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Luann G. Welmer, City Clerk

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## City Council Members

All terms are January 01, 2024-December 31, 2027

Frank Miller, District 4 – President

Dr. Christopher Bartels, District 1

Elaine Hilber, District 2

Jerone Wood, District 3

Kent Anderson, District 5

Jay Foyst, District 6

Josh Burnett, At-Large

Tom Dell, At-Large

Grace Kestler, At-Large

Information provided in compliance with I.C. 5-14-9

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## City Council Meeting Agenda Council Chambers Wednesday, May 6, 2026 6:00 P.M.

### I. Meeting Called to Order

- A. Invocation
- B. Pledge of Allegiance
- C. Roll Call
- D. Acceptance of Minutes

### II. Old Business

- A. Second reading of an Ordinance entitled "ORDINANCE NO.\_\_\_\_, 2026, AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA, TO REPEAL AND REPLACE STORMWATER MANAGEMENT ORDINANCE NO. 50-2024." Andrew Beckort

### III. New Business

- A. First reading of an Ordinance entitled "ORDINANCE NO.\_\_\_\_, 2026, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM RMc (RESIDENTIAL: MULTI-FAMILY WITH COMMITMENTS) TO RS4c (RESIDENTIAL: SINGLE-FAMILY 4 WITH COMMITMENTS)." (Chase Point Rezoning) Jeff Bergman

- B. First reading of an Ordinance entitled "ORDINANCE NO.\_\_\_\_, 2026, AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY FROM CN (COMMERCIAL: NEIGHBORHOOD) TO RE (RESIDENTIAL: ESTABLISHED)." (10<sup>th</sup> & Lafayette Rezoning) Jeff Bergman
- C. First reading of an Ordinance entitled "ORDINANCE NO.\_\_\_\_, 2026, AN ORDINANCE ESTABLISHING AN ADJUSTED SCHEDULE FOR WATER RATES AND CHARGES BY THE CITY OF COLUMBUS UTILITIES WATER SYSTEM AS DIRECTED BY THE INDIANA UTILITY REGULATORY SYSTEM." Stan Gamso

#### IV. Other Business

- A. Parks Department Update and Discussion
- B. Standing Committee and Liaison Reports
- C. The next meeting is scheduled for **Tuesday, May 19, 2026, 6:00 p.m.**
- D. Adjournment

Meetings of the Columbus City Council are open to the public and can be watched live on the City of Columbus website:  
<https://www.columbus.in.gov/video/live-streaming/>.

Columbus City Council Meetings are accessible to people of all abilities. The City of Columbus works to comply with the Americans with Disabilities Act (ADA). If you require an accommodation to attend a meeting, please contact Jody Coffman at (812) 376-2302 at least 48 hours prior to the start of the meeting.

A Public Comment session for non-agenda items is provided at the end of the Council meeting as an opportunity for residents to address the City Council Members about matters pertaining to the City. Participation is encouraged, however, to respect others who wish to speak, public comment is not intended to be a public conversation. Before speaking, a person must provide their name and address for public record. Each speaker is given a reasonable amount of time to speak (determined by the City Council President). Any speaker that engages in personal attacks and/or acts in an uncivil manner will be stopped and may be prohibited from future opportunities to publicly address the Council. All requests to speak must be submitted in writing prior to the meeting either online at <https://www.columbus.in.gov/addressing-city-council-sign-up-form/> or by filling out a paper form located on the Tech Table in Council Chambers.



## MEMORANDUM

**TO:** Columbus City Council

**FROM:** Andrew Beckort, PE, City Engineer

**DATE:** April 9, 2026

**RE:** Proposed Replacement Stormwater Management Ordinance

Enclosed is a proposed replacement for our existing Stormwater Management Ordinance. Most revisions are the result of statewide changes in stormwater regulation due to House Enrolled Act (HEA) 1037 passed in 2025. Additional modifications were made to reduce risk to the City and ensure compliance with Indiana Department of Environmental Management (IDEM) permits.

### **Required Updates Related to HEA 1037**

HEA 1037 restricts Municipal Separate Storm Sewer Systems (MS4s) from adopting stormwater regulations more stringent than the IDEM Construction Stormwater General Permit (CSGP). To comply with the new legislation, the following changes were made:

- The City may no longer require a stormwater management permit for construction sites disturbing less than one acre.
- The City can no longer require financial guarantees or performance bonds as a condition of a stormwater permit.
- Language has been added specifying how the City may address sediment and erosion control issues on sites with less than one acre of land disturbance, consistent with HEA 1037.

### **Clarifications and Risk Reduction Measures**

While revising the ordinance, staff also updated several sections to improve clarity and reduce potential liability for the City. This includes:

- Updated and clarified indemnification language to better define responsibilities and protect the City from unnecessary exposure.
- Removal of outdated references to Indiana Code sections that have since been repealed.

### **Clarifications to the Individual Residential Lot Application**

Additional detail has been added to the Individual Residential Lot application section to maintain compliance with the CSGP and the MS4 General Permit.

If you have any questions, please feel free to call or email me.

**ORDINANCE NO. \_\_\_\_\_, 2026**

**AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF COLUMBUS,  
INDIANA, TO REPEAL AND REPLACE STORMWATER MANAGEMENT ORDINANCE  
NO. 50-2024**

**WHEREAS**, Indiana Code 36-1-3 et. seq. confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government; and

**WHEREAS**, Indiana Code 36-4-6-18 authorizes the Common Council of the City of Columbus, Indiana to pass such ordinances, orders, resolutions, and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit; and

**WHEREAS**, it is the desire of the Common Council to update and modernize the stormwater management regulations for the City of Columbus to ensure consistency with state and federal statutes, regulations, and best practices; and

**WHEREAS**, it is further the desire of the Common Council to provide for the health, safety, and general welfare of the citizens of the City of Columbus through the regulation of stormwater and non-stormwater discharges to the Stormwater Conveyance System and to protect, conserve and promote the orderly development of land and water resources within the City of Columbus. This Ordinance establishes methods for managing the quantity and quality of stormwater entering into the Stormwater Conveyance System;

**NOW, THEREFORE, BE IT ORDERED AND ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA**, that the Stormwater Management Ordinance No. 50-2024, Chapter 13.26 of the Columbus Municipal Code, is repealed and replaced as follows:

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# 13.26.010 Findings and Purpose

The City of Columbus finds that:

- A. Waterbodies, roadways, structures, and other property within the City of Columbus or its planning jurisdiction boundary are at times subjected to flooding;
- B. Flooding is a danger to the lives and property of the public and is also a danger to the natural resources of the region;
- C. Land development alters the hydrologic response of watersheds, resulting in increased stormwater runoff rates and volumes, increased flooding, increased stream channel erosion, and increased sediment transport and deposition;
- D. Soil erosion resulting from land-disturbing activities causes a significant amount of sediment and other pollutants to be transported off-site and deposited in ditches, streams, wetlands, lakes, and reservoirs;
- E. Increased stormwater runoff rates and volumes, and the sediments and pollutants associated with stormwater runoff from future development projects within the City of Columbus will, absent reasonable regulation and control, adversely affect the City of Columbus's waterbodies and water resources;
- F. Pollutant contributions from illicit discharges within the City of Columbus will, absent reasonable regulation, monitoring, and enforcement, adversely affect the City of Columbus's waterbodies and water resources;
- G. Stormwater runoff, soil erosion, non-point source pollution, and illicit sources of pollution can be controlled and minimized by the regulation of stormwater management;
- H. Adopting the standards, criteria, and procedures contained and referenced in this Ordinance and implementing the same will address many of the deleterious effects of stormwater runoff and illicit discharges;
- I. Adopting this Ordinance is necessary for the preservation of the public health, safety, and welfare, for the conservation of natural resources, and for compliance with State and Federal regulations.

The purpose of this Ordinance is to provide for the health, safety, and general welfare of the citizens of the City of Columbus through the regulation of stormwater and non-stormwater discharges to the Stormwater Conveyance System and to protect, conserve and promote the orderly development of land and water resources within the City of Columbus. This Ordinance establishes methods for managing the quantity and quality of stormwater entering into the Stormwater Conveyance System. The objectives of this Ordinance are:

- A. To reduce the hazard to public health and safety caused by excessive stormwater runoff.
- B. To regulate the contribution of pollutants to the Stormwater Conveyance System from construction site runoff.
- C. To regulate the contribution of pollutants to the Stormwater Conveyance System from runoff from new development and re-development.
- D. To prohibit illicit discharges into the Stormwater Conveyance System.
- E. To establish legal authority to carry out all inspection, monitoring, and enforcement procedures necessary to ensure compliance with this ordinance.

# 13.26.020 Applicability and Exemptions

## A. Applicability

This Ordinance shall regulate all development and redevelopment occurring within the City of Columbus. No building permit shall be issued and no Land Disturbing activities, as defined in 13.26.140, started until the plans required by this Ordinance have been accepted in writing by the City of Columbus.

In addition to the requirements of this Ordinance and the Stormwater Design Manual, compliance with all applicable ordinances of the City of Columbus as well as with applicable Federal, State, and other Local statutes and regulations shall also be required. Unless otherwise stated, all other specifications referred to in this Ordinance shall be the most recent edition available. In case there are conflicts between the requirements contained in this Ordinance and applicable requirements contained in other regulatory documents, the most restrictive shall prevail.

Any Stormwater Management Permit issued within a 1 year period or Zoning Compliance Certificate issued within a 3 year period prior to the effective date of this Ordinance shall be exempt from the stormwater management requirements of this Ordinance that are in excess of the requirements of the ordinances in effect at the time of issuance.

These Stormwater requirements do not apply to the following:

1. Agricultural Land Disturbing Activities,
2. Silvicultural activities associated with nonpoint discharges under CFR 122.27,
3. The land disturbing activities listed below, provided other applicable permits contain provisions requiring immediate implementation of erosion and sediment control measures and stormwater management measures:
  - a. Landfills that have been issued a certification of closure under 329 IAC 10.
  - b. Coal mining activities permitted under IC 14-34.
  - c. Municipal solid waste facilities that are accepting waste pursuant to a permit issued by IDEM under 329 IAC 10 that contains equivalent stormwater requirements, including the expansion of landfill boundaries and construction of new cells either within or outside the original solid waste permit boundary.

# 13.26.030 Compatibility with Other Permit and Ordinance Requirements

This chapter is not intended to interfere with, abrogate, or annul any other ordinance, rule or regulation, statute, or other provision of law. The requirements of this chapter should be considered minimum requirements, and where any provision of this chapter imposes restrictions different from those imposed by any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher protective standards for human health or the environment shall take precedence.

### **13.26.040 Severability**

If the provisions of any article, section, subsection, paragraph, subdivision or clause of this chapter shall be judged invalid by a court of competent jurisdiction, such order of judgment shall not affect or invalidate the remainder of any article, section, subsection, paragraph, subdivision or clause of this chapter.

### **13.26.050 Establishment of a Stormwater Design Manual**

The Board of Public Works and Safety may furnish additional policy, criteria and information including specifications and standards for the proper implementation of the requirements of this chapter including providing such information in the form of a Stormwater Design Manual. The manual may be updated and expanded from time to time, at the discretion of the Board of Public Works and Safety, based on improvements in engineering, science, monitoring, regulation changes, and local maintenance experience. The Stormwater Design Manual includes but is not limited to the following:

- A. Requirements for land disturbing activities
- B. Post-construction stormwater quantity requirements
- C. Post-construction stormwater quality requirements

The Stormwater Design Manual, as may be amended from time to time, is hereby incorporated by reference as if fully set forth herein. In the event of a conflict between this Ordinance and the Stormwater Design Manual, the City, in its sole discretion, shall determine the controlling provision.

### **13.26.060 Stormwater Management Permit and Amendments**

- A. Stormwater Management Permit

The Project Team shall submit for a Stormwater Management Permit for projects with a projected land disturbance of one (1) acre or more, and operations that result in the land disturbance of less than one (1) acre of total land area that are part of a larger common plan of development or sale. The submitted permit shall comply with this Ordinance, the Stormwater Design Manual, and City of Columbus Typical Construction Guidelines and Details. The Stormwater Management Plan shall provide for the proper drainage and detention of stormwater runoff from the site, and the drainage basin in which it is contained, and may include stormwater quality practices. The Stormwater Management Plan shall be constructed and installed in accordance with the plans and specifications as approved by the City.

