



## Historic Landmarks and Historic Districts

The Historic Preservation Commission has 9 members who have the authority to recommend that an historic district be established on the basis of its historical & cultural significance, its educational value and its suitability for preservation. *SBMC* Chapter 21 sets forth the governing regulations. Public hearings are held by the Historic Preservation Commission and then sent to the Common Council for final action.

### **Fee Schedule**

Rezoning \$100.00

Rezoning/Annexation \$150.00

Special Exception \$150.00



*The Zoning and Annexation Committee bears and reviews recommendations from the Area Board of Zoning Appeals, Area Plan Commission and the Historic Preservation Commission.*

## Annexations & Fiscal Plans



A written fiscal plan is required by state law for all proposed annexations. It is to set forth a definite policy for provided services required by state law to the proposed area to be annexed into the City. Cost estimates of planned services; method of financing; the plan for the organization and extension of services and the dates when services will begin are required. The City has the burden of proving that the annexation is in the best interests of the City.

Fiscal Plans are to represent a “credible commitment” by the City to provide the proposed annexed area with equivalent capital and non-capital services.

Governing criteria are further addressed in *Indiana Code 36-4-3*.



2015  
ZONING AND  
ANNEXATION  
COMMITTEE  
South Bend Common Council



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# Zoning & Annexation Committee

The Zoning and Annexation Committee is one of eleven Standing Committees of the South Bend Common Council. The Council Members serving on this Committee include:



**Oliver J. Davis, Chairperson**

6th District Council Member



**Henry Davis, Jr., Vice-Chairperson**

2nd District Council Member



**Derek D. Dieter, Member**

At Large Council Member



**Valerie Schey, Member**

3rd District Council Member

Zoning regulations are set forth in Chapter 21 of the *South Bend Municipal Code*, passed pursuant to *Indiana Code § 36-7-4*. The Zoning and Annexation Committee reviews all bills which deals with rezonings, special exceptions, annexations & the fiscal plans related to annexations, historic landmarks and historic districts. The Z & A Committee holds public hearings and provides advisory recommendations to the Common Council.



## Rezoning Criteria

- Review in light of Comprehensive Plan (commonly called “City Plan”)
- Review current conditions & character of the neighborhood
- Determine the most desirable use for the property
- Determine if the rezoning would conserve property values
- Determine if the rezoning would further responsible development & growth
- Review the advisory recommendations of the Area Plan Commission
- Governing criteria are addressed in *Indiana Code § 36-7-4-603* and all written commitments are governed by *IC § 36-7-4-1015*
- Members of the public may speak upon giving their name & address on the rezoning request
- The Council must take final action within 90 days of the Area Plan Commission certification



## Special Exception Criteria

- A finding that the proposed use will not be injurious to the public health, safety, comfort, community moral standards, convenience or general welfare
- A finding that the proposed use will not injure or adversely affect the use of the adjacent area or property values
- A finding that the proposed use will be consistent with the character of the district in which it is located & the land uses
- A finding that the use is compatible with the City’s Comprehensive Plan

### ***Approving a special exception requires:***

1. That the proposed use must conform to all development zoning standards, unless waived
2. That the proposed use must conform to all conditions & commitments per *IC § 36-7-4-1015*
3. That there is compliance with *SBMC § 21-09.03*

If the Common Council does not vote to approve or deny a petition for a special exception within 60 days, the petition is approved per *IC § 36-7-4-918.6*, unless formally waived by the Petitioner.