



# City of South Bend PLAN COMMISSION

City Hall  
215 S. Martin Luther King, Jr. Blvd.  
Suite 500  
South Bend, IN 46601  
(574) 235-7627  
[www.southbendin.gov/zoning](http://www.southbendin.gov/zoning)

## AGENDA

**Monday, January 26, 2026 – 3:30 P.M.**

City Hall

Third-Floor Council Chambers

<https://www.southbendin.gov/sbpc>

**Meeting Recordings- <https://tinyurl.com/PlanCommission2026>**

### 1) OFFICER ELECTIONS

### 2) PUBLIC HEARING:

- A. REZONING - None for consideration
- B. MAJOR SUBDIVISIONS - None for consideration
- C. DEVELOPMENT PLANS - None for consideration
- D. TEXT AMENDMENTS – None for consideration

### 3) ITEMS NOT REQUIRING A PUBLIC HEARING:

#### A. DEVELOPMENT PLANS

1. **PC#0292-26** - RESOLUTION OF THE SOUTH BEND PLAN COMMISSION APPROVING RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION APPROVING AMENDMENTS TO THE DECLARATORY RESOLUTION AND THE DEVELOPMENT PLAN FOR THE RIVER WEST DEVELOPMENT AREA FOR THE PURPOSE OF ESTABLISHING A NEW ALLOCATION AREA AND RELATED MATTERS

#### B. TEXT AMENDMENTS

1. 1. **PC#0288-26** - AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 21 OF THE SOUTH BEND MUNICIPAL CODE TO MAKE MISCELLANEOUS CHANGES FOR CLARIFICATION AND CONSISTENCY TO SIMPLIFY DEVELOPMENT PROCESS AND TO ACHIEVE HIGHER QUALITY DEVELOPMENT. (THIRD SUBSTITUTE)

#### C. MINOR SUBDIVISIONS

**Name:** Popeye's Hickory Minor Subdivision  
**Location:** 605 HICKORY RD

**PC#0297-26**

- D. FINDINGS OF FACT – None for consideration
- E. MINUTES – December 15, 2025
- F. UPDATES FROM STAFF
- G. ADJOURNMENT



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<b>Commissioner</b>	<b>Appointing Agency</b>	<b>Term Start</b>	<b>Term End</b>
Dr. Oliver Davis	Council Appointee		Until reappointed
John Martinez	Venues, Parks and Arts Appointee		Until reappointed
Rebecca Plantz	City Engineer Appointee		Until reappointed
Scott Ford	Bureau of Public Works Appointee		Until reappointed
Francisco Fotia	Mayoral Appointee	9/16/2022	12/31/2025
Caitlin Stevens	Mayoral Appointee	1/1/2024	12/31/2027
Tyler Gillean	Mayoral Appointee	7/25/2024	12/31/2027
Maureen Miller	Mayoral Appointee	8/22/2025	12/31/2029
Taylor Lewis	Mayoral Appointee	9/4/2025	12/31/2028

## NOTICE FOR HEARING AND SIGN IMPAIRED PERSONS

Auxiliary Aid or other services may be available upon request at no charge. Please give reasonable advance request when possible.

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**Tim Corcoran**  
Planning Director

**Brian Killen**  
Zoning Administrator

**Francisco Fotia**  
Commission President

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**Requested Action**

RESOLUTION OF THE SOUTH BEND PLAN COMMISSION APPROVING RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION APPROVING AMENDMENTS TO THE DECLARATORY RESOLUTION AND THE DEVELOPMENT PLAN FOR THE RIVER WEST DEVELOPMENT AREA FOR THE PURPOSE OF ESTABLISHING A NEW ALLOCATION AREA AND RELATED MATTERS

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**Project Summary**

On December 18, 2025, the South Bend Redevelopment Commission (RDC) approved and adopted its Resolution No. 3661 entitled “Resolution of the South Bend Redevelopment Commission Approving Amendments to the Declaratory Resolution And The Development Plan for the River West Development Area for the Purpose of Establishing a New Allocation Area and Related Matters.” The RDC resolution would amend the River West Development Area for the purpose of establishing new allocation areas to support the redevelopment of properties downtown.

Pursuant to Indiana Code 36-7-14, as amended, the RDC has submitted its Resolution No. 3661 to the Plan Commission for approval. Resolution No. 2026-1 to be considered by the Plan Commission, if adopted, would approve, ratify, and confirm the RDC resolution.

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**Recommendation**

**Staff Recommendation:** Based on the information available prior to the public hearing, the staff recommends the Plan Commission approve the resolution.

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE SOUTH BEND PLAN COMMISSION  
APPROVING A RESOLUTION OF THE SOUTH BEND  
REDEVELOPMENT COMMISSION APPROVING AMENDMENTS TO  
THE DECLARATORY RESOLUTION AND THE DEVELOPMENT PLAN  
FOR THE RIVER WEST DEVELOPMENT AREA FOR THE PURPOSE OF  
ESTABLISHING NEW ALLOCATION AREAS AND RELATED MATTERS**

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WHEREAS, the South Bend Plan Commission (the “Plan Commission”), is the body charged with the duty of developing a general plan of development for the City of South Bend, Indiana (the “City”); and

WHEREAS, the South Bend Redevelopment Commission (the “Commission”), the governing body of the South Bend Department of Redevelopment (the “Department”) and the Redevelopment District of the City of South Bend, Indiana (the “District”), pursuant to Indiana Code 36-7-14, as amended (the “Act”), on December 18, 2025, approved and adopted its Resolution No. 3661 entitled “Resolution of the South Bend Redevelopment Commission Approving Amendments to the Declaratory Resolution and the Development Plan for the River West Development Area for the Purpose of Establishing New Allocation Areas and Related Matters” (the “Amending Declaratory Resolution”); and

WHEREAS, the Amending Declaratory Resolution approved amendments to the Declaratory Resolution previously adopted by the Commission and the development plan (the “Plan”) previously approved by the Commission in connection with the establishment and subsequent amendment of the River West Development Area and designation of the related allocation areas (collectively, the “Allocation Area”) to (a) designate certain areas, each of which is presently part of the Allocation Area, as separate allocation areas pursuant to Section 39 of the Act to be known as (i) the “Lafayette North Allocation Area” as described and depicted at Exhibit A to the Amending Declaratory Resolution, (ii) the “Lafayette South Allocation Area” as described and depicted at Exhibit B to the Amending Declaratory Resolution, (iii) the “Ignition Park Allocation Area” as described and depicted at Exhibit C to the Amending Declaratory Resolution, (iv) the “Downtown North Allocation Area” as described and depicted at Exhibit D to the Amending Declaratory Resolution, (v) the “Michigan Street Corridor Allocation Area” as described and depicted at Exhibit E to the Amending Declaratory Resolution, (vi) the “Studebaker Campus Allocation Area” as described and depicted at Exhibit F to the Amending Declaratory Resolution, (vii) the “Riverfront West Allocation Area” as described and depicted at Exhibit G to the Amending Declaratory Resolution, and (viii) the “Downtown South Allocation Area” as described and depicted at Exhibit H to the Amending Declaratory Resolution (clauses (i) through and including (viii), collectively, the “Allocation Areas”), and (b) amend the Plan to include each of the Allocation Areas therein (clauses (a) and (b), collectively, the “2026 Amendments”); and

WHEREAS, the Plan Commission desires to approve the Amending Declaratory Resolution and the 2026 Amendments; and

WHEREAS, the Commission has submitted the Amending Declaratory Resolution to the Plan Commission for approval pursuant to the provisions of the Act, which Amending Declaratory Resolution is attached hereto as Exhibit A and made a part hereof; and

WHEREAS, the Plan Commission has reviewed the Amending Declaratory Resolution and the 2026 Amendments described in the Amending Declaratory Resolution and has determined that they conform to the plan of development for the City, and now desires to approve the Amending Declaratory Resolution and the 2026 Amendments described therein and, pursuant to Section 16 of the Act, the Plan Commission desires to issue its written order approving the Amending Declaratory Resolution and the 2026 Amendments described therein;

NOW, THEREFORE BE IT RESOLVED by the South Bend Plan Commission, as follows:

1. Pursuant to Section 16 of the Act, the Plan Commission hereby finds and determines that the Amending Declaratory Resolution and the 2026 Amendments described in the Amending Declaratory Resolution conform to the plan of development of the City.

2. The Amending Declaratory Resolution and the 2026 Amendments described in the Amending Declaratory Resolution are in all respects approved, ratified and confirmed.

3. This Resolution hereby constitutes the written order of the Plan Commission approving the Amending Declaratory Resolution and the 2026 Amendments described in the Amending Declaratory Resolution pursuant to Section 16 of the Act.

4. The Secretary of the Plan Commission is hereby directed to file copies of the Amending Declaratory Resolution with the minutes of this public meeting.

5. This Resolution shall be in full force and effect after its adoption by the Plan Commission.

PASSED, ISSUED AND APPROVED by the South Bend Plan Commission this  
20<sup>th</sup> day of January, 2026.

SOUTH BEND PLAN COMMISSION

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President

ATTEST:

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Secretary

**EXHIBIT A**

**AMENDING DECLARATORY RESOLUTION**

(See Attached)

## **RESOLUTION NO. 3661**

### **RESOLUTION OF THE SOUTH BEND REDEVELOPMENT COMMISSION APPROVING AMENDMENTS TO THE DECLARATORY RESOLUTION AND THE DEVELOPMENT PLAN FOR THE RIVER WEST DEVELOPMENT AREA FOR THE PURPOSE OF ESTABLISHING NEW ALLOCATION AREAS AND RELATED MATTERS**

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WHEREAS, the South Bend Redevelopment Commission (the “Commission”), the governing body of the City of South Bend, Indiana, Department of Redevelopment (the “Department”) and the Redevelopment District of the City of South Bend, Indiana (the “District”), exists and operates under the provisions of the Redevelopment of Cities and Towns Act of 1953 which has been codified in Indiana Code 36-7-14, as amended from time to time (the “Act”); and

WHEREAS, the Commission has heretofore adopted a declaratory resolution (as subsequently confirmed and amended from time to time, the “Declaratory Resolution”) designating an area known as the River West Development Area (the “Area”) as an economic development area pursuant to the Act, designating portions of the Area as allocation areas pursuant to Section 39 of the Act (collectively, the “Allocation Area”), and approving and subsequently amending from time to time a development plan for the Area (collectively, the “Plan”); and

WHEREAS, pursuant to Sections 15-17.5 of the Act, the Commission desires to further amend the Declaratory Resolution and the Plan to designate certain areas, each of which is presently part of the Allocation Area, as separate allocation areas pursuant to Section 39 of the Act to be known as (i) the “Lafayette North Allocation Area” as described and depicted at Exhibit A attached hereto (the “Lafayette North Allocation Area”), (ii) the “Lafayette South Allocation Area” as described and depicted at Exhibit B attached hereto (the “Lafayette South Allocation Area”), (iii) the “Ignition Park Allocation Area” as described and depicted at Exhibit C attached hereto (the “Ignition Park Allocation Area”), (iv) the “Downtown North Allocation Area” as described and depicted at Exhibit D attached hereto (the “Downtown North Allocation Area”), (v) the “Michigan Street Corridor Allocation Area” as described and depicted at Exhibit E attached hereto (the “Michigan Street Corridor Allocation Area”), (vi) the “Studebaker Campus Allocation Area” as described and depicted at Exhibit F attached hereto (the “Studebaker Campus Allocation Area”), (vii) the “Riverfront West Allocation Area” as described and depicted at Exhibit G attached hereto (the “Riverfront West Allocation Area”), and (viii) the “Downtown South Allocation Area” as described and depicted at Exhibit H attached hereto (the “Downtown South Allocation Area”) (clauses (i) through and including (viii), collectively, the “Allocation Areas”); and

WHEREAS, Section 39 of the Act has been created and amended to permit the creation and expansion of “allocation areas” to provide for the allocation and distribution of property taxes for the purposes and in the manner provided in said Section; and

WHEREAS, this Commission deems it advisable to apply the provisions of said Section 39 of the Act to each of the Allocation Areas; and

WHEREAS, the Commission now desires to approve the designation of each of the Allocation Areas and the amendment of the Plan to include each of the Allocation Areas therein (collectively, the “Amendments”); and;

WHEREAS, the proposed Amendments and supporting data were reviewed and considered at this meeting;

NOW, THEREFORE, BE IT RESOLVED by the South Bend Redevelopment Commission as follows:

1. The Commission hereby finds and determines that the Amendments promote significant opportunities for the (i) gainful employment of the citizens of the City of South Bend, Indiana (the “City”), (ii) attraction of major new business enterprises to the City, and (iii) retention and expansion of significant business enterprises existing in the boundaries of the City and meets other purposes of Sections 2.5, 41 and 43 of the Act, including without limitation benefiting public health, safety, and welfare, increasing the economic well-being of the City and the State of Indiana (the “State”) and serving to protect and increase property values in the City and the State.

2. The Amendments cannot be achieved by regulatory processes or by the ordinary operation of private enterprise without resort to the powers allowed under Sections 2.5, 41 and 43 of the Act because of lack of local public improvements, existence of conditions that lower the value of the land below that of nearby land, multiple ownership of land, and other similar conditions.

3. The public health and welfare will be benefited by accomplishment of the Amendments.

4. It will be of public utility and benefit to further amend the Declaratory Resolution and the Plan for the Area as provided in the Amendments and to continue to develop the Area, including each of the Allocation Areas, as provided under the Act.

5. Accomplishment of the Amendments will be a public utility and benefit as measured by the attraction or retention of permanent jobs, an increase in the property tax base, improved diversity of the economic base and other similar public benefits.

6. The Commission hereby finds that the further amendment of the Declaratory Resolution and the Plan, to designate each of the Allocation Areas, conforms to the comprehensive plan for the City.

7. The map and plat of each of the Allocation Areas showing its boundaries, the location of the various parcels of property, streets and alleys, and other features affecting the

acquisition, clearance, replatting, replanning, rezoning, redevelopment or economic development of each of the Allocation Areas, and the parts of each of the Allocation Areas that are to be devoted to public ways, levees, sewerage, parks, playgrounds and other public purposes under the Plan, are hereby approved and adopted as the map and plat for each of the respective Allocation Areas.