In addition, submittal of a Notice of Intent (NOI) to Indiana Department of Environmental Management (IDEM) is required to meet the requirements of the Construction Stormwater

General Permit (CSGP). Sites requiring NOI submittal shall submit their IDEM Permit Number to the City of Columbus upon receipt.

Stormwater Management Permits issued by City will expire 5 years from the date of issuance. If land disturbing activities are not completed and the permit closed out within 5 years, a renewal of coverage must be submitted 90 days prior to the permit expiring. The renewal of coverage will be subject to fees as outlined in 13.26.100. Failure to maintain coverage will be subject to fines and penalties as outlined in 13.26.110. Approval of a Stormwater Management Permit does not relieve the applicant, developer, contractor, or property owner of the obligation to comply with all applicable laws, nor does it create any representation or warranty by the City as to the adequacy of the plans. The City's review and approval shall be for general compliance only and shall not be deemed a guarantee of performance or adequacy of design.

#### B. Individual Residential Lot

An Individual Residential Lot application shall be completed prior to the issuance of a building permit for all residential lots.

#### C. Amendment of Plans

Any changes or deviations in the plans and specifications after approval of the applicable Stormwater Management Permit shall be filed with, and accepted by, the City prior to the land disturbance involving the change. Amendments include but are not limited to: increases in disturbed area, extending the construction limits, increases in impervious area, changes in detention/retention volumes, or changes to Stormwater Management Facilities. Amendments are subject to the fees as outlined in 13.26.100.

Copies of the changes, if accepted, shall be attached to the original plans and specifications.

#### D. Indemnification

As a condition of the issuance and continued validity of any Stormwater Management Permit, the applicant, owner, developer, and all persons performing work under the permit (collectively, the "Responsible Parties") shall indemnify, defend, and hold harmless the City of Columbus, Indiana, and its officers, officials, employees, agents, and representatives from and against any and all claims, demands, damages, losses, liabilities, fines, penalties, costs, and expenses, including reasonable attorney fees and litigation costs, arising out of or related to any land disturbing activity or development regulated under this Ordinance, any failure to comply with this Ordinance, the Stormwater Design Manual, or any permit issued hereunder, the design, construction, installation, operation, or maintenance of any stormwater management facility, and any discharge, release, or threatened release of stormwater, sediment, or pollutants from the site.

This indemnification obligation shall apply regardless of whether such claim is alleged to be caused in part by the negligence of the City, but shall not apply to the extent caused by the sole negligence or willful misconduct of the City. This obligation shall survive the expiration, revocation, or completion of the permit and shall run with the land to the fullest extent permitted by law.

# 13.26.070 Variances

All land disturbances shall adhere to and be in compliance with this Ordinance and the Stormwater Design Manual unless a variance has been granted by the Board of Public Works and Safety. The Board may grant a variance from the terms of this Ordinance and the Stormwater Design Manual to provide relief, in whole or in part, but only upon finding that the following requirements are satisfied:

- A. The application of the Ordinance and the Stormwater Design Manual provisions being appealed will present or cause practical difficulties for a disturbance or development; provided, however, that practical difficulties shall not include the need for the developer to incur additional reasonable expenses in order to comply with the provision; and
- B. The granting of the relief requested will not substantially prevent the goals and purposes of this Ordinance or Stormwater Design Manual, nor result in less effective management of stormwater runoff.

# 13.26.080 Inspection of Land Disturbing Activities

All persons engaging in land disturbing activities shall be responsible for complying with the Stormwater Management Permit and the provisions of this chapter.

- A. The City or their designee may inspect any project site involved in construction activities regulated by this chapter at any time. The City or its designated representatives may make recommendations to the project site owner or their representative to install appropriate measures beyond those specified in the Stormwater Management Permit and schedule to achieve compliance.
- B. The City shall investigate potential violations of this chapter to determine which person may be responsible for the violation. The City shall, if appropriate, consider public records of ownership, building permits, and other relevant information, which may include site inspections, Stormwater Management Permits, Notices of Intent, and other information related to the specific facts and circumstances of the potential violation.
- C. If any violations are found, the property owner shall be notified in writing of the nature of the violation and the required time to remedy said violation. No additional work shall proceed until any violations are corrected and all work previously completed has received approval by the City.
- D. Construction plans and supporting documentation associated with the Stormwater Management Permit must be made available to the City or its designated representative within forty-eight hours of such request.
- E. Appeals of violations shall be as described in 13.26.110.
- F. If at any stage during land disturbing activities the City determines that the nature of the site is such that further work is likely to imperil any property, public way, watercourse or drainage structure, the City may require, as a condition of allowing the work to be done, that such reasonable special precautions to be taken as is considered advisable to avoid the likelihood of such peril. Special precautions may include, but shall not be limited to, a more level exposed slope, construction of additional stormwater facilities, berms, terracing, compaction, or cribbing, installation of plant materials for erosion control, and

recommendations of a registered soils engineer and/or engineering geologist which may be made requirements for further work.

- G. Where it appears that damage may result because the grading on any land disturbance is not complete, work may be stopped as described in 13.26.110 and the person required to install temporary structures or take such other measures as may be required to protect adjoining property or, the public safety. The City may specify the time of starting grading and time of completion or may require that the operations be conducted in specific stages so as to ensure completion of protective measures or devices prior to the advent of seasonal rains.
- H. By undertaking any activity regulated by this Ordinance, the owner and all persons acting on the site consent to entry upon the property by the City for purposes of inspection, enforcement, and abatement, without the need for further consent, to the fullest extent permitted by law.

## **13.26.090 Inspection, Maintenance, and Repair of Stormwater Management Facilities**

### A. Easements

Prior to issuance of the Certificate of Occupancy, the owner of the site must record a drainage easement in accordance with the requirements set forth in the Stormwater Design Manual. The easement shall be binding on all subsequent owners of land served by the Stormwater Management Facility.

### B. Maintenance

Maintenance of all Stormwater Management Facilities shall be ensured through the creation and approval of an Operation and Maintenance (O&M) Manual prior to issuance of the Certificate of Occupancy. The Operation and Maintenance (O&M) Manual shall be recorded in the office of the Bartholomew County Recorder and shall run with the land. The obligations contained therein shall be binding upon all current and future owners. If the City performs maintenance, repair, or abatement due to the failure of the owner, the costs incurred shall constitute a lien against the property to the fullest extent permitted by Indiana law and may be collected in the same manner as taxes or through civil action.

### C. Inspections

Private Stormwater Management Facilities shall be inspected annually by owner or designee. Inspection reports for the previous calendar year are to be submitted to the City by May 1 of the following year. Failure to provide inspection reports shall be subject to penalties in accordance with 13.26.110.

The City may also perform special inspections of the site to ensure that the facility is maintained in proper working condition to meet design standards and any other provisions established by this Ordinance.

D. Right-of-Entry

When any new Stormwater Management Facility that is installed on private property, or when any new connection is made between private property and Stormwater Conveyance System, the property owner shall grant to the City the right to enter the property at reasonable times and in a reasonable manner. This includes the right to enter a property to conduct routine and complaint driven inspections, or to enter when necessary for abatement of a public nuisance or correction of a violation of this chapter.

E. Failure to Maintain Practices

If a property owner fails or refuses to meet the requirements of this Ordinance, Stormwater Design Manual, recorded Operation and Maintenance Manual and industry standards, the City may pursue compliance and enforcement action in accordance with 13.26.110.

## 13.26.100 Stormwater Management Permit Fees

A. Fee Schedule

The fees for the required approval shall be paid pursuant to the schedule set forth in the table below:

	<b>STORMWATER MANAGEMENT PERMIT</b>	<b>DUE DATE</b>
<b>APPLICATION FEE</b>	\$400	UPON PROJECT SUBMITTAL
<b>REVIEW FEE</b>	VARIES	UPON REVIEW COMPLETION
<b>AMENDMENT</b>	\$50 + REVIEW FEE	UPON AMENDMENT ISSUANCE
<b>RENEWAL OF COVERAGE/ RE-CERTIFICATION</b>	\$50 + REVIEW FEE	90 DAYS PRIOR TO PERMIT EXPIRATION

B. Review Fees

As a condition of the submittal and the review of Stormwater Management Plan, the Project Team shall agree to pay the City the actual costs incurred by the City with respect to the review of all items of the Stormwater Management Plan and accompanying information and data.

Upon approval of the Stormwater Management Plan and prior to the issuance of the Stormwater Management Permit, the City will furnish a written statement to the Project Team specifying the total cost incurred by the City.

The City shall have the right to not issue any permits for any project for which the review fees have not been paid.

C. Amendment and Renewal Fees

Amendment and renewal of coverage will have the administrative fee of \$50 and any applicable review fees.

## **13.26.110 Compliance and Enforcement**

### **A. Compliance**

Compliance with this chapter, all applicable City ordinances, as well as all state and federal statutes and regulations is required. Unless otherwise stated, all references, specifications, statutes, and regulations referred to in this chapter shall be the most recent edition available.

### **B. Enforcement**

1. Violations of this Ordinance shall be deemed strict liability offenses, and intent shall not be required for enforcement.
2. Notice of Violation
  - a. Whenever the City or their designee finds that a person has violated a provision or failed to meet a requirement of this chapter, the City may order compliance by written notice of violation to the responsible person. Such notice may require without limitation:
    - i. The performance of monitoring, analyses, and reporting;
    - ii. The elimination of illicit connections or discharges;
    - iii. That violating discharges, practices, or operations shall cease and desist;
    - iv. The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
    - v. Payment of a fine to cover administrative and remediation costs, including but not limited to remediation costs, legal fees, consultant fees, monitoring costs, construction costs, collection fees and any other costs borne by the City related to the violation;
    - vi. The implementation of source control or treatment BMPs;
    - vii. The issuance of a stop work order; and/or
    - viii. Revocation or suspension of stormwater management plan approval.
  - b. The notice of violation shall be in writing, include a description of the property for identification and include a statement of the violation(s) and why the notice is being issued. The notice of violation shall provide a deadline to bring the property into compliance.
  - c. If abatement of a violation and/or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed.

### 3. Suspension of Stormwater Conveyance Access

The City may, without prior notice, suspend Stormwater Conveyance Access to a Person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the Stormwater Conveyance System. If the violator fails to comply with a suspension order issued in an emergency, the City may take such steps as deemed necessary to prevent or minimize damage to the Stormwater Conveyance System or to minimize danger to persons. The violator may petition the City for a post termination appeal.

### 4. Stop Work Order

If activities are conducted contrary to the provisions of this Ordinance, the City may, by notice in writing, require the suspension of all activities on site, with the exception of work to bring the site into compliance with this Ordinance.

A Stop Work Order will be posted on the site by the City and it is unlawful for any person to remove the notice or continue any work on the site without permission from the City.

The City may bring an action under IC 34-28-5-1(b), to be read together with IC 34-6-2-86(1)(B) and IC 13-21-3-12(a)(4), to enforce a stop work order against any person who neglects or fails to comply with a stop work order.

For construction projects that are operating under an approved Stormwater Management Permit, if a Stop Work Order is issued on the grounds that the erosion and sediment control measures included in the Stormwater Management Plan are not adequate, the Project Team must be notified in writing of the inadequacies and the Project Team has seventy-two (72) hours after receiving written notice to resolve the identified inadequacies before the Stop Work Order can take effect.

The seventy-two (72) hour period to resolve identified inadequacies does not apply if the Stop Work Order is issued to a site where there is a public health hazard or safety hazard.

If a project results in a disturbance of less than one acre of total land area and not otherwise covered under an active Stormwater Management Permit, fails to control sediment or dust from leaving the site, a written warning with respect to the sediment or dust shall be issued. If a written warning has been issued and corrective action has not been initiated within forty-eight (48) hours of receiving the written warning, a stop work order shall be issued for the site.

### 5. Appeal of Notice of Violation

- a. Any person receiving a Notice of Violation may appeal the determination of violation to the Board of Public Works and Safety, for rescission of the Notice or Order, or for a modification, variance, or extension of time for compliance on one or more of the following bases:
  - i. A Stop Work Order served in accordance with this Ordinance is in error, or;

- ii. That a reasonable extension of time for the compliance should be granted upon the grounds of a demonstrated case of hardship and evidence of an actual undertaking to correct the violation, together with a legitimate intent to comply within a reasonable time period. However, hardship shall not include the need for the person to incur additional reasonable expenses in order to comply with the Ordinance.
- b. The notice of appeal shall be made in writing, within ten (10) days of the receipt of a copy of the Notice or Order. Hearing on the appeal before the Board shall take place at the next available meeting from the date of receipt of the notice of appeal. The decision of the Board shall be final.
- c. All hearings before the Board shall be open to the public. The Owner, the Owner's representative, and any persons whose interests are affected shall be given an opportunity to be heard.

