan. A Comprehensive Plan is a set of policies related to land use, environmental and historic preservation, housing, infrastructure/utilities, transportation and park land. Comprehensive Plans are broad and lay out how the community wants to grow in the future. A Zoning Ordinance is one tool that turns some of the policies of the Plan into law.

It is not property tax policy. It will not raise or lower the County's property tax rate.

It is not annexation policy. Annexation of land is more closely related to a City or Town and its Comprehensive Plan.

It is not a Capital Improvements Program. It does not set policy for the extension of water, sewer or drainage infrastructure.

It is not a building code. A building code regulates how structures are built to ensure their future structural soundness and safety.

HOW LONG WILL THE PROJECT LAST?

The project commenced with a kickoff meeting in Summer of 2012 and is expected to be completed in December 2013.

WHO HAS A SAY AS TO WHAT GOES INTO THE REGULATIONS?

Two committees are overseeing the project. A Policy Committee composed of community stakeholders, including builders, farmers, and realtors, will provide input on bigger-picture policy issues. They will deal with such questions as the extent that residential uses are allowed in Agricultural zoning districts.

A Technical Committee, composed of mostly of County staff, will provide guidance on practical issues. They will review the Zoning Ordinance drafts for internal consistency and deal with such questions as the practicality, enforceability and legality of the new ordinance.

Draft text of the new Zoning Ordinance as well as all Policy Committee presentations will be available on the Plan Commission website, and public comments are welcomed at any time.

Finally, when a draft of the Zoning Ordinance is nearing adoption by the Board of County Commissioners, Planning staff will do several “open houses” throughout the County so that people may come and learn about the new ordinance. In addition, there will be public hearings in which the Plan Commission and the Board of County Commissioners reviews and makes a final decision on the document.

WHO CAN I CONTACT ABOUT THE UDC?

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