8. The Amendments are reasonable and appropriate when considered in relation to the Declaratory Resolution and the Plan and the purposes of the Act.

9. The findings and determinations set forth in the Declaratory Resolution and the Plan are hereby reaffirmed.

10. The Commission finds that no residents of the Area will be displaced by any project resulting from the Amendments, and therefore finds that it does not need to give consideration to transitional and permanent provision for adequate housing for the residents.

11. The Amendments are hereby in all respects approved.

12. The area described and depicted in Exhibit A is hereby removed from the Allocation Area, and is hereby designated as a separate “allocation area” pursuant to Section 39 of the Act to be known as the “Lafayette North Allocation Area,” for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by said Section. Any taxes imposed under I.C. 6-1.1 on real property subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the District and when collected paid into an allocation fund for the Lafayette North Allocation Area hereby designated as the “Lafayette North Allocation Area Allocation Fund” and may be used by the District to do one or more of the things specified in Section 39(b)(4) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(5) of the Act. The Commission hereby finds that the adoption of this allocation provision will result in new property taxes in the Lafayette North Allocation Area that would not have been generated but for the adoption of the allocation provision, as specifically evidenced by the findings set forth in Exhibit I. The base assessment date for the Lafayette North Allocation Area is January 1, 2025.

13. The area described and depicted in Exhibit B is hereby removed from the Allocation Area, and is hereby designated as a separate “allocation area” pursuant to Section 39 of the Act to be known as the “Lafayette South Allocation Area,” for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by said Section. Any taxes imposed

under I.C. 6-1.1 on real property subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the District and when collected paid into an allocation fund for the Lafayette South Allocation Area hereby designated as the "Lafayette South Allocation Area Allocation Fund" and may be used by the District to do one or more of the things specified in Section 39(b)(4) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(5) of the Act. The Commission hereby finds that the adoption of this allocation provision will result in new property taxes in the Lafayette South Allocation Area that would not have been generated but for the adoption of the allocation provision, as specifically evidenced by the findings set forth in Exhibit I. The base assessment date for the Lafayette South Allocation Area is January 1, 2025.

14. The area described and depicted in Exhibit C is hereby removed from the Allocation Area, and is hereby designated as a separate "allocation area" pursuant to Section 39 of the Act to be known as the "Ignition Park Allocation Area," for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by said Section. Any taxes imposed under I.C. 6-1.1 on real property subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the District and when collected paid into an allocation fund for the Ignition Park Allocation Area hereby designated as the "Ignition Park Allocation Area Allocation Fund" and may be used by the District to do one or more of the things specified in Section 39(b)(4) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(5) of the Act. The Commission hereby finds that the adoption of this allocation provision will result in new property taxes in the Ignition Park Allocation Area that would not have been generated but for the adoption of the allocation provision, as specifically evidenced by the findings set forth in Exhibit I. The base assessment date for the Ignition Park Allocation Area is January 1, 2025.

15. The area described and depicted in Exhibit D is hereby removed from the Allocation Area, and is hereby designated as a separate “allocation area” pursuant to Section 39 of the Act to be known as the “Downtown North Allocation Area,” for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by said Section. Any taxes imposed under I.C. 6-1.1 on real property subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the District and when collected paid into an allocation fund for the Downtown North Allocation Area hereby designated as the “Downtown North Allocation Area Allocation Fund” and may be used by the District to do one or more of the things specified in Section 39(b)(4) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(5) of the Act. The Commission hereby finds that the adoption of this allocation provision will result in new property taxes in the Downtown North Allocation Area that would not have been generated but for the adoption of the allocation provision, as specifically evidenced by the findings set forth in Exhibit I. The base assessment date for the Downtown North Allocation Area is January 1, 2025.

16. The area described and depicted in Exhibit E is hereby removed from the Allocation Area, and is hereby designated as a separate “allocation area” pursuant to Section 39 of the Act to be known as the “Michigan Street Corridor Allocation Area,” for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by said Section. Any taxes imposed under I.C. 6-1.1 on real property subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the District and when collected paid into an allocation fund for the Michigan Street Corridor Allocation Area hereby designated as the “Michigan Street Corridor Allocation Area Allocation Fund” and may be used by the District to do one or more of the things specified in Section 39(b)(4) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(5) of the Act. The Commission hereby finds that the adoption of this allocation provision will result in

new property taxes in the Michigan Street Corridor Allocation Area that would not have been generated but for the adoption of the allocation provision, as specifically evidenced by the findings set forth in Exhibit I. The base assessment date for the Michigan Street Corridor Allocation Area is January 1, 2025.

17. The area described and depicted in Exhibit F is hereby removed from the Allocation Area, and is hereby designated as a separate “allocation area” pursuant to Section 39 of the Act to be known as the “Studebaker Campus Allocation Area,” for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by said Section. Any taxes imposed under I.C. 6-1.1 on real property subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the District and when collected paid into an allocation fund for the Studebaker Campus Allocation Area hereby designated as the “Studebaker Campus Allocation Area Allocation Fund” and may be used by the District to do one or more of the things specified in Section 39(b)(4) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(5) of the Act. The Commission hereby finds that the adoption of this allocation provision will result in new property taxes in the Studebaker Campus Allocation Area that would not have been generated but for the adoption of the allocation provision, as specifically evidenced by the findings set forth in Exhibit I. The base assessment date for the Studebaker Campus Allocation Area is January 1, 2025.

18. The area described and depicted in Exhibit G is hereby removed from the Allocation Area, and is hereby designated as a separate “allocation area” pursuant to Section 39 of the Act to be known as the “Riverfront West Allocation Area,” for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by said Section. Any taxes imposed under I.C. 6-1.1 on real property subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the District and when collected paid into an allocation fund for the Riverfront West Allocation Area hereby designated as the “Riverfront West Allocation Area Allocation Fund” and may be used by the District to do

one or more of the things specified in Section 39(b)(4) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(5) of the Act. The Commission hereby finds that the adoption of this allocation provision will result in new property taxes in the Riverfront West Allocation Area that would not have been generated but for the adoption of the allocation provision, as specifically evidenced by the findings set forth in Exhibit I. The base assessment date for the Riverfront West Allocation Area is January 1, 2025.

19. The area described and depicted in Exhibit H is hereby removed from the Allocation Area, and is hereby designated as a separate “allocation area” pursuant to Section 39 of the Act to be known as the “Downtown South Allocation Area,” for purposes of the allocation and distribution of property taxes for the purposes and in the manner provided by said Section. Any taxes imposed under I.C. 6-1.1 on real property subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in said allocation area shall be allocated and distributed as follows:

Except as otherwise provided in said Section 39, the proceeds of taxes attributable to the lesser of the assessed value of the property for the assessment date with respect to which the allocation and distribution is made, or the base assessed value, shall be allocated to and when collected paid into the funds of the respective taxing units. Except as otherwise provided in said Section 39, property tax proceeds in excess of those described in the previous sentence shall be allocated to the District and when collected paid into an allocation fund for the Downtown South Allocation Area hereby designated as the “Downtown South Allocation Area Allocation Fund” and may be used by the District to do one or more of the things specified in Section 39(b)(4) of the Act, as the same may be amended from time to time. Said allocation fund may not be used for operating expenses of the Commission. Except as otherwise provided in the Act, before June 15 of each year, the Commission shall take the actions set forth in Section 39(b)(5) of the Act. The Commission hereby finds that the adoption of this allocation provision will result in new property taxes in the Downtown South Allocation Area that would not have been generated but for the adoption of the allocation provision, as specifically evidenced by the findings set forth in Exhibit I. The base assessment date for the Downtown South Allocation Area is January 1, 2025.

20. The provisions of this Resolution shall be subject in all respects to the Act and any amendments thereto, and the allocation provisions herein relating to each of the Allocation Areas shall expire on the date that is twenty-five (25) years after the date on which the first obligation is incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues derived from each of the respective Allocation Areas.

21. Any member of the Commission is hereby authorized to take such actions as are necessary to implement the purposes of this resolution, and any such action taken prior to the date hereof is hereby ratified and approved.

22. This Resolution, together with any supporting data, shall be submitted to the City of South Bend Plan Commission (the “Plan Commission”) and the Common Council of the City (the “Common Council”) as provided in the Act, and if approved by the Plan Commission and the Common Council shall be submitted to a public hearing and remonstrance as provided by the Act, after public notice as required by the Act.

23. This Resolution shall take effect immediately upon its adoption by the Commission.

ADOPTED AND APPROVED at a meeting of the South Bend Redevelopment Commission held on the 18th day of December, 2025.

SOUTH BEND  
REDEVELOPMENT COMMISSION



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Troy Warner, President

ATTEST:



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Eli Wax, Secretary

## EXHIBIT A

### **LEGAL DESCRIPTION, PARCEL LIST AND MAP**

#### **Lafayette North Allocation Area River West Development Area**

A part of Sections 1, 11, 12, 13, & 14, Township 37 North, Range 2 East, Portage Township, within the City of South Bend, St. Joseph County, State of Indiana; & being more particularly described within the following thirty-six (36) courses:

1. Beginning at the northwest corner of Lot 258 as said Lot is known and designated on the Original Plat of the Town (now City) of South Bend;
2. Thence North along the east right of way line extended of Lafayette Blvd. an approximate distance of 82.5 feet to the Southwest corner of Lot 3 as said Lot is known & designated on the recorded plat of Valley American Bank Washington Street Minor Subdivision, said plat being recorded as Instrument Number 9860383 in the Recorder's Office of St. Joseph County, Indiana;
3. Thence continuing North along said east right of way line and the west line of said Lot 3 an approximate distance of 198 feet to the northwest corner thereof;
4. Thence East along the north line of said Lot and the north line of Lot 2 in said plat an approximate distance of 156 feet to the northeast corner of said Lot 2;
5. Thence South along the east line of said Lot 2 an approximate distance of 65 feet;
6. Thence East along said east line an approximate distance of 7 feet;
7. Thence South along said east line of Lot 2 an approximate distance of 133 feet to the north right of way line of Washington Street;
8. Thence East along said north right of way line an approximate distance of 179 feet to the southeast corner of Lot 240 in the plat of the Original Town (now City) of South Bend & the west right of way line of Main Street;
9. Thence North along said west right of way line an approximate distance of 212 feet to the north line of a 14-foot wide public alley lying south of & adjacent to Lots 237 & 244 in the plat of the Original Town (now City) of South Bend;
10. Thence West along said north line & said north line extended an approximate distance of 426.50 to the southeast corner of Lot 387 in the plat of the Original Town (now City) of South Bend & the west right of way line of Lafayette Blvd;
11. Thence North along said west right of way line an approximate distance of 91 feet to the southeast corner of land described &/or shown in Instrument Number 2021-15186 in the Recorder's Office of St. Joseph County, Indiana;
12. Thence West along the south line of said land an approximate distance of 102 feet to the southwest corner thereof;
13. Thence north along the west line of said land & said west line extended an approximate distance of 192.5 feet to the north right of way line of Colfax Avenue;
14. Thence West along said north right of way line an approximate distance of 514 feet to the east right of way line of William Street;

15. Thence North along said west right of way line an approximate distance of 409 feet to the south right of way line of LaSalle Avenue;
16. Thence East along said south right of way line an approximate distance of 448.5 feet to the northwest corner of Lot 379 in the plat of the Original Town (now City) of South Bend;
17. Thence North along the west line extended of said Lot 379 & the east line of a 14-foot wide public alley an approximate distance of 222 feet to the northwest corner of land described in Instrument Number 0008138 in the Recorder's Office of St. Joseph County, Indiana;
18. Thence East an approximate distance of 82.5 feet to the northwest corner of Lot 218 in the Original Plat of the Town (now City) of South Bend;
19. Thence East along the north line of said land and said north line extended an approximate distance of 179 feet to the east line of a 14-foot wide public alley and the west line of land described in Instrument Number 0408109 in the Recorder's Office of St. Joseph County, Indiana;
20. Thence North along said west line an approximate distance of 63 feet to the northwest corner of said land;
21. Thence East along the north line of said land an approximate distance of 83 feet;
22. Thence South along said north line an approximate distance of 33 feet;
23. Thence East along said north line an approximate distance of 84 feet to the west right of way line of Main Street;
24. Thence South along said west right of way line an approximate distance of 247 feet to the south right of way line extended of LaSalle Avenue;
25. Thence East along said south right of way line extended and said south right of way line an approximate distance of 445 feet to the northeast corner of Lot 1 as said Lot is known and designated on the Original Plat of the Town (now City) of South Bend and the west right of way line of Dr. Martin Luther King, Jr., Drive;
26. Thence South along said west right of way line an approximate distance of 195 feet to the southeast corner of Lot 3 as said Lot is known & designated in the plat of the Original Town (now City) of South Bend;
27. Thence West along the south line of said Lot 3 & said south line of Lot 3 extended & the south line of Lot 10 in said plat an approximate distance of 344 feet to the east right of way line of Main Street & the southwest corner of said Lot 10;
28. Thence South along said east right of way line an approximate distance of 14 feet to the northwest corner of Lot 2 as said Lot is known & designated on the recorded plat of the Morris Civic Minor Subdivision, said plat being recorded as Instrument Number 9836277 in the Recorder's Office of St. Joseph County, Indiana;

29. Thence East along the north line of said Lot an approximate distance of 77 feet to the northeast corner of said Lot 2;
30. Thence South along the east line of said Lot 2 an approximate distance of 47 feet to the northwest corner of Lot 3 on said plat;
31. Thence generally in a southeasterly direction along seven (7) lines, which are labeled as lines numbered L14, L13, L12, L11, L10, L9, & L8 on said plat & collectively represent the north line of said Lot 3, to the northeast corner thereof;
32. Thence South along the east line of said Lot 3 an approximate distance of 34 feet to the north right of way line of Colfax Avenue;
33. Thence continuing South an approximate distance of 82.5 feet to the south right of way line of said Colfax Avenue & the northeast corner of Lot 24 as said Lot is known & designated on the plat of the Original Town (now City) of South Bend;
34. Thence West along said south right of way line & the north line of said Lot 24 an approximate distance of 150 feet to a point that is approximately 16 feet East of the northwest corner of said Lot 24;
35. Thence Southwest an approximate distance of 21 feet to a point on the east right of way line of Main Street & the west line of said Lot 24 that is approximately 16 feet South of the northwest corner of said Lot 24;
36. Thence South along said east right of way line of Main Street an approximate distance of 394 feet to the south right of way line of Washington Street;
37. Thence West along said south right of way line and said south right of way line extended an approximate distance of 443 feet to the point of beginning of this description.