#### 6. Failure to Remedy

If the violation has not been corrected pursuant to the requirements set forth in the Notice of Violation, or, in the event of an appeal, within 5 days of the decision of the Board of Public Works and Safety upholding the decision, then representatives of the City shall enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation and/or restore the property, including the commencing of a court action under IC 34-28-5-1(b), to be read together with IC 13-21-3-12(a)(4).

It shall be unlawful for any person, owner, agent or person in possession of any premises to refuse to allow the City or its designated contractor to enter upon the premises for the purposes set forth above.

#### C. Penalties for Violation

##### 1. Fining Procedure

- a. Any person who violates any of the provisions of this chapter may be fined.
- b. The fines described in the notice of violation may include a civil infraction and is subject to a minimum one hundred and fifty dollars (\$150) fine. The maximum fine for a first offense will be two thousand five hundred dollars (\$2,500), and seven thousand five hundred dollars (\$7,500) for second and subsequent offenses. Each day such a violation occurs or continues shall be deemed a separate offense and shall make the violator liable for the imposition of a fine for each day.

c. Penalty Matrix

		EXTENT OF DAMAGE		
		MINOR	MODERATE	MAJOR
POTENTIAL FOR DAMAGE	Ranges are per day per violation			
	MINOR	\$150 - \$200	\$200 - \$500	\$500 - \$1500
	MODERATE	\$500 - \$1000	\$1000 - \$2500	\$2500 - \$3000
	MAJOR	\$1000 - \$2500	\$2500 - \$3000	\$2500 - \$7500

The Penalty Matrix Guidance, as found in the Stormwater Design Manual, shall act as a general guide to applying the Penalty Matrix.

2. Additional Penalties

a. Reinspection

A reinspection may be necessary to confirm compliance with a Notice of Violation or Stop Work Order issued by the City. The first reinspection shall not be assessed a penalty. All subsequent reinspections to confirm compliance shall be assessed a penalty of \$250.

b. Failure to Submit Annual Stormwater Management Facility Inspection

Failure to provide annual stormwater management facility inspections by May 1<sup>st</sup> shall result in a penalty of \$100 per month. Penalties shall be assessed on the first of each month the inspection has not been submitted.

c. In addition to any other remedies, should any person fail to comply with the provisions of this Ordinance, the City may, after giving notice and opportunity for compliance, have the necessary work done, and the person shall be required to promptly reimburse the City for all costs of such work.

Nothing herein contained shall prevent the City from taking such other lawful action as may be necessary to prevent or remedy any violation. All costs connected therewith shall accrue to the person or persons responsible. Costs include, but are not limited to, repairs to the stormwater drainage system made necessary by the violation, as well as those penalties levied by

the EPA or IDEM for violation of the City's NPDES permit, administrative costs, attorney fees, court costs, and other costs and expenses associated with the enforcement of this Ordinance, including sampling and monitoring expenses.

### 3. Collection of Penalties

The statement of fines and penalties shall be delivered to the person, and the person shall pay the amount due to the Department of Finance. If the fines and penalties are not paid within ten (10) days of receiving the statement, the City may commence a court action to recover the fines and penalties under IC 34-28-5-1(b), to be read together with IC 13-21-3-12(a)(4). Unpaid fines, costs, and fees may be certified to the Bartholomew County Auditor and placed upon the tax duplicate as a special assessment against the property, to the extent permitted by law.

Funds recouped for corrective action or cost of abatement performed by the City shall be deposit in the account from which the funds were expended. All other fines collected will be remanded to the Storm Sewer Operating account numbered 101019319.

#### D. Injunctive Relief

The City may petition for a preliminary or permanent injunction restraining any person from undertaking any activities which would result in a violation or continued violation of this chapter, and may seek mandatory injunctive relief compelling the person to perform abatement or remediation of any violation of this chapter.

#### E. Remedies Not Exclusive

The remedies in this section are cumulative and the exercise of any one or more remedies shall not prejudice any other remedies that may otherwise be pursued for a violation of this Ordinance. The remedies listed in this chapter are not exclusive of any other remedies available under any applicable federal, state or local law and it is within the discretion of the City to seek cumulative remedies. All persons responsible for a violation, including but not limited to owners, developers, contractors, and agents, shall be jointly and severally liable. The persons responsible for a violation shall be liable for all costs incurred by the City, including but not limited to administrative costs, engineering costs, consultant fees, sampling, monitoring, remediation, repair, attorney fees, court costs, and collection costs. The City may enforce this Ordinance through administrative citations, civil actions, or any other remedy authorized by law.

#### F. Transfer of Ownership

No owner of any lands upon whom a Notice of Violation has been assessed shall sell, transfer, mortgage, lease or otherwise dispose of to another until the provisions have been complied with, or until such owner first furnishes the grantee, transferee, mortgagee or lessee a true copy of any compliance order or Notice of Violation issued by the City and

furnishes to the City a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such Notice of Violation and fully accepting the responsibility of payment and corrections or repairs required by such Notice of Violation.

## **13.26.120 Disclaimer of Liability**

The degree of protection required by this Ordinance is considered reasonable for regulatory purposes and is based on historical records, engineering, and scientific methods of study. Larger storms may occur or stormwater runoff amounts may be increased by man-made or natural causes. This Ordinance does not imply that land uses permitted will be free from stormwater damage. This Ordinance shall not create liability on the part of the City of Columbus or any officer, representative, or employee thereof, for any damage that may result from reliance on this Ordinance or on any administrative decision lawfully made there under.

This Ordinance is intended for regulatory purposes only and shall not be construed to create any duty owed by the City to any individual or entity. Nothing contained herein, nor any act or omission taken pursuant to this Ordinance, including but not limited to the issuance or denial of any permit, approval of plans, inspection, monitoring, enforcement action, or failure to enforce, shall be deemed to impose liability upon the City, its officers, officials, employees, agents, or representatives for any damages of any kind. The City, its officers, officials, employees, agents, and representatives shall not be liable for any damages resulting from reliance on this Ordinance or any administrative decision lawfully made thereunder. This Ordinance does not guarantee or warrant that land, structures, or uses permitted under this Ordinance will be free from flooding, erosion, or other stormwater-related damage.

The words “approve” and “accept”, and their common derivations as used in this Ordinance in relation to plans, reports, calculations, and permits shall mean that the City of Columbus has reviewed the material produced and submitted by the Project Team for general compliance with this Ordinance and the Stormwater Design Manual, and that such compliance would qualify the Project Team to receive a Stormwater Management Permit. Such an “approval” or “acceptance” is based on the assumption that the project engineer has followed all appropriate engineering methods in the design. Any stormwater quantity (drainage) or water quality problems associated with the project caused by poor construction by the contractor and/or poor engineering design or judgment, either on-site or off-site, are the responsibility of the developer and the project engineer.

Consideration, design, construction, and maintenance of safety measures for proposed or existing stormwater management facilities shall be the responsibility of the developer, applicant, and/or the property owner. City of Columbus and its officials and representatives shall not be responsible for maintenance nor liability for any accidents. Nothing herein shall be construed as a waiver of any immunity or limitation of liability provided under the Indiana Tort Claims Act (IC 34-13-3) or any other applicable law.

# 13.26.130 Interpretation

Words and phrases in this Ordinance shall be construed according to their common and accepted meanings, except that words and phrases defined in this Ordinance shall be construed according to the respective definitions given in that section. Technical words and technical phrases that are not defined in this Ordinance, but which have acquired particular meanings in law or in technical usage shall be construed according to such meanings.

# 13.26.140 Definitions

**Agricultural Land Disturbing Activity** – Tillage, planting, cultivation, or harvesting operations for the production of agricultural or nursery vegetative crops. The term also includes pasture renovation and establishment, the construction of agricultural conservation practices, and the installation and maintenance of agricultural drainage tile. For purposes of this ordinance, the term does not include land disturbing activities for the construction of agricultural related facilities; roads associated with infrastructure; agricultural waste lagoons and facilities; lakes and ponds; wetlands; and other infrastructure. It also does not include clearing land, grubbing trees, or stripping land of vegetation.

**Applicant** – The owner, owners, or legal representative of real estate who make application for action affecting the property.

**Best Management Practices (BMP)** – A temporary and permanent practice or combination of practices that is an effective, practicable means of preventing or reducing the amount of pollution in stormwater runoff. Examples include: schedule of activities, prohibition of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage, and any other management practices to prevent or reduce the discharge of pollutants directly or indirectly to stormwater, receiving waters, or stormwater conveyance systems. BMPs also include any structural or nonstructural control measures utilized to improve the quality and quantity of stormwater runoff.

**Building** – A structure having a roof, supported by columns or walls, for the shelter, support or enclosure of persons, property, or animals; either temporary or permanent.

**Channel** – A natural or artificial watercourse with a definite bed and banks that conducts continuously or periodically flowing water.

**City** – The City of Columbus, Indiana.

**Compliance** – The act of correcting a violation or violations within the time frame specified by the City of Columbus.

**Construction activity** – Land disturbing activities and land disturbing activities associated with the construction of infrastructure and structures. This term does not include routine ditch, road maintenance, or landscaping projects disturbing less than 0.25 acre.

**Construction plan** – A representation of a project site and all activities associated with the project. The plan includes the location of the project site, buildings and other infrastructure, grading activities, schedules for implementation, and other pertinent information related to the project site. A stormwater pollution prevention plan is a part of the construction plan.

**Construction Stormwater General Permit (CSGP)** – An Indiana Department of Environmental Management Indiana Department of Environmental Management issued permit for authorization for stormwater discharges associated with construction activities, in accordance with **National Pollutant Discharge Elimination System (NPDES)**.

**Contiguous** – Adjoining or in actual contact with.

**Contractor or subcontractor** – An individual or company hired by the project site or individual lot owner, their agent, or the individual lot operator to perform services on the project site.

**Conveyance** – Any structure for transferring stormwater between two points, including public streets, roads, alleyways, and highways; curb and gutter; inlets, catch basins, manholes, and structures; pumping stations; pipes and culverts; outfalls; channels, legal drains, creeks, ditches, swales, and streams; retention or detention facilities; infiltration practices; and other structural components and equipment that transport, move or regulate stormwater.

**Detention** – Managing stormwater runoff by temporary holding and controlled release.

**Developer** – Any person financially responsible for land disturbing activity; or an owner of property who sells or leases, or offers for sale or lease, any lots in a subdivision.

**Development** – Any man-made change to improved or unimproved real estate including but not limited to:

- A. Construction, reconstruction, or placement of a building or any addition to a building;
- B. Construction of flood control structures such as levees, dikes, dams or channel improvements;
- C. Construction or reconstruction of bridges or culverts;
- D. Installing a manufactured home on a site, preparing a site for a manufactured home, or installing a recreational vehicle on a site for more than hundred eight (180) days;
- E. Installing utilities, erection of walls, construction of roads, or similar projects;
- F. Mining, dredging, filling, grading, excavation, or drilling operations;
- G. Storage of materials; or
- H. Any other activity that might change the direction, height, or velocity of flood or surface waters.

Development does not include activities such as the maintenance of existing buildings and facilities such as painting, re-roofing, resurfacing roads, or gardening, plowing and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent buildings.

**Discharge** – In the context of water quantity provisions, usually the rate of water flow. A volume of fluid passing a point per unit time commonly expressed as cubic feet per second, cubic meters per second, gallons per minute, or millions of gallons per day. In the context of water quality provisions, the discharge means any addition of liquids or solids to a water body or a flow conveyance facility

**Disposal** – The discharge, deposit, injection, spilling, leaking, or placing of any solid waste or hazardous waste into or on any land or water so that the solid waste or hazardous waste, or any constituent of the waste, may enter the environment, be emitted into the air, or be discharged into any waters, including ground waters.

**Drainage** – The removal of excess surface water or groundwater from land by means of ditches or subsurface drains. Also see Natural drainage.

**Engineering Department** – The City Engineer of the City, a staff member of the Engineering Department for the City, or a designee.