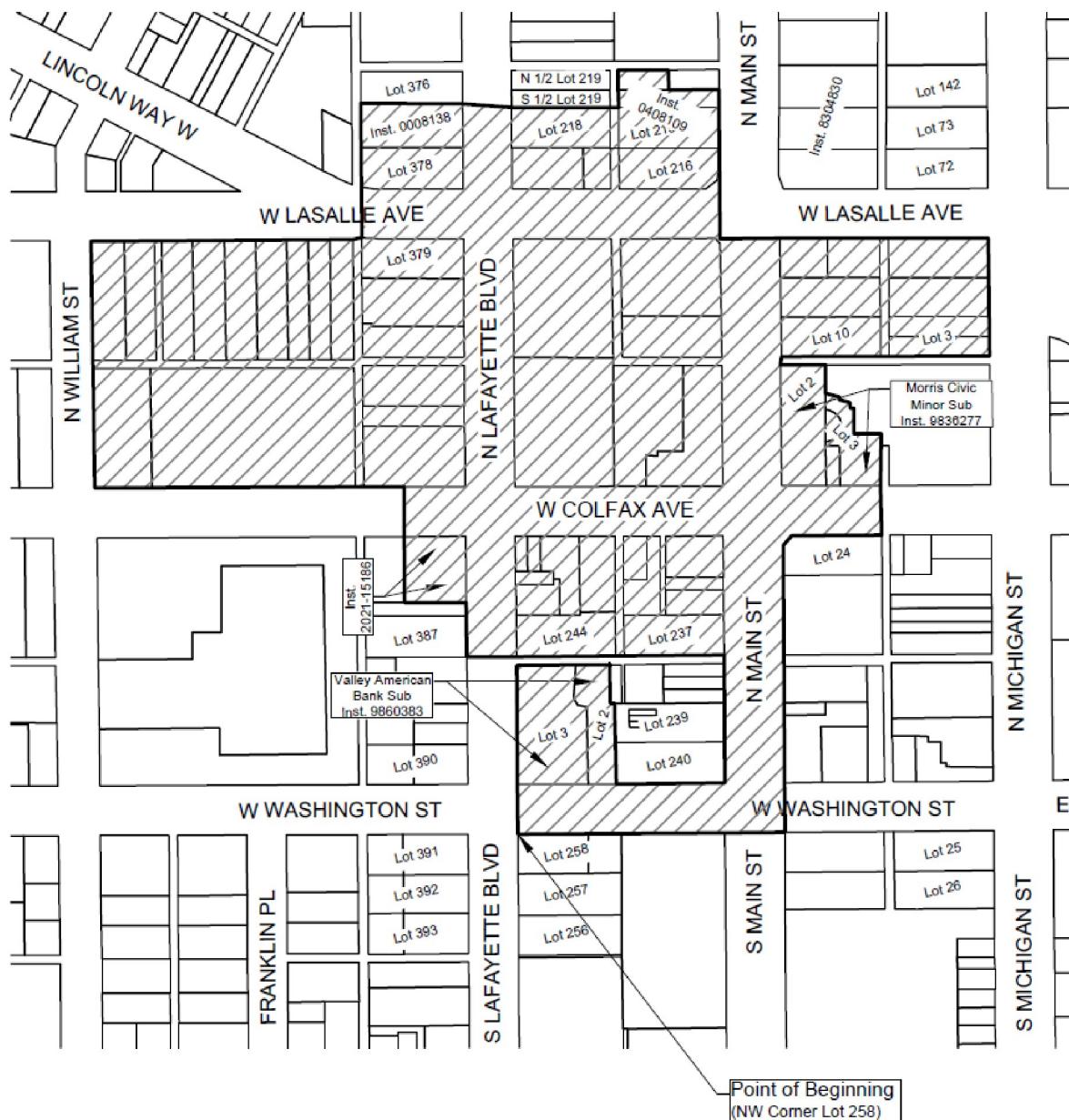
The above-described area (1) contains approximately 23 Acres of land, (2) was prepared based upon publicly available record information, and (3) contains within the same the entirety the existing parcels of land that are listed on the following page(s).|

**Parcel List for the Lafayette North Allocation Area**

No.	IDD Sub-District	Parcel ID #	IN Parcel ID #	S-Address
1	Lafayette North	018-1012-0449	71-08-12-105-006.000-026	Vacant
2	Lafayette North	018-1012-0447	71-08-12-105-004.000-026	Vacant
3	Lafayette North	018-1002-0041	71-08-12-107-006.000-026	Vacant
4	Lafayette North	018-1008-028902	71-08-01-357-010.000-026	Vacant
5	Lafayette North	018-1002-0042	71-08-12-107-012.000-026	Vacant
6	Lafayette North	018-1023-0978	71-08-11-230-010.000-026	413 W COLFAX AVE
7	Lafayette North	018-1023-0996	71-08-11-230-001.000-026	406 W LASALLE AVE
8	Lafayette North	018-1023-0997	71-08-11-230-002.000-026	402 W LASALLE AVE
9	Lafayette North	018-1023-0998	71-08-11-230-003.000-026	352 W LASALLE AVE
10	Lafayette North	018-1023-0999	71-08-11-230-004.000-026	346 W LASALLE AVE
11	Lafayette North	018-1023-1000	71-08-11-230-005.000-026	340 W LASALLE AVE
12	Lafayette North	018-1023-1001	71-08-11-230-006.000-026	334 W LASALLE AVE
13	Lafayette North	018-1023-0980	71-08-11-230-011.000-026	333 W COLFAX AVE
14	Lafayette North	018-1023-1002	71-08-11-230-007.000-026	324 W LASALLE AVE
15	Lafayette North	018-1023-1003	71-08-11-230-008.000-026	322 W LASALLE AVE
16	Lafayette North	018-1023-1004	71-08-11-230-009.000-026	320 W LASALLE AVE
17	Lafayette North	018-1012-0444	71-08-12-105-001.000-026	314 W LASALLE AVE
18	Lafayette North	018-1013-0509	71-08-12-102-002.000-026	312 N LAFAYETTE BLVD
19	Lafayette North	018-1008-0290	71-08-12-102-005.000-026	301 N MAIN ST
20	Lafayette North	018-1013-049901	71-08-12-101-001.000-026	301 N LAFAYETTE BLVD
21	Lafayette North	018-1013-0500	71-08-12-101-002.000-026	301 N LAFAYETTE BLVD
22	Lafayette North	018-1002-0040	71-08-12-107-005.000-026	237 N DR MARTIN LUTHER KING JR BLVD
23	Lafayette North	018-1012-0469	71-08-12-110-001.000-026	228 W COLFAX AVE
24	Lafayette North	018-1008-0300	71-08-12-107-003.000-026	226 N MAIN ST
25	Lafayette North	018-1012-0466A	71-08-12-106-901.000-026	226 N LAFAYETTE BLVD
26	Lafayette North	018-1012-0476	71-08-12-110-013.000-026	225 W WASHINGTON ST
27	Lafayette North	018-1012-0466	71-08-12-106-003.000-026	225 W COLFAX AVE
28	Lafayette North	018-1008-0294	71-08-12-106-001.000-026	225 N MAIN ST
29	Lafayette North	018-1012-0470	71-08-12-110-002.000-026	224 W COLFAX AVE
30	Lafayette North	018-1012-0446	71-08-12-105-002.000-026	223 N LAFAYETTE BLVD
31	Lafayette North	018-1013-0510	71-08-12-102-003.000-026	221 W LASALLE AVE
32	Lafayette North	018-1008-0296	71-08-12-106-002.000-026	221 N MAIN ST

No.	IDD Sub-District	Parcel ID #	IN Parcel ID #	S-Address
33	Lafayette North	018-1012-0471	71-08-12-110-005.000-026	220 W COLFAX AVE
34	Lafayette North	018-1008-0304	71-08-12-107-004.000-026	220 N MAIN ST
35	Lafayette North	018-1013-0511	71-08-12-102-004.000-026	217 W LASALLE AVE
36	Lafayette North	018-1012-0474	71-08-12-110-006.000-026	216 W COLFAX AVE
37	Lafayette North	018-1012-0477	71-08-12-110-014.000-026	215 W WASHINGTON ST
38	Lafayette North	018-1012-044601	71-08-12-105-003.000-026	215 N LAFAYETTE BLVD
39	Lafayette North	018-1008-029701	71-08-12-106-004.000-026	213 W COLFAX AVE
40	Lafayette North	018-1008-0297	71-08-12-106-005.000-026	213 N MAIN ST
41	Lafayette North	018-1008-0312	71-08-12-110-007.000-026	212 W COLFAX AVE
42	Lafayette North	018-1012-0448	71-08-12-105-005.000-026	211 N LAFAYETTE BLVD
43	Lafayette North	018-1008-0313	71-08-12-110-008.000-026	208 W COLFAX AVE
44	Lafayette North	018-1012-0451	71-08-12-109-002.000-026	135 N LAFAYETTE BLVD
45	Lafayette North	018-1008-0314	71-08-12-110-009.000-026	133 N MAIN ST
46	Lafayette North	018-1012-0472	71-08-12-110-003.000-026	132 N LAFAYETTE BLVD
47	Lafayette North	018-1012-0473	71-08-12-110-004.000-026	130 N LAFAYETTE BLVD
48	Lafayette North	018-1008-0315	71-08-12-110-010.000-026	129 N MAIN ST
49	Lafayette North	018-1008-0316	71-08-12-110-011.000-026	127 N MAIN ST
50	Lafayette North	018-1008-0308	71-08-12-107-007.000-026	123 W COLFAX AVE
51	Lafayette North	018-1008-0317	71-08-12-110-017.000-026	123 N MAIN ST
52	Lafayette North	018-1012-0475	71-08-12-110-012.000-026	122 N LAFAYETTE BLVD
53	Lafayette North	018-1008-0307	71-08-12-107-008.000-026	121 W COLFAX AVE
54	Lafayette North	018-1008-0298	71-08-12-107-001.000-026	120 W LASALLE AVE
55	Lafayette North	018-1008-0299	71-08-12-107-002.000-026	120 W LASALLE AVE
56	Lafayette North	018-1008-0306	71-08-12-107-009.000-026	115 W COLFAX AVE

## Map of the Lafayette North Allocation Area



## EXHIBIT B

### LEGAL DESCRIPTION, PARCEL LIST AND MAP

#### **Lafayette South Allocation Area River West Development Area**

A part of Sections 11 & 12, Township 37 North, Range 2 East, Portage Township, within the City of South Bend, St. Joseph County, State of Indiana; & being more particularly described within the following thirty-seven (37) courses:

1. Beginning at the intersection of the centerline of a vacated street known as Franklin Street and shown on the recorded plat of Vail's Subdivision, said plat being recorded as Instrument Number 1330638 in the Recorder's Office of St. Joseph County, Indiana, and the south right of way line of Western Avenue;
2. Thence North along said extended centerline an approximate distance of 82.5 feet to the north right of way line of Western Avenue;
3. Thence West along said north right of way line an approximate distance of 278 feet to the east right of way line of William Street;
4. Thence North along said east right of way line an approximate distance of 263 feet to the northwest corner of Lot B as shown on said recorded plat;
5. Thence East along the north line of said Lot B & said north line extended an approximate distance of 278 feet to said centerline of vacated Franklin Street;
6. Thence North along said centerline an approximate distance of 150 feet to the south right of way line of Wayne Street;
7. Thence Northeast an approximate distance of 92 feet to the north right of way line of Wayne Street & the southwest corner of land described in Instrument Number 2024-12725 in the Recorder's Office of St. Joseph County, Indiana;
8. Thence North along the west line of said land & said west line extended an approximate distance of 212 feet to the north line of a 14-foot wide public alley & the south line of Lot 2 as said Lot is known & designated on the recorded plat of Johnson 2 Acre Lots, said plat being recorded as Instrument Number 1859065 in the Recorder's Office of St. Joseph County, Indiana;
9. Thence West along the north line of said alley & the south line of said Lot 2 & said south line of Lot 2 extended an approximate distance of 188 feet to the southwest corner of land described in Instrument Number 1732315 in the Recorder's Office of St. Joseph County, Indiana & the east line of a 14-foot wide public alley;
10. Thence North along the west line of said land & the east line of said alley an approximate distance of 199 feet to the south right of way line of Jefferson Street;
11. Thence East along said south right of way line an approximate distance of 301 feet to the west line of a 14-foot wide public alley & the east line of Lot 1 in said plat;
12. Thence South along said west line an approximate distance of 134 feet to the north line extended of Lot 399 as said Lot is known & designated on the plat of the Original Town (now City) of South Bend;
13. Thence East along said north line extended & said north line an approximate distance of 181 feet

to the west right of way line of Lafayette Blvd;