**Erosion** – The detachment and movement of soil, sediment, or rock fragments by water, wind, ice, or gravity.

**Erosion and sediment control** – A practice, or a combination of practices, to minimize sedimentation by first reducing or eliminating erosion at the source and then as necessary, trapping sediment to prevent it from being discharged from or within a project site.

**Fill** – Any act by which earth, sand, gravel, rock, or any other material is deposited, placed, replaced, pushed, dumped, pulled, transported, or moved by man to a new location and shall include the conditions resulting therefrom.

**Grading** – The cutting and filling of the land surface to a desired slope or elevation

**Groundwater** – The accumulation of underground water, natural or artificial. The term does not include manmade underground storage or conveyance structures.

**IDEM** – The Indiana Department of Environmental Management.

**Illegal or Illicit Discharge** – Any discharge to a conveyance that is not composed entirely of stormwater, except naturally introduced floatables, such as leaves or tree limbs. Sources of illicit discharges include but is not limited to sanitary wastewater, septic tank effluent, commercial car wash wastewater, oil spills or disposal, radiator flushing disposal, laundry wastewater, roadway accident spillage, pollutant run-off, bore gel, bentonite clay, dirt, sediment and household hazardous wastes.

**Infiltration** – The passage or movement of water into the soil. Infiltration practices include any structural BMP designed to facilitate the percolation of runoff through the soil to groundwater. Examples include infiltration basins or trenches, and porous pavement.

**Infrastructure** – The roads, bridges, streets, curbs, sidewalks, sanitary and storm sewers, water mains, gas mains, electrical supply lines and communication lines which supply the structures of a development with transportation means and utilities.

**Land Disturbance** – Any manmade change of the land surface, including removing vegetative cover that exposes the underlying soil, excavating, filling, transporting, and grading. Also called a **Land Disturbing Activity**.

**Larger Common Plan of Development or Sale** - A plan, undertaken by a single project site owner or a group of project site owners acting in concert, to offer lots for sale or lease; where such land is contiguous, or is known, designated, purchased, or advertised as a common unit or by a common name, such land must be presumed as being offered for sale or lease as part of a

larger common plan. The term also includes phased or other construction activity by a single entity for its own use.

**Municipal Separate Storm Sewer System (MS4)** – A conveyance or system of conveyances, including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, manmade channels, infiltration practices, or storm drains, which is:

- A. owned or operated by a federal, state, city, town, county, district, association, or other public body (created by or pursuant to state law) having jurisdiction over stormwater, including special districts under state law such as a sewer district, flood control district, or drainage district, or similar entity, or a designated and approved management agency under Section 208 of the Clean Water Act (33 U.S.C. 1288) that discharges into waters of the state; or privately owned stormwater utility, hospital, university, or college having jurisdiction over stormwater that discharges into waters of the state;
- B. designed or used for collecting or conveying stormwater;
- C. not a combined sewer; and
- D. not part of a publicly owned treatment works (POTW) as defined at 40 CFR 122.2.

Also called a **Stormwater Conveyance System**.

**National Pollutant Discharge Elimination System (NPDES)** – A permit developed by the U.S. EPA through the Clean Water Act. In Indiana, the permitting process has been delegated to IDEM. This permit covers aspects of municipal stormwater quality.

**Natural Drainage** – The flow patterns of stormwater runoff over the land in its pre-development state.

**Offense** – Both a violation and a failure of compliance on a particular project. If there are multiple violations or multiple failures of compliance on the same project, each shall be considered a separate Offense.

**Owner** – Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to, or sufficient proprietary interest in the land, or their legal representative

**Person** – A person, corporation, firm, partnership, association, trust, organization, unit of government, or any other entity that acts as a unit, including all members of any group.

**Point Source** – Any discernible, confined, and discrete conveyance including but not limited to any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, or container from which pollutants are or maybe discharged (P.L. 92-500, Section 502[14]).

**Project Team** – The persons submitting application materials to the City, including the applicant, owner, developer, contractor, design team, stormwater specialist, etc.

**Sediment** – A solid material (both mineral and organic) that is in suspension, is being transported, or has been moved from its site of origin by air, water, gravity, or ice

**Sedimentation** – The process that deposits soils, debris and other unconsolidated materials either on the ground surfaces or in bodies of water or watercourses.

**Silvicultural** – The practice of controlling the establishment, growth, composition, health, and quality of forests to meet diverse needs and values.

- A. Nonpoint activities include source silvicultural activities such as nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, surface drainage, or road construction and maintenance from which there is natural runoff. Some of these activities (such as stream crossing for roads) may involve the placement of dredged or fill material which may require a Clean Water Act section 404 permit and a 401 Water Quality Certification.
- B. Point source activities include any discernible, confined and discrete conveyance related to rock crushing, gravel washing, log sorting, or log storage facilities which are operated in connection with silvicultural activities and from which pollutants are discharged into waters of the United States or the State.

**Site** – The entire area where land disturbing activity is proposed or taking place.

**Site development** – Altering terrain and/or vegetation and constructing improvements.

**Stormwater Conveyance System** – See definition for **Municipal Separate Storm Sewer System (MS4)**.

**Stormwater Design Manual** – The City of Columbus Stormwater Design Manual, latest edition.

**Stormwater Management Facilities** – all stormwater and drainage components used for collecting and conveying stormwater including but not limited to conduits and appurtenant features; public streets, roads, alleyways, and highways; gutters; curbs; inlets, catch basins, manholes, and structures; pumping stations; pipes and culverts; outfalls; natural and human-made or altered channels, creeks, ditches, swales, and streams; retention or detention facilities; and other structural components and equipment that transport, move or regulate stormwater.

**Stormwater Management Plan** – A submittal package that meet the requirements for this ordinance and the stormwater design manual. It may include but is not limited to, Stormwater Pollution Prevention Plan, Drainage Report, Stormwater Quantity and Quality Facilities, Temporary and Permanent BMPs, and Operation and Maintenance manuals.

**Stormwater Pollution Prevention Plan (SWPPP)** – A document that addresses stormwater runoff, identifies potential sources of pollution and outlines specific management activities designed to minimize the introduction of pollutants into stormwater.

**Stormwater** – Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

**Structure** – Any building or other object that is constructed or erected that requires location on or under the ground or is attached to something on the ground.

**Violation** – Any action or inaction which violates the provisions of this Ordinance or the Technical Standards, the requirements of an approved stormwater management design plan or permit, and/or the requirements of a recorded stormwater maintenance agreement may be subject to the enforcement actions outlined in 13.26.110. Any such action or inaction is deemed to be a public nuisance and may be abated by injunctive or other equitable relief in addition to, and separate from, the imposition of any of the enforcement actions described in 13.26.110.

# 13.26.150 EFFECTIVE DATE OF ORDINANCE

This Ordinance shall be in full force and effect from and after its passage by the City Council.

I hereby certify that the foregoing within and attached ordinance was duly passed by the Common Council of the City of Columbus, Indiana, at a meeting thereof held on the 6<sup>th</sup> day of May 2026, by the following vote:

	AYE	NAY	ABSTAIN	ABSENT
Chris Bartels (District 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Elaine Hilber (District 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jerone Wood (District 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frank Miller (District 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Anderson (District 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jay Foyst (District 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Josh Burnett (Councilor at Large)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Dell (Councilor at Large)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Grace Kestler (Councilor at Large)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

\_\_\_\_\_  
 Presiding Officer

**ATTEST:**

\_\_\_\_\_  
 Luann Welmer  
 Clerk of the City of Columbus, Indiana

The foregoing within and attached ordinance passed by the Common Council of the City of Columbus, Indiana, on the 6<sup>th</sup> day of May 2026, is presented by me this 7<sup>th</sup> day of May 2026, at o'clock \_\_\_\_\_.M, to the Mayor of the City of Columbus, Indiana.

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Luann Welmer  
Clerk of the Common Council

The foregoing within and attached ordinance passed by the Common Council of the City of Columbus, Indiana, on the 6<sup>th</sup> day of May 2026, is approved by me this \_\_\_\_ day of May 2026, at \_\_\_\_ o'clock \_\_\_\_\_.M.

---

Mary K. Ferdon, Mayor  
City of Columbus



## MEMORANDUM

**TO:** Columbus City Council Members

**FROM:** Melissa Begley, AICP  
on behalf of the Columbus Plan Commission

**DATE:** April 23, 2026

**RE:** *PC-26-5 (Chase Point Rezoning)*

At its April 8, 2026 meeting, the Columbus Plan Commission reviewed the above referenced application and forwarded it to the City Council with a favorable recommendation by a vote of 11 in favor and 0 opposed.

Chase Point Capital proposes to rezone an area of 8.755 acres from RMc (Residential Multi-Family/w commitments) to RS4 (Residential: Single-Family 4). The area to be rezoned is located generally on the north side of State Road 46 between county road 500 West and Belmont Drive). The applicants have indicated that the purpose of the proposed rezoning is to match the existing single-family zoning of the parcel to the north of the subject site in order to allow development of a single-family residential subdivision.

Seven members of the public spoke at the Plan Commission's public hearing on this request and their concerns were related to traffic, drainage and buffering.

The following items of information are attached to this memo for your consideration:

1. the proposed ordinance approving the rezoning,
2. the resolution certifying the action of the Plan Commission,
3. a copy of the Planning Department staff report prepared for the Plan Commission, and
4. a location map.

The Plan Commission's favorable recommendation includes commitments requiring an update to the previously completed Belmont project traffic study and to make improvements to the intersection of 500 West and State Road 46.

Please feel free to contact me if you have any questions regarding this matter.

**ORDINANCE NO.: \_\_\_\_\_, 2026**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP  
OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY  
FROM RMc (RESIDENTIAL: MULTI-FAMILY WITH COMMITMENTS)  
TO RS4c (RESIDENTIAL: SINGLE-FAMILY 4 WITH COMMITMENTS)**

**To be known as the: Chase Point Rezoning  
Plan Commission Case No.: PC-26-05**

**WHEREAS**, this rezoning was requested by Chase Point Capital, LLC and includes the consent of all owners of the subject property; and

**WHEREAS**, the Columbus Plan Commission did, on April 8, 2026, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

**WHEREAS**, the Common Council has considered the criteria contained in Section 12.6(G) of the City of Columbus Zoning Ordinance.

**NOW THEREFORE BE IT ORDAINED** by the Common Council of the City of Columbus, Indiana, as follows:

**SECTION 1: Official Zoning Map**

The zoning classification of the following described real estate, which is in the zoning jurisdiction of the City of Columbus, Indiana, shall be changed from RMc (Residential: Multi-Family with commitments) to RS4c (Residential: Single-Family with commitments):

*Administrative Lot 2A in the Wolf Creek - 500 W Administrative Subdivision, recorded March 11, 2026 in Plat Book "S", Page 180C in the Office of the Recorder of Bartholomew County, Indiana.*

**SECTION 2: Condition(s) and Commitment(s)**

The following commitments shall apply to the use and development of the subject property:

- 1) Prior to any development of the subject property, the developer/ subdivider shall provide an update to the previously completed Belmont project traffic study that incorporates the development of the subject property as well as the development of the planned new Bartholomew Consolidated School Corporation elementary school to the south of State Road 46. The primary intent of the traffic study is to document evolving development and traffic conditions and provide data suitable for evaluating and justifying, if warranted, a traffic light at the intersection of Belmont Drive, State Road 46, and Tipton Lakes Boulevard. The traffic study shall meet all requirements of the City Engineer and the Indiana Department of Transportation and be found acceptable by both.
- 2) At the time that any development of the subject property includes vehicle access to 500 West, that development shall include any improvements to the intersection of 500 West and State Road 46, on the north side of State Road 46 and within existing right-of-way, specified by the City Engineer in coordination with the Indiana Department of Transportation. Such improvements may include, but are not limited to, the clearing of vegetation and grading to improve sight distance, restriping of lanes and/or stop bar locations, and other similar improvements. The specified improvements shall be complete prior to occupancy of that development.

**SECTION 3: Repealer**

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

**SECTION 4: Severability**

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

**SECTION 5: Effective Date**

This ordinance shall be effective upon and after the date and time of its adoption, the fulfillment of any condition(s), and the recording of any commitment(s), as provided in Indiana law.

**ADOPTED**, by the Common Council of the City of Columbus, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2026 at \_\_\_\_\_ o'clock \_\_\_\_\_.m., by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer

The Clerk's page attesting to the passage of this ordinance, documenting the vote of the Common Council, and verifying approval by the Mayor is attached to and made a part of this ordinance.