14. Thence South along said west right of way line an approximate distance of 561 feet to the south line of Lot 405 in said plat of the Original Town (now City) of South Bend;
15. Thence West along said south line an approximate distance of 165 feet to the southwest corner of said Lot 405 & the east line of a 14-foot wide public alley;
16. Thence South along said east line an approximate distance of 212 feet to the north right of way line of Western Ave;
17. Thence East along said north right of way line & said north right of way line extended an approximate distance of 247.5 feet to the southwest corner of Lot 277 in said plat of the Original Town (now City) of South Bend & the east right of way line of Lafayette Blvd;
18. Thence North along said east right of way line & said east right of way line extended an approximate distance of 902.5 feet to the south right of way line of Jefferson Street;
19. Thence East along said south right of way line & said south right of way line extended an approximate distance of 204 feet to the northeast corner of land described in Instrument Number 2019-01247 in the Recorder's Office of St. Joseph County, Indiana;
20. Thence South along the east line of said land an approximate distance of 169 feet;
21. Thence Southwest along the southeast line of said land an approximate distance of 49 feet to the west line extended of a 14-foot wide public alley;
22. Thence South along said west line extended & said west line an approximate distance of 211 feet to the southeast corner of Lot 265 in said plat of the Original Town (now City) of South Bend & the north right of way line of Wayne Street;
23. Thence Southeast an approximate distance of 82.8 feet to the south right of way line of said Wayne Street & the centerline of a 14-foot wide public alley;
24. Thence South along said centerline an approximate distance of 212 feet to the north line extended of Lot 274 in said plat of the Original Town (now City) of South Bend;
25. Thence East along said north line extended & said north line a distance of 82 feet to a point that is 90 feet West of the northeast corner of said Lot 274;
26. Thence South parallel with the east line of said Lot 274 a distance of 22 feet;
27. Thence East parallel with the north line of said Lot 274 an approximate distance of 90 feet to the east line of said Lot & the west right of way line of Main Street;
28. Thence North along said west right of way line & said west right of way line extended an approximate distance of 1,220 feet to the south right of way line of Washington Street;
29. Thence west along said south right of way line an approximate distance of 344 feet to the

northwest corner of Lot 258 in said plat of the Original Town (now City) of South Bend & the east right of way line of Lafayette Blvd;

30. Thence South along said east right of way line an approximate distance of 198 feet to the southwest corner of Lot 256 in said plat;
31. Thence West an approximate distance of 82.5 feet to the southeast corner of Lot 393 in said plat and the west right of way line of Lafayette Street;
32. Thence South along said west right of way line an approximate distance of 55 feet to the southeast corner of land described in Instrument Number 2022-15108 in the Recorder's Office of St. Joseph County, Indiana;
33. Thence West along the south line of said land an approximate distance of 165 feet to the east line of a 14-foot wide public alley;
34. Thence North along said east line an approximate distance of 254 feet to the northwest corner of Lot 391 in the Original Plat of the Town (now City) of South Bend & the south right of way line of Washington Street;
35. Thence East along said south right of way line an approximate distance of 165 feet to the northeast corner of said Lot 391;
36. Thence North along the west right of way line of Lafayette Blvd extended an approximate distance of 82.5 feet to the southeast corner of Lot 390 in said plat of the Original Town (now City) of South Bend & the north right of way line of Washington Street;
37. Thence East along said north right of way line an approximate distance of 525 feet to the east right of way line of Main Street;
38. Thence South along said east right of way line an approximate distance of 1,560 feet to the south right of way line of Western Avenue;
39. Thence West along said south right of way line an approximate distance of 857 feet to the point of beginning of this description.

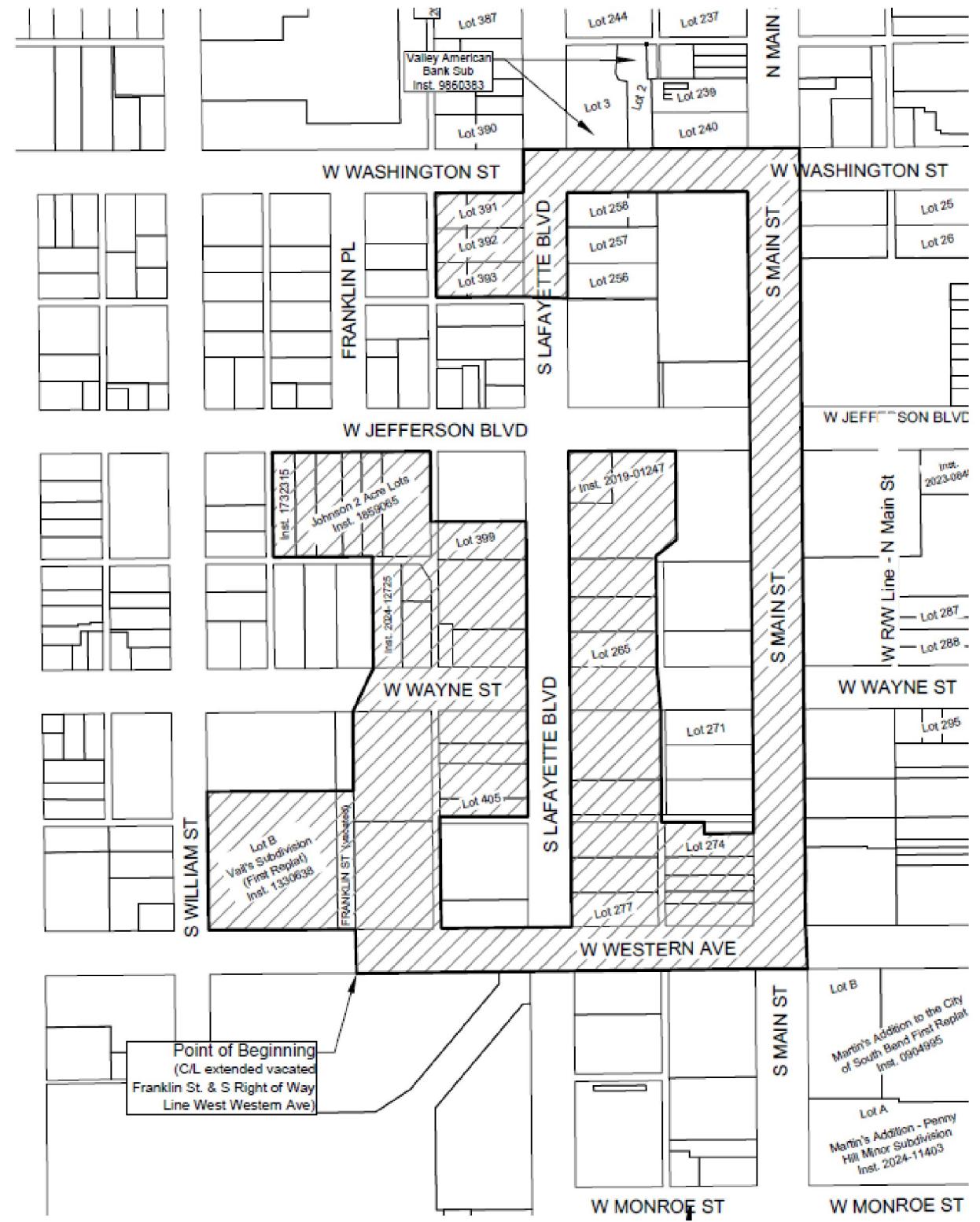
The above-described area (1) contains approximately 19 Acres of land, (2) was prepared based upon publicly available record information, and (3) contains within the same the entirety the existing parcels of land that are listed on the following page(s).

**Parcel List for the Lafayette South Allocation Area**

No.	IDD Sub-District	Parcel ID #	IN Parcel ID #	S-Address
1	Lafayette South	018-3012-044002	71-08-11-284-003.000-026	411 W WESTERN AVE
2	Lafayette South	018-3011-0388	71-08-11-283-008.000-026	410 W JEFFERSON BLVD
3	Lafayette South	018-3011-0389	71-08-11-283-009.000-026	404 W JEFFERSON BLVD
4	Lafayette South	018-3012-0452	71-08-11-284-006.000-026	333 W WESTERN AVE
5	Lafayette South	018-3008-0267	71-08-12-160-012.000-026	333 S MAIN ST
6	Lafayette South	018-3011-0398	71-08-11-283-011.000-026	332 W JEFFERSON BLVD
7	Lafayette South	018-3008-0266	71-08-12-160-011.000-026	331 S MAIN ST
8	Lafayette South	018-3008-0265	71-08-12-160-010.000-026	331 S MAIN ST
9	Lafayette South	018-3008-0257	71-08-12-160-004.000-026	328 S LAFAYETTE BLVD
10	Lafayette South	018-3008-0264	71-08-12-160-009.000-026	325 S MAIN ST
11	Lafayette South	018-3008-0256	71-08-12-160-003.000-026	322 S LAFAYETTE BLVD
12	Lafayette South	018-3008-0263	71-08-12-160-008.000-026	321 S MAIN ST
13	Lafayette South	018-3011-0399	71-08-11-283-012.000-026	320 W JEFFERSON BLVD
14	Lafayette South	018-3011-0403	71-08-11-283-017.000-026	319 W WAYNE ST
15	Lafayette South	018-3008-0262	71-08-12-160-007.000-026	319 S MAIN ST
16	Lafayette South	018-3011-0400	71-08-11-283-013.000-026	316 W JEFFERSON BLVD
17	Lafayette South	018-3011-0405	71-08-11-283-019.000-026	315 W WAYNE ST
18	Lafayette South	018-3011-0404	71-08-11-283-018.000-026	315 1/2 W WAYNE ST
19	Lafayette South	018-3009-0302	71-08-12-155-004.000-026	313 W WAYNE ST
20	Lafayette South	018-3009-0306	71-08-12-159-003.000-026	313 S LAFAYETTE BLVD
21	Lafayette South	018-3009-0286	71-08-12-151-001.000-026	310 W WASHINGTON ST
22	Lafayette South	018-3009-0287	71-08-12-151-002.000-026	302 W WASHINGTON ST
23	Lafayette South	018-3009-0305	71-08-12-159-002.000-026	302 S LAFAYETTE BLVD
24	Lafayette South	018-3009-0304	71-08-12-159-001.000-026	301 S LAFAYETTE BLVD
25	Lafayette South	018-3007-0221	71-08-12-156-006.000-026	226 S LAFAYETTE BLVD
26	Lafayette South	018-3007-0216	71-08-12-156-001.000-026	224 W JEFFERSON BLVD
27	Lafayette South	018-3007-0222	71-08-12-156-007.000-026	221 W WAYNE ST
28	Lafayette South	018-3007-0217	71-08-12-156-002.000-026	220 W JEFFERSON BLVD
29	Lafayette South	018-3009-0300	71-08-12-155-003.000-026	219 S LAFAYETTE BLVD
30	Lafayette South	018-3007-0220	71-08-12-156-005.000-026	216 S LAFAYETTE BLVD
31	Lafayette South	018-3009-0299	71-08-12-155-002.000-026	215 S LAFAYETTE BLVD
32	Lafayette South	018-3009-0288	71-08-12-151-003.000-026	115 S LAFAYETTE BLVD

No.	IDD Sub-District	Parcel ID #	IN Parcel ID #	S-Address
33	Lafayette South	018-3008-0258	71-08-12-160-005.000-026	Vacant
34	Lafayette South	018-3009-0289	71-08-12-151-004.000-026	Vacant
35	Lafayette South	018-3008-0255	71-08-12-160-002.000-026	Vacant
36	Lafayette South	018-3008-0251	71-08-12-160-001.000-026	Vacant
37	Lafayette South	018-3011-0397	71-08-11-283-010.000-026	Vacant
38	Lafayette South	018-3009-0307	71-08-12-159-004.000-026	Vacant
39	Lafayette South	018-3009-0303	71-08-12-155-005.000-026	311 W WAYNE ST

## Map of the Lafayette South Allocation Area



## EXHIBIT C

### **LEGAL DESCRIPTION, PARCEL LIST AND MAP**

#### **Ignition Park Allocation Area River West Development Area**

A part of Sections 13 & 14, Township 37 North, Range 2 East, Portage Township, within the City of South Bend, St. Joseph County, State of Indiana; & being more particularly described within the following ten (10) courses:

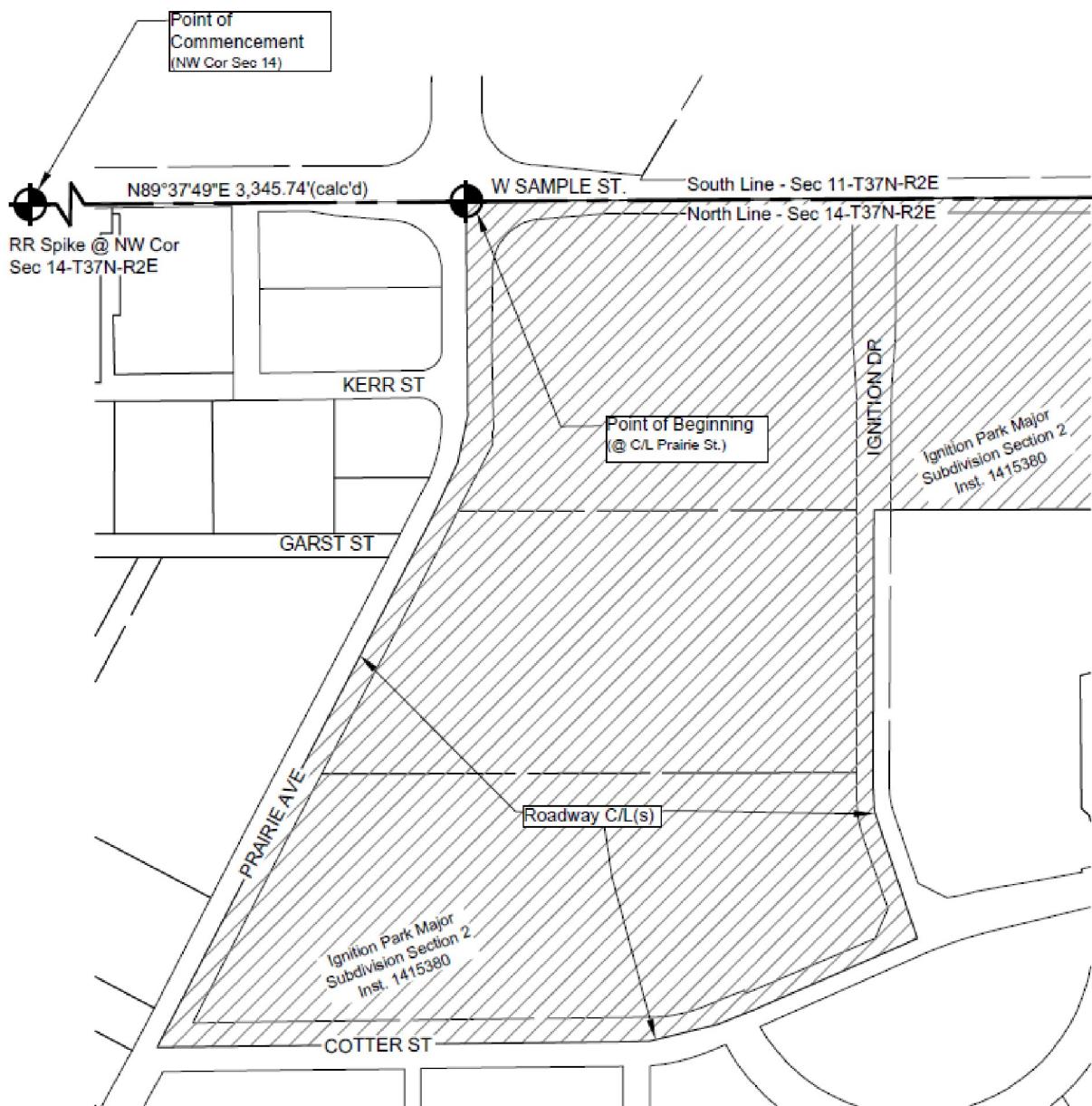
1. Commencing at a railroad spike marking the northwest corner of said Section 14; thence East along the north line of said Section 14 an approximate distance of 3,346 feet to the centerline of Prairie Avenue & the Point of Beginning of this description;
2. Thence continuing East along said north line an approximate distance of 1,923 feet to a Harrison monument located at the north common corner between said Sections 13 & 14;
3. Thence East along the north line of said Section 13 an approximate distance of 266 feet to the east right of way line extended of South Lafayette Blvd.;
4. Thence South along said east right of way line extended, & said east right of way line, an approximate distance of 561 feet to the north right of way line of Garst Street;
5. Thence West along said north right of way line an approximate distance of 454 feet to the centerline of Franklin Street;
6. Thence south along said centerline an approximate distance of 20 feet to the south line extended of Lot 6 as said Lot is known & designated on the recorded plat of Ignition Park Major Subdivision Section Two, said plat being recorded as Instrument Number 1415380 in the Recorder's Office of St. Joseph County, Indiana;
7. Thence West along said south line extended & said south line, & the south line of Lot 5 in said plat & said south line extended, an approximate distance of 992 feet to the centerline of Ignition Drive;
8. Thence South & Southeast along said centerline an approximate distance of 801 feet to the centerline of Cotter Street;
9. Thence Southwest & West along said centerline an approximate distance of 1,436 feet to the centerline of Prairie Avenue;
10. Thence Northeast & North along said centerline an approximate distance of 1,693 feet to the point of beginning of this description.