ATTEST:

I hereby certify that the foregoing within and attached Ordinance was duly passed by the Common Council of the City of Columbus, Indiana, at a meeting thereof held on the 19<sup>th</sup> day of May 2026, by the following vote:

	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Chris Bartels (District 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Elaine Hilber (District 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jerone Wood (District 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frank Miller (District 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Anderson (District 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jay Foyst (District 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Josh Burnett (Councilor at Large)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Dell (Councilor at Large)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Grace Kestler (Councilor at Large)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The foregoing within and attached Ordinance passed by the Common Council of the City of Columbus, Indiana, on the 19<sup>th</sup> day of May 2026, is presented by me this 20<sup>th</sup> day of May 2026, at 10:00 o'clock A.M, to the Mayor of the City of Columbus, Indiana.

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Luann Welmer  
Clerk of the Common Council

The foregoing within and attached Ordinance passed by the Common Council of the City of Columbus, Indiana, on the 19<sup>th</sup> day of May 2026, is approved by me this 20<sup>th</sup> day of May 2026, at o'clock \_\_\_\_\_.M.

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Mary K. Ferdon, Mayor

**RESOLUTION: PC-26-05**

**of the City of Columbus, Indiana Plan Commission**

regarding  
**Case number PC-26-05  
(Chase Point Rezoning),  
a proposal to rezone +/-8.755 acres  
from RMc (Residential: Multi-Family with commitments)  
to RS4 (Residential: Single-Family 4)**

**WHEREAS**, the Plan Commission has received the application referenced above from Chase Point Capital, LLC; and

**WHEREAS**, the applicant(s) represent 100% of the property owners involved in the rezoning request, which meets the requirements of Indiana Code Section 36-7-4-602(c); and

**WHEREAS**, the Plan Commission did, on April 8, 2026, hold a public hearing consistent with the applicable requirements of Indiana law, the City of Columbus Zoning Ordinance, and the Plan Commission Rules of Procedure; and


**WHEREAS**, the Plan Commission did pay reasonable regard to the criteria contained in Section 12.6(G) of the Zoning Ordinance; and

**WHEREAS**, the Plan Commission recognizes that its action on this matter represents a recommendation to the City of Columbus Common Council, which will be responsible for final action on the request.

**NOW THEREFORE BE IT RESOLVED**, by the Plan Commission of the City of Columbus, Indiana, as follows:

- 1) The rezoning of the property subject to the application (approximately 8.755 acres located generally on the north side of State Road 46 between county road 500 West and Belmont Drive) is forwarded to the Common Council with a favorable recommendation. That recommendation includes the following commitments:
  - a) Prior to any development of the subject property, the developer/ subdivider shall provide an update to the previously completed Belmont project traffic study that incorporates the development of the subject property as well as the development of the planned new Bartholomew Consolidated School Corporation elementary school to the south of State Road 46. The primary intent of the traffic study is to document evolving development and traffic conditions and provide data suitable for evaluating and justifying, if warranted, a traffic light at the intersection of Belmont Drive, State Road 46, and Tipton Lakes Boulevard. The traffic study shall meet all requirements of the City Engineer and the Indiana Department of Transportation and be found acceptable by both.
  - b) At the time that any development of the subject property includes vehicle access to 500 West, that development shall include any improvements to the intersection of 500 West and State Road 46, on the north side of State Road 46 and within existing right-of-way, specified by the City Engineer in coordination with the Indiana Department of Transportation. Such improvements may include, but are not limited to, the clearing of vegetation and grading to improve sight distance, restriping of lanes and/or stop bar locations, and other similar improvements. The specified improvements shall be complete prior to occupancy of that development.
- 2) This resolution shall serve as the certification required for such ordinance amendments (re-zonings) by Indiana Code Section 36-7-4-605.

ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 8<sup>th</sup> DAY OF APRIL,  
2026 BY A VOTE OF 11 IN FAVOR AND 0 OPPOSED.

  
\_\_\_\_\_  
Michael Kinder, President

ATTEST:

  
\_\_\_\_\_  
Laura Garrett, Secretary



## STAFF REPORT

### CITY OF COLUMBUS PLAN COMMISSION (April 8, 2026 Meeting)

**Docket No. / Project Title:** PC 26-5 (Chase Point Rezoning)  
**Staff:** Kyra Behrman

**Applicant:** Chase Point Capital, LLC  
**Property Size:** 8.755 Acres  
**Current Zoning:** RMc (Residential: Multi-Family with commitments)  
**Proposed Zoning:** RS4 (Residential: Single-Family 4)  
**Location:** On the north side of State Road 46, 500 feet east of 500 West, in the City of Columbus

#### Background Summary:

The applicant has indicated that the proposed rezoning from a multi-family zone district to a single-family zone district is to match the existing single-family zoning of the parcel to the north of the subject site in order to allow development of a single-family residential subdivision.

#### Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application: None

#### Preliminary Staff Recommendation:

Favorable recommendation to the City Council, subject to the following commitments:

1. Prior to any development of the subject property, the developer/ subdivider shall provide an update to the previously completed Belmont project traffic study that incorporates the development of the subject property as well as the development of the planned new Bartholomew Consolidated School Corporation elementary school to the south of State Road 46. The primary intent of the traffic study is to document evolving development and traffic conditions and provide data suitable for evaluating and justifying, if warranted, a traffic light at the intersection of Belmont Drive, State Road 46, and Tipton Lakes Boulevard. The traffic study shall meet all requirements of the City Engineer and the Indiana Department of Transportation and be found acceptable by both.
2. At the time that any development of the subject property includes vehicle access to 500 West, that development shall include any improvements to the intersection of 500 West and State Road 46, on the north side of State Road 46 and within existing right-of-way, specified by the City Engineer in coordination with the Indiana Department of Transportation. Such improvements may include, but are not limited to, the clearing of vegetation and grading to improve sight distance, restriping of lanes and/or stop bar locations, and other similar improvements. The specified improvements shall be complete prior to occupancy of that development

#### Plan Commission Options:

In reviewing a request for rezoning the Plan Commission may (1) forward a favorable recommendation to the City Council, (2) forward an unfavorable recommendation to the City Council, (3) forward the application to City Council with no recommendation, or (4) continue the review to the next Plan Commission meeting. The

Plan Commission may recommend that conditions or commitments be attached to the rezoning request. The City Council makes all final decisions regarding rezoning applications.

**Decision Criteria:**

Indiana law and the Columbus Zoning Ordinance require that the Plan Commission and City Council pay reasonable regard to the following when considering a rezoning:

**The Comprehensive Plan.**

*Preliminary Staff Comments:* The Comprehensive Plan promotes orderly housing expansion in locations where the city’s infrastructure and services have the capability to accommodate the growth. The Plan also encourages development adjacent to already developed areas. The leading edge of city growth in this area is to the east and south of this site and includes a church, future public school and nursing home / assisted living facility. The Comprehensive Plan also supports various housing types.

**The current conditions and the character of current structures and uses in each district.**

*Preliminary Staff Comments:* Adjoining the site to the east is a nursing home / assisted living facility that continues to develop and is zoned RM (Residential: Multi-family). Single-family residential uses on smaller lots about the site on the south. Southeast of the site are denser developments, including single-family homes on RT (Residential: Two-Family) zoned lots, as well as a church and school forming a cluster of institutional uses.

**The most desirable use for which the land in each district is adapted.**

*Preliminary Staff Comments:* The Zoning Ordinance states RS4 (Residential: Single-Family) zoning district should be served by sewer and water utilities and have immediate access to Arterial or Collector roads. City Utilities indicated for a previous rezoning of this site that they can serve this site with water and sewer service and the site has access to a Collector and two Arterial roads. The zoning ordinance also states that the site should have direct connections to public open space and convenience goods. The nearest location of convenience goods is approximately 1.6 miles to the east and the subdivision control ordinance will likely require open space to be provided in this development (assuming it includes 50 or more residential lots).

**The conservation of property values throughout the jurisdiction of the City of Columbus.**

*Preliminary Staff Comments:* The property values throughout the City of Columbus should not be impacted in a negative way if the zoning request is approved. This rezone request extends the same RS4 zoning that exists to its north and is intended to be included with the overall single-family residential development. Once the subject site is incorporated with the residential development, there is access to an Arterial and a Collector road, both intended to carry larger volumes of traffic.

**Responsible growth and development.**

*Preliminary Staff Comments:* The property provides for the logical growth of the city and is consistent and compatible with the recent residential, church, and nursing home / assisted living development in the area, as well as the new elementary school. The property can be served with adequate services including police and fire protection, sewer and water utilities, and public works, as well as high-volume roads.

<b>Current Property Information:</b>	
<b>Land Use:</b>	Agriculture / pasture, some woods
<b>Site Features:</b>	Accessory agricultural structures
<b>Flood Hazards:</b>	The site does not contain any flood hazard areas.

<b>Special Circumstances:</b> (Airport Hazard Area, Wellfield Protection Area, etc.)	No special circumstances exist on the property
<b>Vehicle Access:</b>	State Road 46 (Primary Arterial, Residential, Rural)

<b>Surrounding Zoning and Land Use:</b>		
	<b>Zoning:</b>	<b>Land Use:</b>
<b>North:</b>	RS4 (Residential: Single-Family 4)	Agriculture / Woods Single-Family Residential (Large Lot)
<b>South:</b>	AP (Agriculture: Preferred) RS2 (Residential: Single-Family 2)	Agriculture Worship Facility Single-Family Residential
<b>East:</b>	RS4 (Residential: Single-Family 4) RM (Residential: Multi-Family)	Single-Family Residential (Large Lot) Nursing Home / Assisted Living Facility (The Belmont Senior Living)
<b>West:</b>	AP (Agriculture: Preferred)	Agriculture / Woods Single-Family Residential Single-Family Residential (Large Lot)

<b>Zoning District Summary (Existing / Proposed):</b>		
	<b>Existing Zoning: RM</b>	<b>Proposed Zoning: RS4</b>
<b>Zoning District Intent:</b>	To provide areas for a variety of multi-family uses, such as two-family dwellings, apartment homes and complexes, and condominiums in areas with compatible infrastructure and services. Development in this zoning district should be served by sewer and water utilities. This district should be used in limited locations with highly developed infrastructure, immediate access to Arterial or Collector roads, and direct connections to public open space and convenience goods.	To provide areas for high density single-family residences in areas with compatible infrastructure and services. Development in this zoning district should be served by sewer and water utilities. Such development should also provide residents with convenient access to Collector and Arterial roads, parks and open space, employment, and convenience goods.

<p><b>Permitted Uses:</b></p>	<p><b>Residential Uses</b></p> <ul style="list-style-type: none"> <li>• dwellings, multi-family</li> <li>• dwellings, two-family</li> <li>• nursing home / assisted living facility</li> <li>• retirement facility</li> </ul> <p><b>Park Uses</b></p> <ul style="list-style-type: none"> <li>• nature preserve / conservation area</li> <li>• park / playground</li> </ul>	<p><b>Residential Uses</b></p> <ul style="list-style-type: none"> <li>• dwellings, single-family</li> </ul> <p><b>Park Uses</b></p> <ul style="list-style-type: none"> <li>• nature preserve / conservation area</li> <li>• park / playground</li> </ul>
<p><b>Water and Sewer Service:</b></p>	<p>Required</p>	<p>Required</p>
<p><b>Lot and/or Density Requirements:</b></p>	<p><b>Maximum Gross Density:</b></p> <p>25 Dwelling Units / Acre</p>	<p><b>Minimum Lot Area:</b></p> <p>5,500 square feet</p>
<p><b>Setbacks Required:</b></p>	<p><b>Side Yard Setback:</b></p> <ul style="list-style-type: none"> <li>• Two-Family Structure: 5 feet</li> <li>• Multi-Family Structure: 10 feet</li> <li>• Non-residential Structure: 10 feet</li> <li>• Accessory Structure: 5 feet</li> </ul> <p><b>Rear Yard Setback:</b></p> <ul style="list-style-type: none"> <li>• Primary Structure: 10 feet</li> <li>• Non-residential Structure: 10 feet</li> <li>• Accessory Structure: 5 feet</li> </ul> <p><b>Front Yard Setback:</b></p> <ul style="list-style-type: none"> <li>• Arterial Road: 50 feet</li> <li>• Arterial Street: 10 feet*</li> <li>• Collector Road: 35 feet</li> <li>• Collector Street: 10 feet*</li> <li>• Local Road: 25 feet</li> <li>• Local Street: 10 feet*</li> </ul> <p>* 25 feet for any auto service bay, auto fuel pump canopy, or other similar vehicle access points to structures</p>	<p><b>Side &amp; Rear Yard Setback:</b></p> <ul style="list-style-type: none"> <li>• Primary Structure: 5 feet</li> <li>• Accessory Structure: 5 feet</li> </ul> <p><b>Front Yard Setback:</b></p> <ul style="list-style-type: none"> <li>• Arterial Road: 50 feet</li> <li>• Arterial Street: 50 feet</li> <li>• Collector Road: 30 feet</li> <li>• Collector Street: 15 feet*</li> <li>• Local Road: 25 feet</li> <li>• Local Street: 10 feet*</li> </ul> <p>* 25 feet for any garage with a vehicle entrance facing the street.</p>
<p><b>Height Restrictions:</b></p>	<p><b>Primary Structure:</b></p> <p>50 feet</p> <p><b>Accessory Structure:</b></p> <p>25 feet.</p>	<p><b>Primary Structure:</b></p> <p>40 feet</p> <p><b>Accessory Structure:</b></p> <p>25 feet, or height of primary structure on the property, whichever is less.</p>

<b>Floor Area Requirements:</b>	<b>Minimum Living Area:</b> • Two-Family: 1,000 square feet • Multi-family: 500 square feet	<b>Minimum Living Area:</b> 1,000 square feet
<b>Primary Permanent Signs:</b>	<b>Freestanding Sign:</b> 2 free-standing signs for each vehicle entrance to the property from a public street or road. Each sign shall be limited to a maximum of 32 square feet in area and a maximum of 6 feet in height.	<b>Permanent Signs:</b> None

<b>Interdepartmental Review:</b>	
<b>City Engineering:</b>	No Comments at this time.
<b>City Utilities:</b>	No concerns.
<b>Code Enforcement:</b>	No issues as presented.
<b>Fire Department:</b>	No response.

**History of this Location:**

The relevant history of this property includes the following: The subject site was part of recent rezoning and annexation requests (RZ-2025-003 and ANX-2025-003) Approximately 97.96 acres were rezoned from AP (Agriculture: Preferred) to RS4 (Residential: Single-family 4) and 8.74 acres were rezoned from AP (Agriculture: Preferred) to RMc (Residential: Multi-family with commitments). The commitments of the rezoning were as follows:

1. The RS4-zoned portion of the subject property shall be limited to a maximum of 300 single-family residential lots.
2. The development of the RM area resulting from this rezoning shall include a Type B buffer, as specified by the zoning ordinance, where that area adjoins the homes at 233 through 401 North 500 West and/or 7220 through 7510 West State Road 46. However, the buffer plantings shall consist entirely of trees with an equal mix of deciduous and evergreen trees; and, specifically, no shrubs shall be counted as meeting the buffer planting requirement. The buffer shall be installed prior to occupancy of any development on the subject property.
3. Prior to any development of the subject property, the developer/ subdivider shall provide an update to the previously completed Belmont project traffic study that incorporates the development of the subject property as well as the development of the planned new Bartholomew Consolidated School Corporation elementary school to the south of State Road 46. The primary intent of the traffic study is to document evolving development and traffic conditions and provide data suitable for evaluating and justifying, if warranted, a traffic light at the intersection of Belmont Drive, State Road 46, and Tipton Lakes Boulevard. The traffic study shall meet all requirements of the City Engineer and the Indiana Department of Transportation and be found acceptable by both.
4. No development of the RM-zoned portion of the subject property shall occur without that development

having vehicle access to both Belmont Drive and 500 West. This access may be constructed with the RM property development, but must be complete prior to occupancy of that development.

5. At the time that any development of the subject property includes vehicle access to 500 West, that development shall include any improvements to the intersection of 500 West and State Road 46, on the north side of State Road 46 and within existing right-of-way, specified by the City Engineer in coordination with the Indiana Department of Transportation. Such improvements may include, but are not limited to, the clearing of vegetation and grading to improve sight distance, restriping of lanes and/or stop bar locations, and other similar improvements. The specified improvements shall be complete prior to occupancy of that development.
6. No multi-unit building on the property, those containing more than a single dwelling unit, shall exceed a maximum of 2 stories in height. Further, the RM-zoned portion of the subject property shall be limited to a maximum density of 15 dwelling units per acre.

### **Comprehensive Plan Consideration(s):**

The Future Land Use Map indicates the future use of this property as Agriculture.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **POLICY A-4-3:** Prevent urban sprawl. *Sprawling development patterns waste land and cost tax dollars. Development should be compact and orderly.*
2. **POLICY B-1-9:** Encourage new development to be designed in a manner which preserves natural topography and other natural features, including but not limited to trees, woodlands, wetlands, streams, ponds, drainage ways. *Natural features and topography are a community resource which should not be destroyed due to inflexible subdivision regulation. New development should take place in a manner which preserves these features to the maximum extent possible.*
3. **GOAL D-1:** Develop new housing where adequate public services can be provided economically.
4. **POLICY D-1-1:** Promote orderly housing expansion in locations where the city's infrastructure and services have the capacity to accommodate the growth. *New neighborhoods should have adequate infrastructure and services. Road networks should be safe, there should be adequate sewage disposal and a safe drinking water supply, there should be adequate police and fire protection and trash pick-up. The city should guide new development to areas where these services will be available at reasonable cost.*
5. **GOAL D-2:** Encourage development of a sufficient supply of diverse housing types, sizes, and price ranges in the community.
6. **POLICY D-2-2:** Allow for various housing types. *A diverse population needs diverse housing. The city should encourage a variety of housing types, including single-family detached houses, townhouses, and apartments.*
7. **POLICY D-2-5:** Encourage neighborhoods which contain a diverse socioeconomic mix. *Socioeconomic diversity is beneficial to the community. The city should encourage developments which contain a variety of housing types and prices. The diversity of neighborhoods affects the diversity in public schools, particularly elementary schools. Traditional development, such as in the downtown area, contains a socioeconomic mix. Among newer developments, Tipton Lakes is consistent with this policy in that it contains a mix of housing types (apartments, single-family houses, duplexes, townhouses) in different price ranges.*

This property is located in the Western Hills character area. The following Planning Principle(s) apply to this application:

1. Ensure that new development takes place in a manner that preserves natural features such as topography and wooded areas. Clustering should be encouraged.
2. Encourage all new developments to be linked to bicycle and pedestrian systems.
3. Encourage a better mix of housing prices.

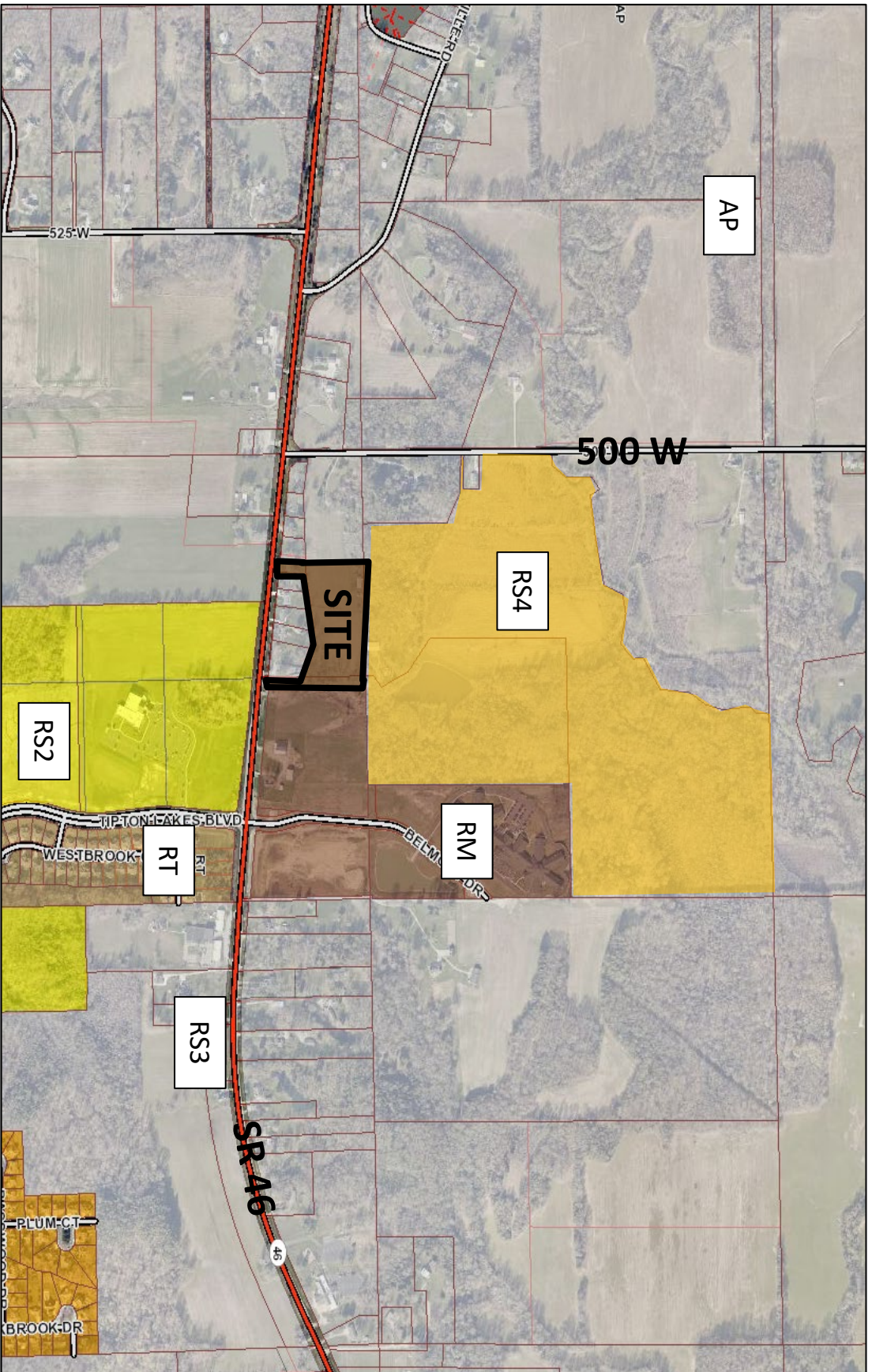
The Bicycle & Pedestrian Plan Comprehensive Plan Element recommends a future shared use path along State Road 46 and on Tipton Lakes Boulevard, south of the Tipton Lakes Boulevard / Belmont Drive / State Road 46 intersection.

### **Planning Consideration(s):**

The following general site considerations, planning concepts, and other facts should be considered in the review of this application:

1. The applicant proposes to rezone approximately 8.75 acres from RMc (Residential: Multi-Family with commitments) to RS4 (Residential: Single-Family 4). The subject site is located approximately 500 feet east of 500 West and has 107.5 feet and 67 feet of frontage on State Road 46 that is separated by approximately 730 feet.
2. The subject site adjoins a group of approximately 11 homes along State Road 46 and 500 West that are in an AP (Agriculture: Preferred) zoning district. If the subject site were rezoned to RS4 (Residential: Single-Family 4) no landscape buffering would be required between them.
3. The RS4 zoning proposed is the densest single-family residential district provided by the zoning ordinance, with a minimum lot size of 5,500 square feet.
4. The subject site has frontage on State Road 46 and is intended to be a part of the housing development to the north. Therefore, this subject site can also be accessed through a future street extending to the west from nearby Belmont Drive, which intersects with State Road 46.
5. State Road 46 is a Principle Arterial Road and is under the jurisdiction of the Indiana Department of Transportation (INDOT). Principle arterial roads are intended to provide a high degree of mobility and generally serve longer vehicle trips to, from, and within the community. The subject property's limited frontage on State Road 46 in combination with the numerous driveways in this same area result in new street intersections and/or driveways being largely unable to meet the applicable minimum separation distances specified by the zoning and subdivision control ordinances (400 feet between driveways and 600 feet between street intersections). Access from this subject property to State Road 46 will, therefore, most likely be via 500 West and Belmont Drive.
6. The applicant has indicated that the proposed RS4 zoning will provide needed flexibility to develop the property in consideration of its topography and other natural features as well as provide a diversity of lot sizes.
7. The intent of the zoning districts states that properties zoned RS4 and RM should have direct connections to convenience goods. The Westhill Shopping Center is located approximately 1.6 miles east of the subject property. This shopping center provides a range of goods and services. According to the Planning Department's Neighborhood Commercial Access to Design Study, residents living within up to a half-mile distance of a commercial good were determined to have convenient access to those goods, which is generally considered within walking distance. Beyond that distance most individuals will instead choose to drive.
8. ColumBus transit does not service this area. 350 West is the farthest west the ColumBus travels, which is approximately 1.6 miles from the subject property.