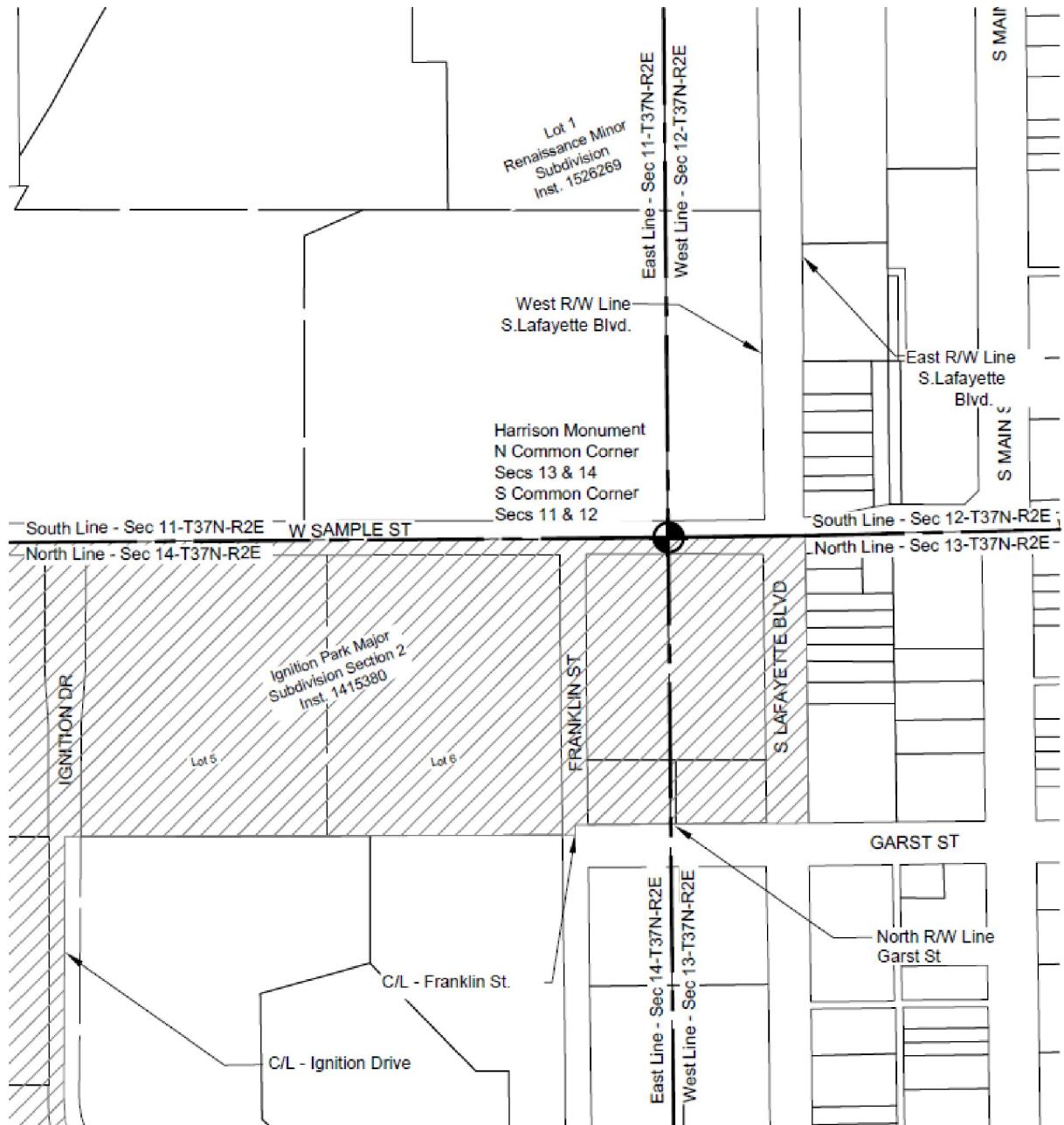
The above-described area (1) contains approximately 52 Acres of land, (2) was prepared based upon publicly available record information, and (3) contains within the same the entirety the existing parcels of land that are listed on the following page(s).

### Parcel List for the Ignition Park Allocation Area

<u>No.</u>	IDD Sub-District	Parcel ID #	IN Parcel ID #	S-Address
1	Ignition Park	018-8021-084906	71-08-14-226-001.000-026	410 W SAMPLE ST
2	Ignition Park	018-8021-0849	71-08-14-276-002.000-026	400 W SAMPLE ST
3	Ignition Park	018-8021-084903	71-08-14-203-002.000-026	1100 PRAIRIE AVE
4	Ignition Park	018-8021-084902	71-08-14-203-003.000-026	1100 PRAIRIE AVE
5	Ignition Park	018-8021-084904	71-08-14-226-002.000-026	1010 PRAIRIE AVE
6	Ignition Park	018-8002-0061	71-08-14-227-001.000-026	Vacant
7	Ignition Park	018-8002-006101	71-08-14-227-011.000-026	Vacant
8	Ignition Park	018-8002-006102	71-08-14-227-012.000-026	Vacant

## Maps of the Ignition Park Allocation Area





## EXHIBIT D

### LEGAL DESCRIPTION, PARCEL LIST AND MAP

#### **Downtown North Allocation Area River West Development Area**

A part of Sections 1 & 12, Township 37 North, Range 2 East, Portage Township, within the City of South Bend, St. Joseph County, State of Indiana; & being more particularly described within the following six (6) courses:

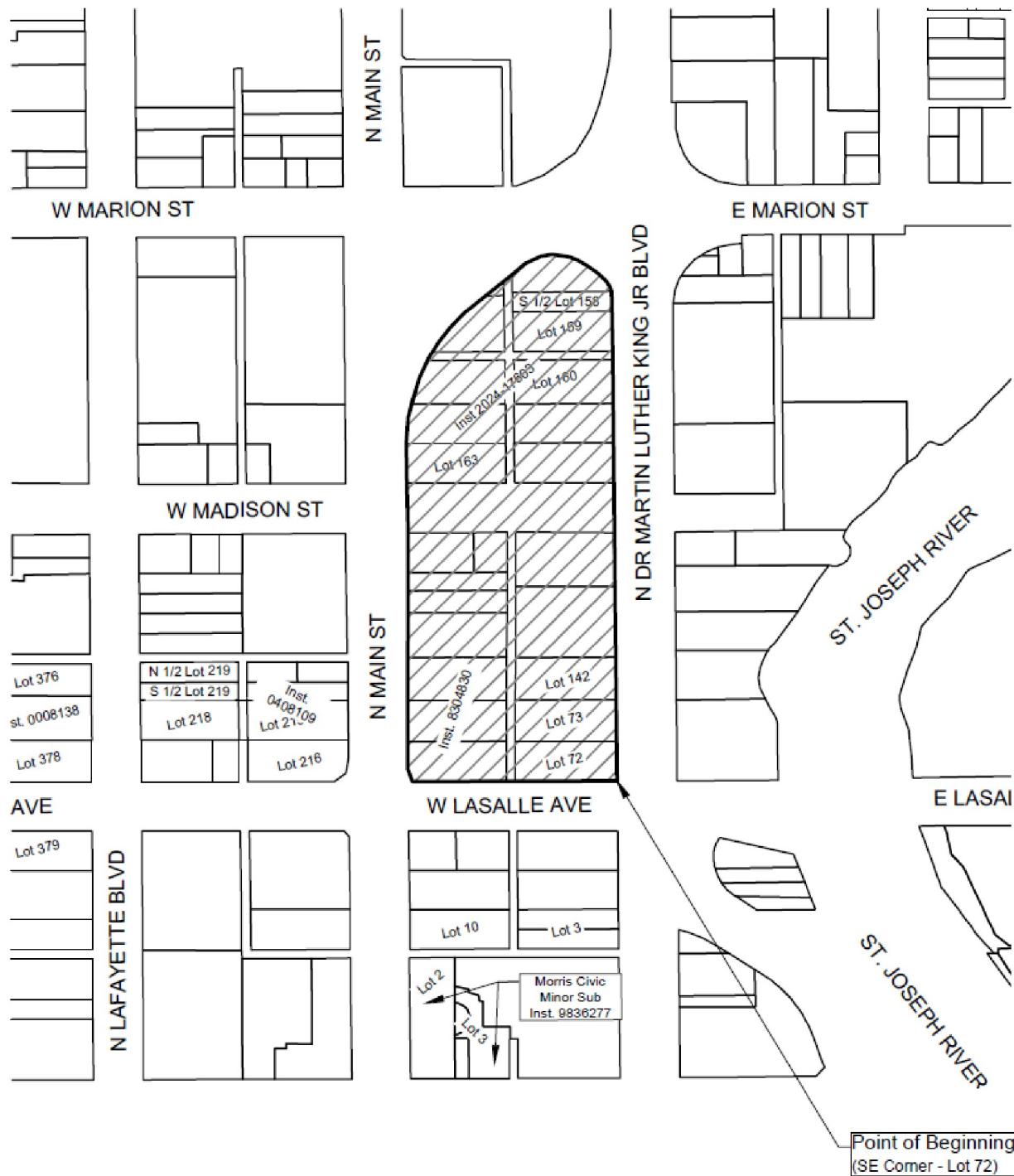
1. Beginning at the southeast corner of Lot 72 as said Lot is known and designated on the Original Plat of the Town (now City) of South Bend;
2. Thence West along the south line of said Lot 72 & the north right of way line of LaSalle Avenue an approximate distance of 340 feet to the southwest corner of land described in Instrument Number 8304830 in the Recorder's Office of St. Joseph County, Indiana;
3. Thence Northwest along the west line of said land an approximate distance of 23 feet to the east right of way line of Main Street;
4. Thence North along the west line of said land an approximate distance of 472 feet to the southwest corner of Lot 163 in the plat of the Original Town (now City) of South Bend, the east right of way line of said Main Street, & the southwest corner of land described in Instrument Number 2024-17603 in the Recorder's Office of St. Joseph County, Indiana;
5. Thence North, Northeast, East, & Southeast along said east right of way line which is also the west, northwest, north, & northeast lines of said land an approximate distance of 627 feet to the east line of said land & a point which is at the northeast corner of the south half of Lot 158 in the plat of the Original Town (now City) of South Bend & the west right of way line of Dr. Martin Luther King Jr. Blvd;
6. Thence South along said west right of way line & said west right of way line extended an approximate distance of 811 feet to the point of beginning of this description.

The above-described area (1) contains approximately 6 Acres of land, (2) was prepared based upon publicly available record information, and (3) contains within the same the entirety the existing parcels of land that are listed on the following page(s).