# Location & Zoning Context (Case #: PC-26-5: Chase Point Rezoning)





## MEMORANDUM

**TO:** Columbus City Council Members

**FROM:** Melissa Begley, AICP  
on behalf of the Columbus Plan Commission

**DATE:** April 23, 2026

**RE:** *PC-26-4 (10<sup>th</sup> & Lafayette Rezoning)*

At its April 8, 2026 meeting, the Columbus Plan Commission reviewed the above referenced application and forwarded it to the City Council with a favorable recommendation by a vote of 11 in favor and 0 opposed.

This rezoning was initiated by the Planning Department to address a mis-match between the commercial zoning on the properties and their long-term residential use. This rezoning involves 11 lots near the intersection of 11<sup>th</sup> Street and Lafayette Avenue and the area of 10<sup>th</sup> Street & Pearl Street. The Planning Department's observation is that these lots do not have future commercial development potential and that this current commercial zoning both misidentifies their true potential future uses and unnecessarily burdens the existing homes. With the current zoning, homeowners likely face confusion and/or regulatory barriers when seeking to improve or expand these residences.

The owners of property included in the rezoning received two letters from the Planning Department: the first asking for their input on the proposed change and the second providing formal notice of the April 8th Plan Commission meeting.

Other lots currently zoned CN in this area that were excluded from the rezoning include 2 vacant lots at the corner of Lafayette Avenue and 10<sup>th</sup> Street.

The following items of information are attached to this memo for your consideration:

1. the proposed ordinance approving the rezoning,
2. the resolution certifying the action of the Plan Commission,
3. a location map.

Please feel free to contact me if you have any questions regarding this matter.

**ORDINANCE NO.: \_\_\_\_\_, 2026**

**AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP  
OF COLUMBUS, INDIANA, REZONING THE SUBJECT PROPERTY  
FROM CN (COMMERCIAL: NEIGHBORHOOD)  
TO RE (RESIDENTIAL: ESTABLISHED)**

**To be known as the: 10<sup>th</sup> & Lafayette Rezoning  
Plan Commission Case No.: PC-26-04**

**WHEREAS**, this rezoning was initiated by the City of Columbus - Bartholomew County Planning Department, on behalf of the City of Columbus Plan Commission, consistent with Indiana Code Section 36-7-4-602(c); and

**WHEREAS**, the Plan Commission did, on April 8, 2026, hold a legally advertised public hearing on said request and has certified a favorable recommendation to the Common Council; and

**WHEREAS**, the Common Council has considered the criteria contained in Section 12.6(G) of the City of Columbus Zoning Ordinance.

**NOW THEREFORE BE IT ORDAINED** by the Common Council of the City of Columbus, Indiana, as follows:

**SECTION 1: Official Zoning Map**

The zoning classification of the following described real estate, which is in the zoning jurisdiction of the City of Columbus, Indiana, shall be changed from CN (Commercial: Neighborhood) to RE (Residential: Established):

*Lots numbered 3 and 4 in F.M. Banfil's Subdivision of Block "A" in Thomas Hays Addition to the City of Columbus, recorded in Plat Book "B", Page 102, in the Office of the Recorder of Bartholomew County, Indiana, and the North 6 feet of a vacated alley lying south of and adjacent to said lots 3 and 4.*

*And,*

*The North half of Lots numbered 1 and 2 in F.M. Banfil's Subdivision of Block "A" in Thomas Hays Addition to the City of Columbus, recorded in Plat Book "B", Page 102, in the Office of the Recorder of Bartholomew County, Indiana, more particularly described as follows:*

*Commencing at the Northwest corner of said Lot 1; thence South along the West line of said Lot 1, 74½ feet; thence East parallel with the North line of said Lots 1 and 2, 120 feet to the East line of said Lot 2; thence North 74½ feet along the East line of said Lot 2; thence West along the North line of said Lots 1 and 2, 120 feet to the Place of Beginning.*

*And,*

*Lot numbered 210 in Irwin's Third Addition to the Town, now City of Columbus, as recorded in Plat Book "B", page 2, in the Office of the Recorder of Bartholomew County, Indiana.*

*And,*

*Lot numbered 209 in Irwin's Third Addition to the Town, now City of Columbus, as recorded in Plat Book "B", page 2, in the Office of the Recorder of Bartholomew County, Indiana, and an area commencing at the Southwest corner of said Lot 209; thence South continuing the West line of said Lot 209, 10 feet; thence East parallel with the North line of said Lot 209, 44 feet; thence North parallel to the West line of said Lot 209 extended, 10 feet; thence West along the South line of said Lot 209, 44 feet to the Place of Beginning.*

And,

*Lots numbered 136 and 137 in Irwin's First Addition to the Town, now City of Columbus, as recorded in Plat Book "A", page 71, in the Office of the Recorder of Bartholomew County, Indiana, and all of the ground lying North of the alley on the North side of Lot 135 and South of said Lot 136 as originally platted in said Addition.*

**SECTION 2: Condition(s) and Commitment(s)**

No conditions or commitments are attached to this rezoning.

**SECTION 3: Repealer**

All ordinances or parts thereof in conflict with this ordinance shall be repealed to the extent of such conflict.

**SECTION 4: Severability**

If any provision, or the application of any provision, of this ordinance is held unconstitutional or invalid the remainder of the ordinance, or the application of such provision to other circumstances, shall be unaffected.

**SECTION 5: Effective Date**

This ordinance shall be effective upon and after the date and time of its adoption, the fulfillment of any condition(s), and the recording of any commitment(s), as provided in Indiana law.

**ADOPTED**, by the Common Council of the City of Columbus, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, 2026 at \_\_\_\_\_ o'clock \_\_\_\_\_.m., by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
Presiding Officer

The Clerk's page attesting to the passage of this ordinance, documenting the vote of the Common Council, and verifying approval by the Mayor is attached to and made a part of this ordinance.

ATTEST:

I hereby certify that the foregoing within and attached Ordinance was duly passed by the Common Council of the City of Columbus, Indiana, at a meeting thereof held on the 19<sup>th</sup> day of May 2026, by the following vote:

	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Chris Bartels (District 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Elaine Hilber (District 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jerone Wood (District 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frank Miller (District 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Anderson (District 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jay Foyst (District 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Josh Burnett (Councilor at Large)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Dell (Councilor at Large)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Grace Kestler (Councilor at Large)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The foregoing within and attached Ordinance passed by the Common Council of the City of Columbus, Indiana, on the 19<sup>th</sup> day of May 2026, is presented by me this 20<sup>th</sup> day of May 2026, at 10:00 o'clock A.M, to the Mayor of the City of Columbus, Indiana.

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Luann Welmer  
Clerk of the Common Council

The foregoing within and attached Ordinance passed by the Common Council of the City of Columbus, Indiana, on the 19<sup>th</sup> day of May 2026, is approved by me this 20<sup>th</sup> day of May 2026, at o'clock \_\_\_\_\_.M.

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Mary K. Ferdon, Mayor

**RESOLUTION: PC-26-04**

**of the City of Columbus, Indiana Plan Commission**

regarding  
**Case number PC-26-04  
(10th and Lafayette Rezoning),  
a proposal to rezone +/-1.16 acres  
from CN (Commercial: Neighborhood) to RE (Residential: Established)**

**WHEREAS**, the City of Columbus - Bartholomew County Planning Department, on behalf of the Plan Commission, has initiated the rezoning consistent with Indiana Code Section 36-7-4-602(c); and

**WHEREAS**, the Plan Commission did, on April 8, 2026, hold a public hearing consistent with the applicable requirements of Indiana law, the City of Columbus Zoning Ordinance, and the Plan Commission Rules of Procedure; and


**WHEREAS**, the Plan Commission did pay reasonable regard to the criteria contained in Section 12.6(G) of the Zoning Ordinance; and

**WHEREAS**, the Plan Commission recognizes that its action on this matter represents a recommendation to the City of Columbus Common Council, which will be responsible for final action on the request.

**NOW THEREFORE BE IT RESOLVED**, by the Plan Commission of the City of Columbus, Indiana, as follows:

- 1) The rezoning of the property subject to the application (approximately 1.16 acres generally located on the east side of Lafayette Avenue, between 10<sup>th</sup> and 11<sup>th</sup> Streets; on the south side of 10<sup>th</sup> Street, between Lafayette and Pearl Streets; and on the west side of Pearl Street, south of 10<sup>th</sup> Street) is forwarded to the Common Council with a favorable recommendation.
- 2) This resolution shall serve as the certification required for such ordinance amendments (re-zonings) by Indiana Code Section 36-7-4-605.

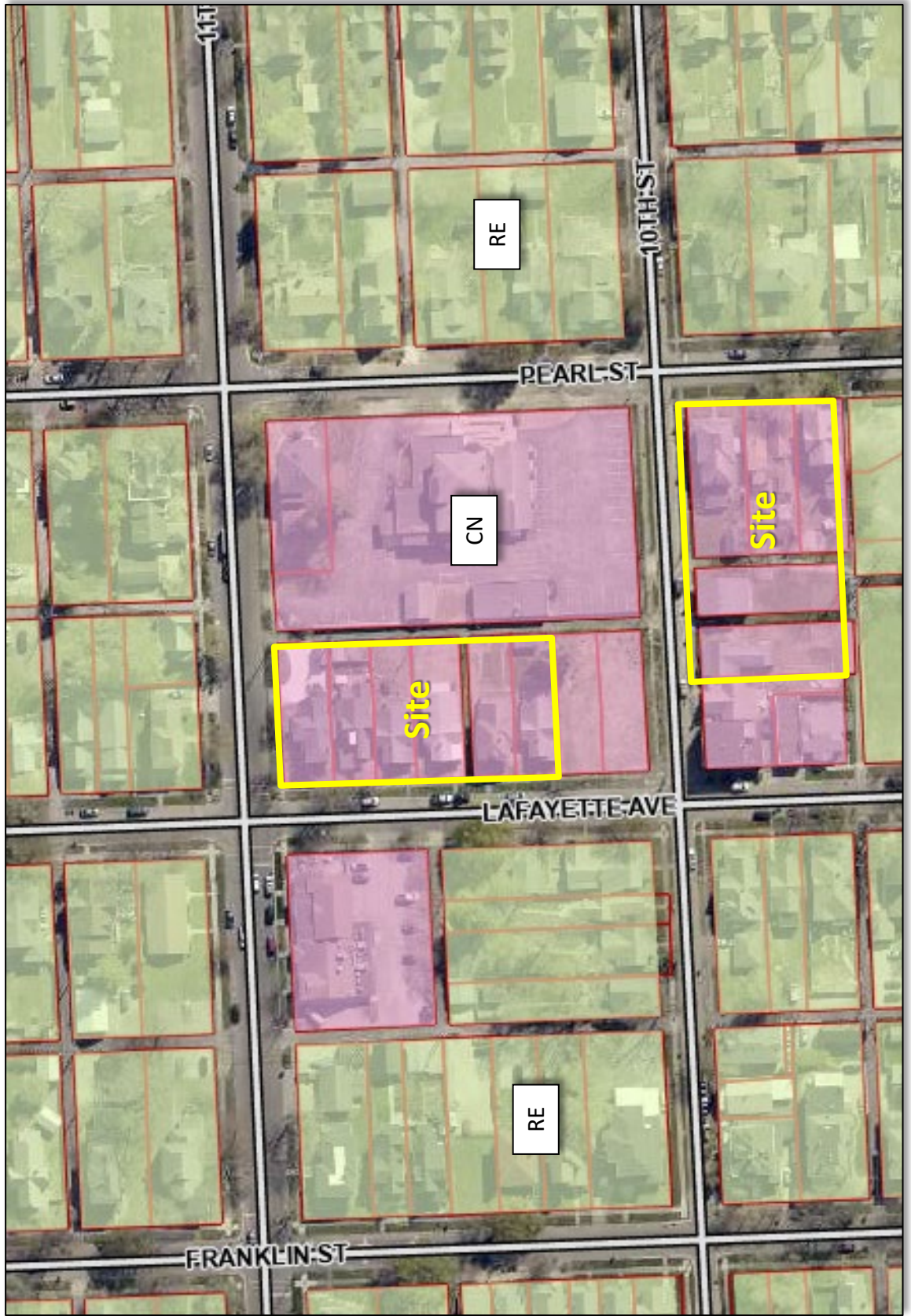
**ADOPTED BY THE COLUMBUS, INDIANA PLAN COMMISSION THIS 8<sup>th</sup> DAY OF APRIL, 2026 BY A VOTE OF 11 IN FAVOR AND 0 OPPOSED.**