**Parcel List for the Downtown North Allocation Area**

<u>No.</u>	IDD Sub-District	Parcel ID #	IN Parcel ID #	S-Address
1	Downtown North	018-1003-0095	71-08-01-355-003.000-026	425 N DR MARTIN LUTHER KING JR DR
2	Downtown North	018-1003-0089	71-08-01-355-002.000-026	416 N MAIN ST
3	Downtown North	018-1003-0094	71-08-01-355-004.000-026	413 N DR MARTIN LUTHER KING JR DR
4	Downtown North	018-1003-0093	71-08-01-355-005.000-026	409 N DR MARTIN LUTHER KING JR DR
5	Downtown North	018-1003-0092	71-08-01-355-006.000-026	401 N DR MARTIN LUTHER KING JR DR
6	Downtown North	018-1003-0100	71-08-01-358-001.000-026	336 N MAIN ST
7	Downtown North	018-1003-0112	71-08-01-358-006.000-026	333 N DR MARTIN LUTHER KING JR DR
8	Downtown North	018-1003-0102	71-08-01-358-002.000-026	328 N MAIN ST
9	Downtown North	018-1003-0103	71-08-01-358-003.000-026	324 N MAIN ST
10	Downtown North	018-1003-0104	71-08-01-358-004.000-026	322 N MAIN ST
11	Downtown North	018-1003-0111	71-08-01-358-007.000-026	321 N DR MARTIN LUTHER KING JR DR
12	Downtown North	018-1003-0107	71-08-01-358-008.000-026	309 N DR MARTIN LUTHER KING JR DR
13	Downtown North	018-1003-0125	71-08-12-103-002.000-026	307 N DR MARTIN LUTHER KING JR BLVD
14	Downtown North	018-1003-0120	71-08-12-103-001.000-026	121 W LASALLE AVE
15	Downtown North	018-1003-0101	71-08-01-358-005.000-026	Vacant

### Map of the Downtown North Allocation Area



## EXHIBIT E

### **LEGAL DESCRIPTION, PARCEL LIST AND MAP**

#### **Michigan Street Corridor Allocation Area River West Development Area**

A part of Section 12 Township 37 North, Range 2 East, Portage Township, within the City of South Bend, St. Joseph County, State of Indiana; & being more particularly described within the following thirty-two (32) courses:

1. Beginning at the intersection of the west right of way line of Main Street and the south right of way line of Wayne Street, which is also the northeast corner of Lot 271 in the Original Plat of the Town (now City) of South Bend;
2. Thence North along said west right of way line of Main Street and said west right of way line extended an approximate distance of 1,068 feet to the north right of way line of Washington Street and the southeast corner of Lot 240 in said plat;
3. Thence East along said north right of way line an approximate distance of 890 feet to the west right of way line of Dr. Martin Luther King, Jr. Blvd;
4. Thence South along said west right of way line an approximate distance of 82.5 feet to the northeast corner of Lot 1 as said Lot is known & designated on the recorded plat of Hall of Fame Second Minor Subdivision, said plat being recorded as Instrument Number 1518735 in the Recorder's Office of St. Joseph County, Indiana;
5. Thence continuing South along the east line of said Lot 1 an approximate distance of 204 feet to the southeast corner thereof;
6. Thence West along the south line of said Lot 1 an approximate distance of 140 feet to the east line of Lot 2 in said plat;
7. Thence South along said east line an approximate distance of 13 feet to the south line of said Lot 2;
8. Thence West along said south line an approximate distance of 30 feet to the west right of way line of Derue Court as shown on said plat;
9. Thence South along said west right of way line an approximate distance of 196 feet to the north right of way line of Jefferson Blvd;
10. Thence West along said north right of way line an approximate distance of 165 feet to the east right of way line of Michigan Street;
11. Thence North along said east right of way line an approximate distance of 281 feet to the south line extended of Lot 26 as said Lot is known & designated on the plat of the Original Town (now City) of South Bend;
12. Thence West along said south line extended & said south line an approximate distance of 264 feet to the southwest corner of said Lot 26 & the east line of a 14-foot wide public alley;
13. Thence North along said east line an approximate distance of 132 feet to the south right of way line of Washington Street;
14. Thence West along said south right of way line an approximate distance of 180 feet to the east

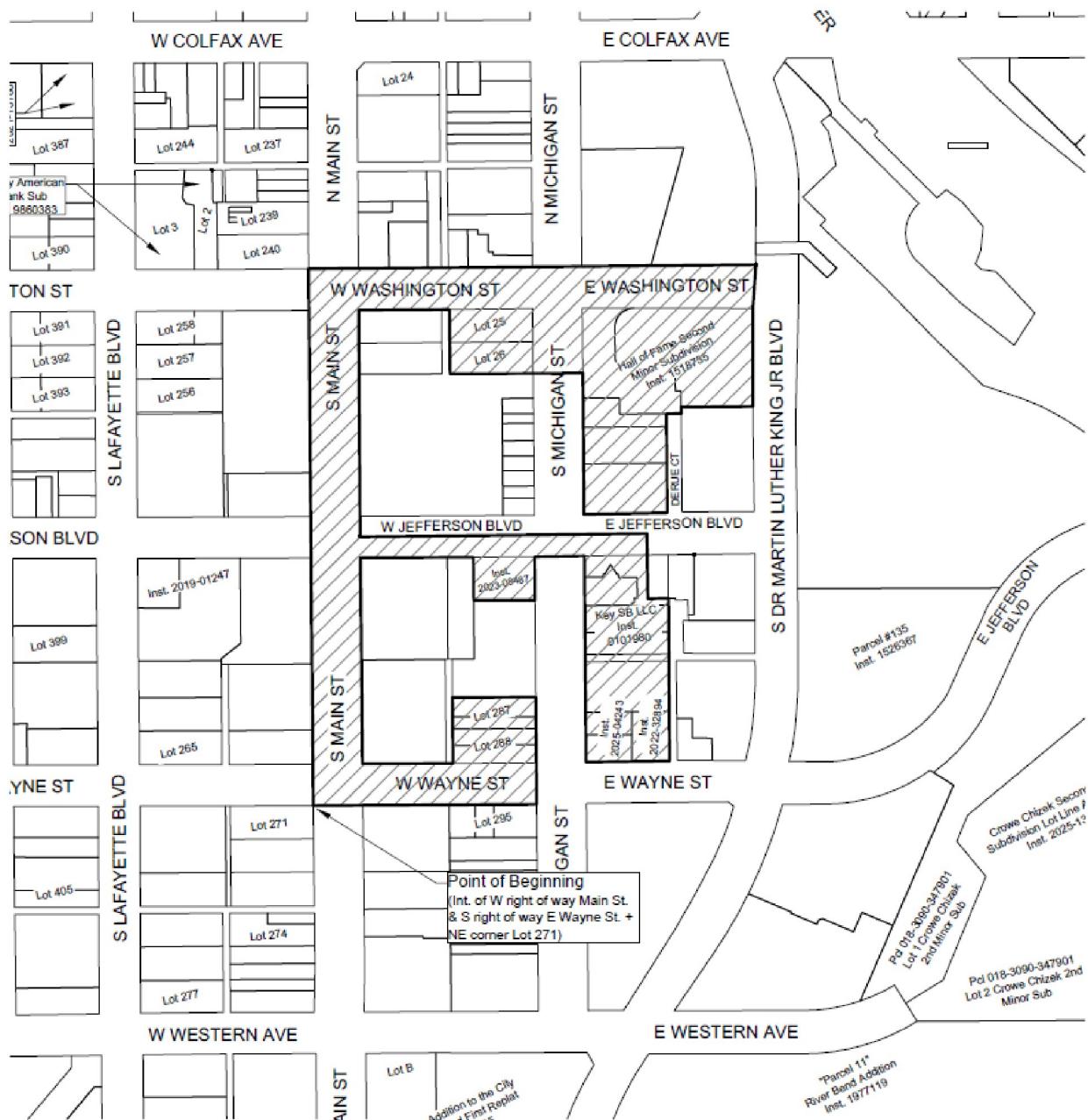
right of way line of Main Street;

15. Thence South along said east right of way line an approximate distance of 451 feet to the centerline of Jefferson Blvd;
16. Thence East along said centerline an approximate distance of 571 feet to the east line extended of land described in Instrument Number 0101980 in the Recorder's Office of St. Joseph County, Indiana;
17. Thence South along said east line extended and said east line an approximate distance of 129 feet;
18. Thence East along said east line an approximate distance of 41 feet to the west line of a 14-foot wide public alley;
19. Thence South along the west line of said public alley an approximate distance of 323 feet to the southeast corner of land described in Instrument Number 2022-32894 in the Recorder's Office of St. Joseph County, Indiana and the north right of way line of East Wayne Street;
20. Thence West along said north right of way line an approximate distance of 166 feet to the east right of way line of Michigan Street;
21. Thence North along said east right of way line of Michigan Street an approximate distance of 410 feet to the south right of way line of Jefferson Blvd;
22. Thence West along said south right of way line of Jefferson Blvd. an approximate distance of 99 feet to the west right of way line of Michigan Street and the northeast corner of land described in Instrument 2023-08487 in the Recorder's Office of St. Joseph County, Indiana;
23. Thence South along the east line of said land an approximate distance of 86 feet to the southeast corner thereof;
24. Thence West along the south line of said land an approximate distance of 122 feet to the southwest corner thereof;
25. Thence North along the west line of said land an approximate distance of 86 feet to the northwest corner thereof and the south right of way line of Jefferson Blvd.;
26. Thence West along said south right of way line of Jefferson Blvd. an approximate distance of 225 feet to the east right of way of Main Street;
27. Thence South along said east right of way of Main Street an approximate distance of 410 feet to the north right of way line of Wayne Street;
28. Thence East along said north right of way line of Wayne Street an approximate distance of 180 feet to the southwest corner of Lot 288 as said Lot is known and designated on the Original Plat of the Town (now City) of South bend;
29. Thence North along the west line of said Lot 288 and the west line of Lot 287 in said plat an approximate distance of 132 feet to the northwest corner of said Lot 287;
30. Thence East along the north line of said Lot 287 an approximate distance of 165 feet to the northeast corner thereof;
31. Thence South along the east line of said Lot 287 and said Lot 288 and said east line extended an approximate distance of 215 feet to the south right of way line of Wayne Street;
32. Thence West along said south right of way line of Wayne Street an approximate distance of 443 feet to the point of beginning of this description.

**Parcel List for the Michigan Street Corridor Allocation Area**

<u>No.</u>	IDD Sub-District	Parcel ID #	IN Parcel ID #	S-Address
1	Michigan St Corridor	018-3003-0053	71-08-12-158-007.000-026	236 S MICHIGAN ST
2	Michigan St Corridor	018-3007-0250	71-08-12-157-012.000-026	235 S MICHIGAN ST
3	Michigan St Corridor	018-3007-0249	71-08-12-157-011.000-026	231 S MICHIGAN ST
4	Michigan St Corridor	018-3003-0051	71-08-12-158-006.000-026	230 S MICHIGAN ST
5	Michigan St Corridor	018-3007-0248	71-08-12-157-010.000-026	229 S MICHIGAN ST
6	Michigan St Corridor	018-3007-0247	71-08-12-157-009.000-026	225 S MICHIGAN ST
7	Michigan St Corridor	018-3003-0049	71-08-12-158-005.000-026	222 S MICHIGAN ST
8	Michigan St Corridor	018-3003-0048	71-08-12-158-004.000-026	216 S MICHIGAN ST
9	Michigan St Corridor	018-3003-0047	71-08-12-158-003.000-026	212 S MICHIGAN ST
10	Michigan St Corridor	018-3003-0046	71-08-12-158-002.000-026	210 S MICHIGAN ST
11	Michigan St Corridor	018-3003-0043	71-08-12-158-001.000-026	202 S MICHIGAN ST
12	Michigan St Corridor	018-3007-0243	71-08-12-157-004.000-026	201 S MICHIGAN ST
13	Michigan St Corridor	018-3001-0014	71-08-12-154-003.000-026	126 S MICHIGAN ST
14	Michigan St Corridor	018-3001-001301	71-08-12-154-002.000-026	122 S MICHIGAN ST
15	Michigan St Corridor	018-3003-0052	71-08-12-158-008.000-026	113 E WAYNE ST
16	Michigan St Corridor	018-3091-347405	71-08-12-154-001.000-026	111 S DR MARTIN LUTHER KING JR BLVD
17	Michigan St Corridor	018-3001-0017	71-08-12-154-006.000-026	105 E JEFFERSON BLVD
18	Michigan St Corridor	018-3006-019001	71-08-12-153-002.000-026	Vacant
19	Michigan St Corridor	018-3091-347406	71-08-12-154-012.000-026	Vacant

## Map of the Michigan Street Corridor Allocation Area



## EXHIBIT F

### **LEGAL DESCRIPTION, PARCEL LIST AND MAP**

#### **Studebaker Campus Allocation Area River West Development Area**

A part of Sections 11 & 12 Township 37 North, Range 2 East, Portage Township, within the City of South Bend, St. Joseph County, State of Indiana; & being more particularly described within the following eighteen (18) courses:

1. Beginning at the southeast corner of Lot 1 as said Lot is known & designated on the recorded plat of Renaissance Minor Subdivision, said plat being recorded as Instrument Number 1526269 in the Recorder's Office of St. Joseph County, Indiana;
2. Thence West along the south line of Lot 1 in said recorded plat an approximate distance of 600 feet to the west line of said Lot 1;
3. Thence North along said west line an approximate distance of 287 feet;
4. Thence West along said west line an approximate distance of 67 feet;
5. Thence North along said west line an approximate distance of 110 feet;
6. Thence Northwest along said west line an approximate distance of 92 feet to the south line of Lot 2 in said recorded plat;
7. Thence West along the south line of said Lot 2 & the south line of Lot 3 in said recorded plat an approximate distance of 510 feet to the southwest corner of said Lot 3 & the centerline of a vacated road known as United Drive;
8. Thence Northeast along the west line of said Lot 3 & said centerline of a vacated road an approximate distance of 285 feet to the northwest corner of said Lot 3;
9. Thence East along the north line of said Lot 3 an approximate distance of 269 feet to the northwest corner of said Lot 2;
10. Thence East along the north line of said Lot 2 an approximate distance of 458 feet;
11. Thence South along the north line of said Lot 2 an approximate distance of 10 feet;
12. Thence East along the north line of said Lot 2 an approximate distance of 349 feet to the west right of way line of Lafayette Blvd;
13. Thence East an approximate distance of 82.5 feet to the northwest corner of land described in Instrument Number 2025-02331 in the Recorder's Office of St. Joseph County, Indiana;
14. Thence East along the north line of said land an approximate distance of 343 feet to the northeast corner thereof and the west right of way line of Main Street;
15. Thence South along said west right of way line and the east line of said land an approximate distance of 99 feet to the southeast corner thereof and the north right of way line of Bronson Street;
16. Thence West along said north right of way line and the south line of said land an approximate

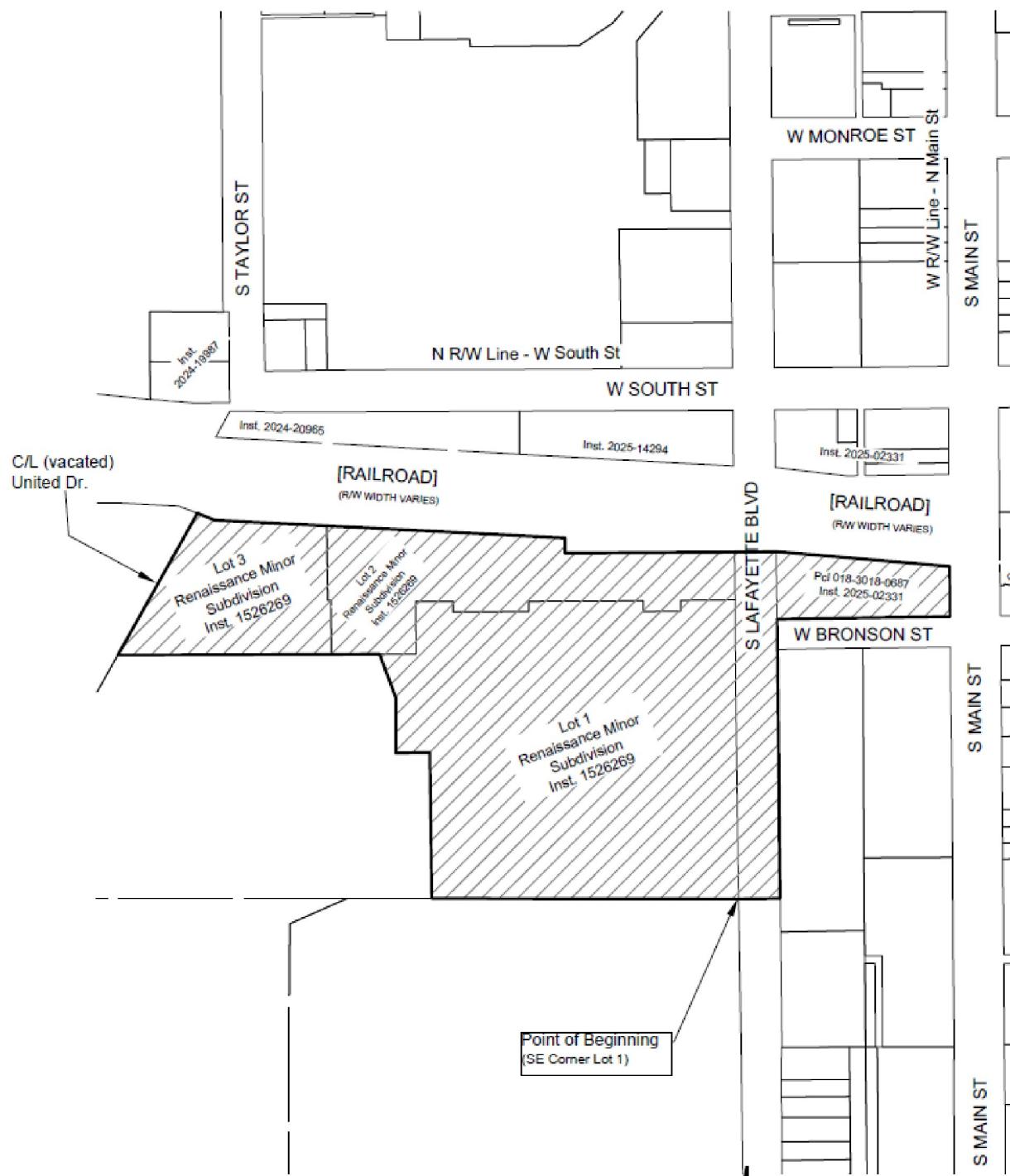
distance of 342 feet to the east right of way line of Lafayette Street and the southwest corner of said land;

17. Thence South along said east right of way line an approximate distance of 552 feet to south line extended of Lot 1 as said Lot is known & designated on the recorded plat of Renaissance Minor Subdivision, said plat being recorded as Instrument Number 1526269 in the Recorder's Office of St. Joseph County, Indiana;
18. Thence West along said south line extended an approximate distance of 82.5 feet to the southeast corner of said Lot 1 and the point of beginning of this description.

**Parcel List for the Studebaker Campus Allocation Area**

<u>No.</u>	IDD Sub-District	Parcel ID #	IN Parcel ID #	S-Address
1	Studebaker Campus	018-3018-0687	71-08-12-352-001.000-026	635 S MAIN ST
2	Studebaker Campus	018-3043-165402	71-08-12-351-001.000-026	635 S LAFAYETTE BLVD
3	Studebaker Campus	018-3043-165409	71-08-11-477-001.000-026	600 UNITED DR
4	Studebaker Campus	018-3043-165408	71-08-11-477-002.000-026	Vacant

## Map of the Studebaker Campus Allocation Area



## EXHIBIT G

### LEGAL DESCRIPTION, PARCEL LIST AND MAP

#### **Riverfront West Allocation Area River West Development Area**

A part of Section 12, Township 37 North, Range 2 East, Portage Township, within the City of South Bend, St. Joseph County, State of Indiana; & being more particularly described within the following eighteen (18) courses:

1. Beginning at the northwest corner of land described as 'Parcel 135' within Instrument Number 1526367 in the Recorder's Office of St. Joseph County, Indiana;
2. Thence East along the north line of said land an approximate distance of 400 feet to the northwesterly right of way line of Jefferson Blvd;
3. Thence Southwest along said northwesterly right of way line an approximate distance of 605 feet to the said east right of way line of Dr. Martin Luther King Jr. Blvd;
4. Thence North along said east right of way line an approximate distance of 596 feet to the point of beginning of this description.

*The above-described area being identical to land referred to as "Parcel 135" within Instrument Number 1526367 in the Recorder's Office of St. Joseph County, Indiana;*

**AND**

5. Beginning at the southeast corner of land described in Instrument Number 2024-10901 in the Recorder's Office of St. Joseph County, Indiana and on the north right of way line of Monroe Street;
6. Thence West along said north right of way line of Monroe Street an approximate distance of 523 feet to the east right of way line of Columbia Street;
7. Thence North along said east right of way line of Columbia Street an approximate distance of 522 feet to the northerly terminus of said east right of way line and the southeast corner of Lot 2 as said Lot is known and designated on the recorded plat of Crowe Chizek 2<sup>nd</sup> Minor Subdivision, said plat being recorded as Instrument Number 2025-13970 in the Recorder's Office of St. Joseph County, Indiana, and on the west line of land described in Instrument Number 2024-26385;
8. Thence Northeast along said south line of Lot 2 an approximate distance of 80 feet to the west line of land described in Instrument Number 2024-26385 in the Recorder's Office of St. Joseph County, Indiana;
9. Thence Northwest along the west line of said land an approximate distance of 81 feet to the westernmost corner of said land;
10. Thence Northeast along the north line of said land an approximate distance of 155 feet;
11. Thence North along the west line of said land an approximate distance of 121 feet to the northwest corner thereof;
12. Thence East along the north line of said land an approximate distance of 218 feet to the

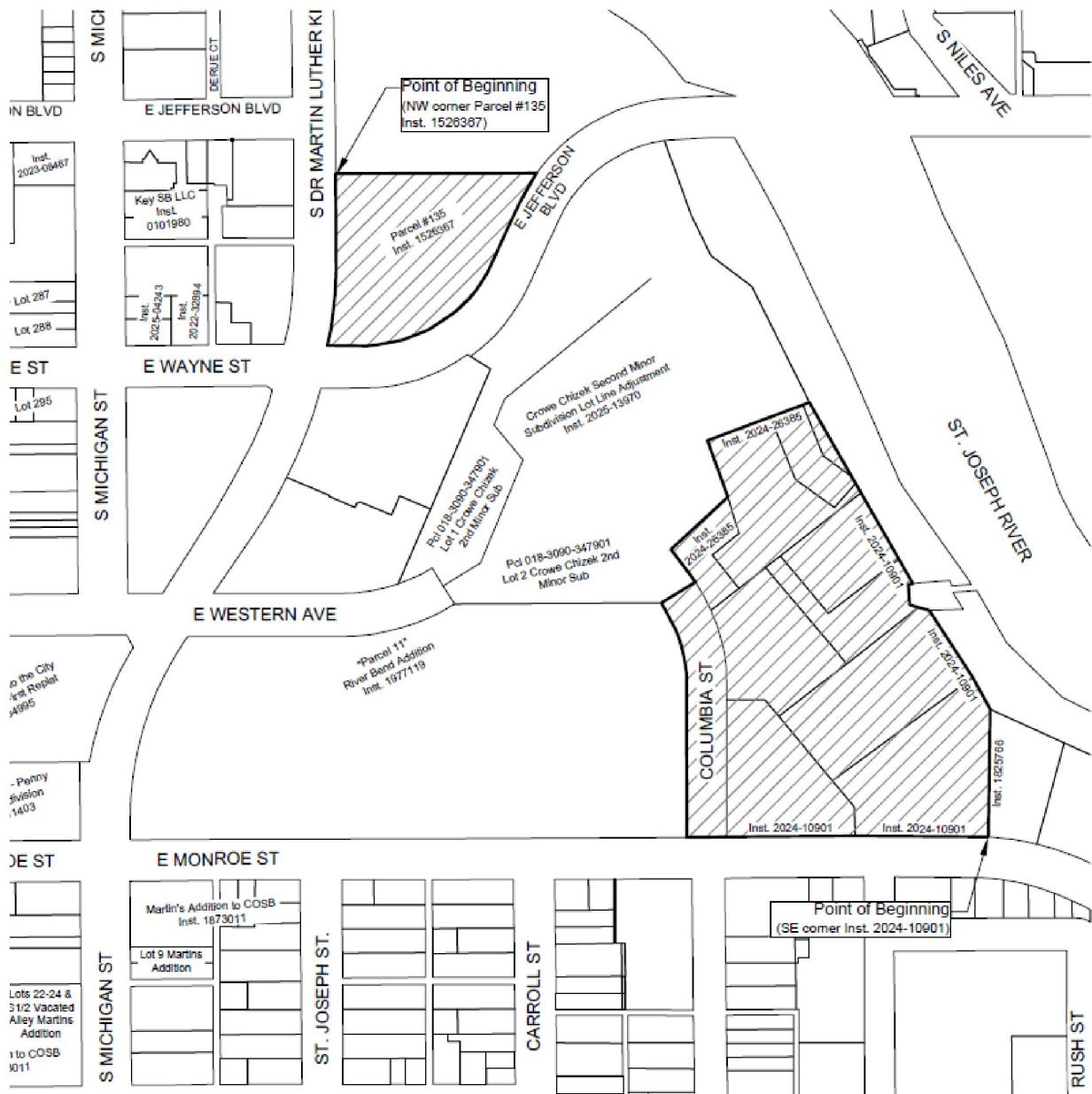
northeast corner thereof and the west line of 'Block 9' as said block is known and designated on the recorded plat of River Bend Addition, said plat being recorded as Instrument Number 1977119 in the Recorder's Office of St. Joseph County, Indiana;

13. Thence Southeast along the west line of said 'Block 9' an approximate distance of 417 feet;
14. Thence Southwest along said west line of 'Block 9' an approximate distance of 10 feet;
15. Thence Southeast along said west line of 'Block 9' an approximate distance of 40 feet;
16. Thence Southeast along said west line of 'Block 9' an approximate distance of 40 feet;
17. Thence Southeast along said west line of 'Block 9' an approximate distance of 233 feet to the northwest corner of land described in Instrument Number 1825766 in the Recorder's Office of St. Joseph County, Indiana;
18. Thence South along the west line of said land an approximate distance of 255 feet to the southwest corner thereof, the north right of way line of East Monroe Street, and the point of beginning of this description.

**Parcel List for the Riverfront West Allocation Area**

<u>No.</u>	IDD Sub-District	Parcel ID #	IN Parcel ID #	S-Address
1	Riverfront West	018-3090-3486	71-08-12-401-002.000-026	501 E MONROE ST
2	Riverfront West	018-3090-3485	71-08-12-401-001.000-026	404 COLUMBIA ST
3	Riverfront West	018-3090-3476	71-08-12-327-004.000-026	401 E MONROE ST
4	Riverfront West	018-3090-3481	71-08-12-178-006.000-026	348 COLUMBIA ST
5	Riverfront West	018-3089-3475	71-08-12-176-004.000-026	120 S DR MARTIN LUTHER KING JR DR
6	Riverfront West	018-3090-348401	71-08-12-256-001.000-026	Vacant

## Map of the Riverfront West Allocation Area



## EXHIBIT H

### LEGAL DESCRIPTION, PARCEL LIST AND MAP

#### **Downtown South Allocation Area River West Development Area**

A part of Sections 11 & 12, Township 37 North, Range 2 East, Portage Township, within the City of South Bend, St. Joseph County, State of Indiana; & being more particularly described within the following thirty-three (33) courses:

1. Beginning at the intersection of the north right of way line of Western Avenue and the west right of way line of Main Street;
2. Thence East along said north right of way line an approximate distance of 1,164 feet to the point of terminus of said north right of way line & the south line of Lot 1 as said Lot is known & designated on the recorded plat of Crow Chizek Second Minor Subdivision, said plat being recorded as Instrument Number 2025-13970 in the Recorder's Office of St. Joseph County, Indiana;
3. Thence Southeast along the south line of said Lot 1 & the westerly line of Lot 2 in said plat an approximate distance of 85 feet to the southwest corner of said Lot 2 & the eastern terminus of the south right of way line of said Western Avenue;
4. Thence East along the south line of said Lot 2 an approximate distance of 414 feet to the west right of way line of Columbia Street;
5. Thence South along said west right of way line an approximate distance of 477 feet to the north right of way line of Monroe Street;
6. Thence West along said north right of way line of East Monroe Street an approximate distance of 1,114 feet to the east right of way line of Michigan Street;
7. Thence North along said east right of way line an approximate distance of 432 feet to the south right of way line of Western Avenue;
8. Thence West along said south right of way line an approximate distance of 424 feet to the northeast corner of Lot B as said Lot is known & designated on the recorded plat of Martin's Addition to the City of South Bend First Replat, said plat being recorded as Instrument Number 09804995 in the Recorder's Office of St. Joseph County, Indiana;
9. Thence South along the east line of said Lot an approximate distance of 245 feet to the southeast corner of said Lot B & the north line of Lot A as known & designated on said plat;
10. Thence East along the north line of said Lot A an approximate distance of 33 feet;
11. Thence South along said north line an approximate distance of 7 feet;
12. Thence East along said north line an approximate distance of 172 feet to the west right of way line of Michigan Street;
13. Thence South along said west right of way line an approximate distance of 158 feet to the north right of way line of Monroe Street;
14. Thence West along said north right of way line an approximate distance of 344 feet to the east right of way line of Main Street;