  
\_\_\_\_\_  
Michael Kinder, President

**ATTEST:**

  
\_\_\_\_\_  
Laura Garrett, Secretary

# Location & Zoning Context (Case #: PC-26-4: 10<sup>th</sup> & Lafayette)



ORDINANCE NO. \_\_\_\_\_ -2026

**AN ORDINANCE ESTABLISHING AN ADJUSTED  
SCHEDULE FOR WATER RATES AND CHARGES  
BY THE CITY OF COLUMBUS UTILITIES WATER SYSTEM  
AS DIRECTED BY THE INDIANA UTILITY REGULATORY SYSEM**

**WHEREAS**, the legislative body of the City of Columbus, Indiana, by way of its City Council (Common Council) did adopt Ordinance Number 1861, 1961 and established a Utility Service Board pursuant to and consistent with the then existing rules and regulations as established in the relevant Indiana Code sections; and

**WHEREAS**, the Utility Service Board manages the Columbus City Utilities as a separate legal entity of the City of Columbus; and

**WHEREAS**, in all action regarding water rates, fees, services and costs the Utilities must study and determine an appropriate and reasonable rate, then it submits same to the Common Council of the City of Columbus, who then approves said rate; and

**WHEREAS**, all rates, fees, service and costs of water service as recommended by the Columbus City Utilities and adopted by the Common Council are subject to the control of the Indiana Utility Regulatory Commission (IURC); and

**WHEREAS**, the IURC is vested with authority by the Indiana Statute, the Indiana Administrative Code and overall public policy concerns and considerations to evaluate the financial health of a member utility when a request for a water rate change is made and a request for other rates, fees and services are made; and

**WHEREAS**, the last water rate change made by the Common Council of the City of Columbus was on October 21, 2025 by way or Ordinance Number 31-2025; and

**WHEREAS**, Ordinance Number 31-2025 adopted the January 2025 rate schedule as order by the IURC under Cause No. 46173 on July 30, 2025 wherein the IURC approved new water rates, fees and cost of services for Columbus City Utilities, said rates, fees and cost of services are to be effective when approved by the Commons Council or at a date as directed by the Common Council; and

**WHEREAS**, the Common Council did initially recommend rates for years 2025, 2027 and 2029, however, the Utility was in the process of bidding projects for new construction, modifications, and maintenance and at the time financial submissions were made to the IURC supporting rates not all bid responses had been received; and

**WHEREAS**, the IURC opted to release a 2025 rate schedule only and to further modify the 2025 rate upon receipt of all bid responses; and

**WHEREAS**, bid responses were submitted to the IURC as requested, the IURC did issue an amended rate schedule on January 16, 2025 attached as **Exhibit A** under Cause Number 46173, effective January 16, 2026; and

**WHEREAS**, the IURC has directed the Utility to make the revised rate schedule effective June 1, 2026 and to expect a 2027 schedule of rates, fees and charges later this year; as part of the 2027 rate schedule the IURC will direct the Utility on a "normalization" method to adjust the rates effective 2026 to ensure the rate payors benefit from the adjusted rates set forth in **Exhibit A**;

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF COLUMBUS, INDIANA:**

1. The Council has previously heard from its Utility Service Board and the staff of the Columbus Utilities of the need to modify water rates, fees and cost of services consistent with the IURC order dated July 30, 2025 and as amended January 16, 2026.

2. The new rates for water service and other services for Columbus City Utilities are attached as **Exhibit A** hereto.

3. All ordinances, or parts of ordinances, in conflict herewith are hereby repealed; provided, however, that the existing schedule of water rates and charges for other services shall remain in full force and effect to the extent not modified herein.

Passed and adopted by the Common Council of the City of Columbus, Indiana with \_\_\_ Yea Votes and \_\_\_ Nay Votes on \_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
Frank Miller,  
Presiding Officer of the Common  
Council of the City of Columbus

ATTEST:

\_\_\_\_\_  
LuAnn Welmer  
Clerk of the City  
Of Columbus, Indiana

Presented by me to the Mayor of the City of Columbus, Indiana, in the City of Columbus, Indiana on this \_\_\_ day of \_\_\_\_\_, 2026 at \_\_\_\_\_ o'clock \_\_.m.

\_\_\_\_\_  
LuAnn Welmer,  
Clerk of the City of Columbus

The foregoing, within and attached Ordinance \_\_\_\_\_-2026, pass by the  
Common Council of the City of Columbus, Indiana on the \_\_\_\_\_ day of  
\_\_\_\_\_, 2026 s approved by me on this \_\_\_\_\_ day of \_\_\_\_\_ 2026 at  
\_\_\_\_.m.

\_\_\_\_\_  
Mary Ferdon, Mayor  
City of Columbus, Indiana.

ATTEST:

I hereby certify that the foregoing within and attached Ordinance was duly passed by the Common Council of the City of Columbus, Indiana, at a meeting thereof held on the 19<sup>th</sup> day of May 2026, by the following vote:

	<b>AYE</b>	<b>NAY</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Chris Bartels (District 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Elaine Hilber (District 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jerone Wood (District 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Frank Miller (District 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Kent Anderson (District 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jay Foyst (District 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Josh Burnett (Councilor at Large)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tom Dell (Councilor at Large)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Grace Kestler (Councilor at Large)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

The foregoing within and attached Ordinance passed by the Common Council of the City of Columbus, Indiana, on the 19<sup>th</sup> day of May 2026, is presented by me this 20<sup>th</sup> day of May 2026, at 10:00 o'clock A.M, to the Mayor of the City of Columbus, Indiana.

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Luann Welmer  
Clerk of the Common Council

The foregoing within and attached Ordinance passed by the Common Council of the City of Columbus, Indiana, on the 19<sup>th</sup> day of May 2026, is approved by me this 20<sup>th</sup> day of May 2026, at o'clock \_\_\_\_\_.M.

---

Mary K. Ferdon, Mayor

# Exhibit A

Issued Pursuant to  
**Cause No. 46173**  
**July 30, 2025**  
Indiana Utility Regulatory Commission  
Water/Wastewater Division

EFFECTIVE  
**January 16, 2026**  
Indiana Utility Regulatory  
Commission

## COLUMBUS MUNICIPAL WATER UTILITY Columbus, Indiana

### SCHEDULE OF RATES AND CHARGES

(Rates Approved in Cause No. 46173, Order dated July 30, 2025.)

Phase I  
(True-Up)

(a) Metered Rates Per Month

For use of and service rendered in the service area by the waterworks system of the Columbus Municipal Water Utility based on the use of water supplied by said waterworks system:

Consumption Per month (Rate Per 1,000 Gallons)

First	15,000	gallons	\$3.57
Next	285,000	gallons	3.13
Over	300,000	gallons	2.19

(b) Meter Charge Per Month

Meter Size

5/8 – 3/4	inch meter	\$4.17
1	inch meter	8.67
1 1/2	inch meter	16.16
2	inch meter	25.17
3	inch meter	46.17
4	inch meter	76.17
6	inch meter	151.18
8	inch meter	241.19
10	inch meter	346.22
12	inch meter	646.24

# Exhibit A

Issued Pursuant to  
**Cause No. 46173**  
**July 30, 2025**  
Indiana Utility Regulatory Commission  
Water/Wastewater Division

**EFFECTIVE**  
**January 16, 2026**  
Indiana Utility Regulatory  
Commission

## COLUMBUS MUNICIPAL WATER UTILITY Columbus, Indiana

### SCHEDULE OF RATES AND CHARGES

(Rates Approved in Cause No. 46173, Order dated July 30, 2025.)

Phase I  
(True-Up)

(c) Fire Protection Service

Hydrant Rental Charge Per Annum - Private \$195.75

Public Fire Protection Charges Per Month Per Customer Connection

Meter Size

5/8 – 3/4	inch connection	\$2.97
1	inch connection	7.42
1 1/2	inch connection	14.85
2	inch connection	23.75
3	inch connection	44.54
4	inch connection	74.23
6	inch connection	148.45
8	inch connection	237.53
10	inch connection	341.43
12	inch connection	638.34

(d) Sprinkler Connection (per annum)

Meter Size

2	inch connection	\$10.88
3	inch connection	31.62
4	inch connection	67.38
6	inch connection	195.75
8	inch connection	417.15
10	inch connection	750.17
12	inch connection	1,211.73

(e) Southwestern Bartholomew Water District  
Rate Per 1,000 Gallons \$2.23

(f) Eastern Bartholomew Water Corp.  
Rate Per 1,000 Gallons \$2.66

(g) Bulk Water Purchases (per 200 gallons) \$0.50

(h) Temporary Users

Water furnished to temporary users, such as contractors, shall be charged on the basis of the above gallonage rates as estimated by the Waterworks Superintendent.

Resolution 10-2026

A RESOLUTION OF THE UTILITY SERVICE BOARD OF  
COLUMBUS CITY UTILITIES  
RECOMMENDING TO THE COMMON COUNCIL OF THE CITY OF COLUMBUS  
THAT IT ADOPT THIS RESOLUTION  
MODIFYING THE 2025 WATER RATE SCHEDULE PER ORDERS FROM THE  
INDIANA UTILITY REGULATORY COMMISSION.

**WHEREAS**, in 2024 the Columbus Utility Service Board, the Commission overseeing Columbus City Utilities, did recommend to the Common Council of the City of Columbus a new rate and fee schedule for 2025, 2027 and 2029 water rates; and

**WHEREAS**, once the recommendation was approved by Council it was forwarded to the Indiana Utility Regulator Commission to review and ultimately determine the new water rates and fees for the Utility, and

**WHEREAS**, the Indiana Utility Regulatory Commission (IURC) does have ultimate authority to review and set rates for all member water utilities in the State; and

**WHEREAS**, the IURC did issue an order under Cause Number 46173 on July 30, 2025 that established new water rates and fees for Columbus City Utilities; and

**WHEREAS**, the Utility was in the process of issuing bid requests for various construction, maintenance and modification projects for water services thought the utility system; and

**WHEREAS**, it had been previously recommended to the IURC that CCU desired to raise rates over a six (6) year period, the IURC stated a preference to raise rates for January 2025 only and after bids were completed for projects that the would adjust the rates to reflect bid pricing; and

**WHEREAS**, on January 16, 2026 the IURC issued an adjusted rate schedule; and

**WHEREAS**, the adjusted rate schedule is attached hereto as **Exhibit A**; and

**WHEREAS**, said adjusted rate schedule was received by the Utility on or about April 1<sup>st</sup> of 2026 and thus could not be

implemented effective January 16, 2026 as directed by the IURC;  
and

**WHEREAS**, in consultation with the IRUC they recommended that their new rate was late in arriving to the Utility due to internal issues and as such they deemed it, both reasonable and acceptable, to implement the new rates effect June 1, 2026, and


**WHEREAS**, the Utility will be receiving a new rate schedule for January of 2027 and the IURC will direct the Utility on necessary matters and methodology to "normalize" the 2027 rate by taking into account the January 16, 2026 effective rate as part of that rate schedule so that the rate payors are properly protected.

**THE UTILITY SERVICE BOARD OF THE CITY OF COLUMBUS DOES THEREFORE RECOMMEND:**


1. That **Exhibit A**, attached hereto, being a new water rate schedule as adopted by the IURC should be approved by the Common Council of the City of Columbus with the effective date being June 1, 2026.

2. The Common Council of the City of Columbus should expect an additional rate schedule later in 2026 effective for the 2027 calendar year once same is reviewed and approved by the IURC.

Recommended this 16 of April 2026.

  
Cheryl McAvoy, Secretary

~~Patrick Andrew, Chairman~~

  
Nicholas Browning  
Vice Chairman