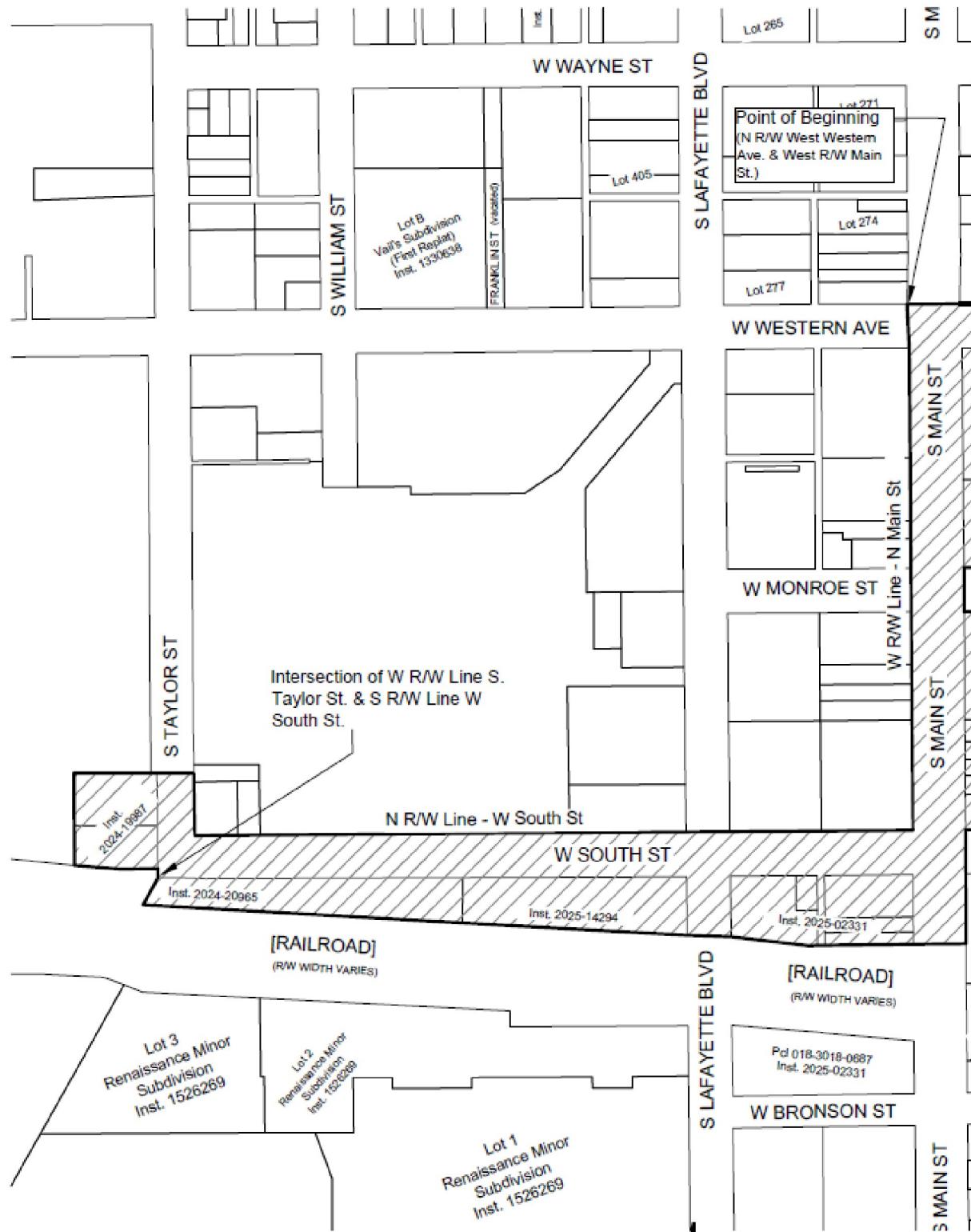
15. Thence South along said east right of way line extended an approximate distance of 82.5 feet to the south right of way line of Monroe Street;
16. Thence East along said south right of way line an approximate distance of 165 feet to the west line of a 14-foot wide public alley;
17. Thence south along said west line an approximate distance of 204 feet to the centerline of a vacated 14-foot wide alley shown on the recorded plat of Martins Addition to South Bend, said plat being recorded as Instrument Number 1873011 in the Recorder's Office of St. Joseph County, Indiana;
18. Thence East along said centerline an approximate distance of 179 feet to the west right of way line of Michigan Street;
19. Thence North along said west right of way line an approximate distance of 72 feet to the north line extended of Lot 9 as shown in said plat;
20. Thence East on said north line extended & said north line an approximate distance of 264 feet to the northeast corner of said Lot 9 & the west line of a 14-foot wide public alley;
21. Thence South along the west line of said public alley an approximate distance of 275 feet to the north right of way line of South Street;
22. Thence West along said north right of way line an approximate distance of 608 feet to the east right of way line of Main Street;
23. Thence South along said east right of way line of Main Street an approximate distance of 213 feet to the north right of way line of an existing railroad and the south line extended of land described in Instrument Number 2025-02331 in the Recorder's Office of St. Joseph County, Indiana;
24. Thence West along said south line extended and said south line and said north right of way line of an existing railroad an approximate distance of 524 feet to the west right of way line of Lafayette Blvd and the southeast corner of land described in Instrument Number 2025-14294 in the Recorder's Office of St. Joseph County, Indiana;
25. Thence continuing West along said north right of way line of an existing railroad and the south line of said land and the south line of land described in Instrument Number 2024-20965 in the Recorder's Office of St. Joseph County, Indiana an approximate distance of 1,022 feet to the southwest corner of said land; thence Northeast along the west line of said land an approximate distance of 58 feet to the northwest corner of said land and the west right of way line of South Taylor Street;
26. Thence North along said west right of way line an approximate distance of 17 feet to the southeast corner of land described in Instrument Number 2024-19987 in the Recorder's Office of St. Joseph County, Indiana;
27. Thence West along the south line of said land an approximate distance of 157 feet to the southwest corner thereof;

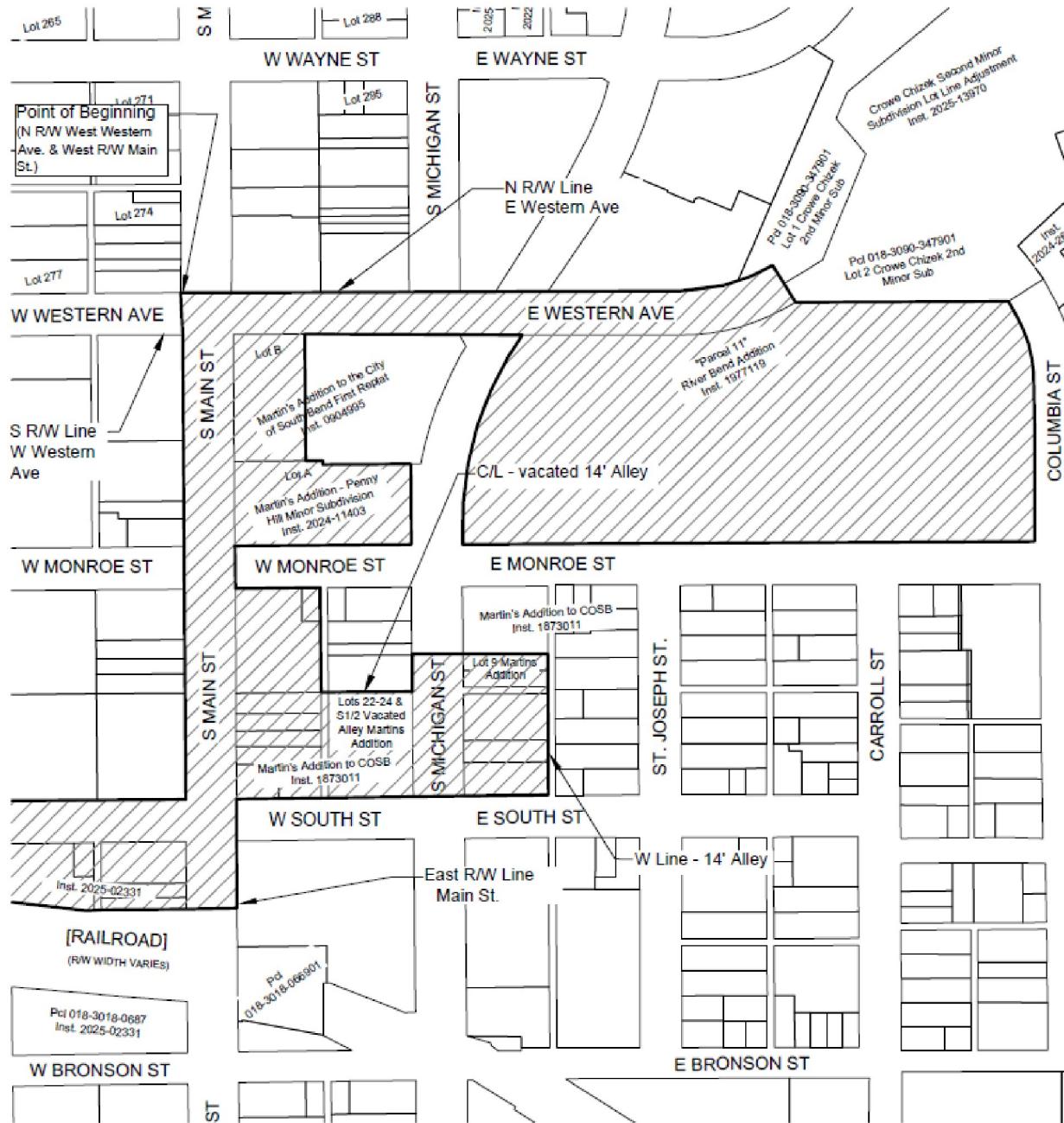
28. Thence North along the west line of said land an approximate distance of 172 feet to the northwest corner thereof;
29. Thence East along the north line of said land and said north line extended an approximate distance of 225 feet to the east right of way line of Taylor Street;
30. Thence South along said east right of way line an approximate distance of 117 feet to the north right of way line of South Street;
31. Thence East along said north right of way line an approximate distance of 1,347 feet to the west right of way line of Main Street;
32. Thence North along said west right of way line an approximate distance of 905 feet to the south right of way line of Western Avenue;
33. Thence North along said west right of way line extended an approximate distance of 82.5 feet to the point of beginning of this description.

### Parcel List for the Downtown South Allocation Area

<u>No.</u>	IDD Sub-District	Parcel ID #	IN Parcel ID #	S-Address
1	Downtown South	018-3016-060003	71-08-12-303-022.000-026	Vacant
2	Downtown South	018-3017-0624	71-08-12-306-006.000-026	536 S MAIN ST
3	Downtown South	018-3017-0651	71-08-12-307-006.000-026	534 S MICHIGAN ST
4	Downtown South	018-3017-0650	71-08-12-307-005.000-026	530 S MICHIGAN ST
5	Downtown South	018-3017-0623	71-08-12-306-005.000-026	530 S MAIN ST
6	Downtown South	018-3017-0622	71-08-12-306-004.000-026	528 S MAIN ST
7	Downtown South	018-3043-1653	71-08-11-426-003.000-026	525 S TAYLOR ST
8	Downtown South	018-3043-1650	71-08-11-426-002.000-026	525 S TAYLOR ST
9	Downtown South	018-3017-0634	71-08-12-306-014.000-026	525 S MICHIGAN ST
10	Downtown South	018-3017-0621	71-08-12-306-003.000-026	524 S MAIN ST
11	Downtown South	018-3017-0649	71-08-12-307-004.000-026	520 S MICHIGAN ST
12	Downtown South	018-3017-0620	71-08-12-306-002.000-026	520 S MAIN ST
13	Downtown South	018-3017-0646	71-08-12-307-003.000-026	516 S MICHIGAN ST
14	Downtown South	018-3017-0645	71-08-12-307-002.000-026	512 S MICHIGAN ST
15	Downtown South	018-3017-0618	71-08-12-306-001.000-026	510 S MAIN ST
16	Downtown South	018-3043-165901	71-08-11-428-001.000-026	506 W SOUTH ST
17	Downtown South	018-3016-0600	71-08-12-303-019.000-026	435 S MICHIGAN ST
18	Downtown South	018-3016-060001	71-08-12-303-020.000-026	425 S MICHIGAN ST
19	Downtown South	018-3086-3472	71-08-12-326-001.000-026	424 S MICHIGAN ST
20	Downtown South	018-3016-060002	71-08-12-303-021.000-026	423 S MICHIGAN ST
21	Downtown South	018-3043-165902	71-08-12-308-001.000-026	310 W SOUTH ST
22	Downtown South	018-3017-062601	71-08-12-306-007.000-026	117 W SOUTH ST
23	Downtown South	018-3017-0615	71-08-12-306-008.000-026	114 W MONROE ST
24	Downtown South	018-3018-0652	71-08-12-309-001.000-026	Vacant
25	Downtown South	018-3018-0657	71-08-12-309-003.000-026	Vacant
26	Downtown South	018-3018-0653	71-08-12-309-002.000-026	Vacant
27	Downtown South	018-3018-0658	71-08-12-309-004.000-026	Vacant
28	Downtown South	018-3018-0659	71-08-12-309-005.000-026	Vacant
29	Downtown South	018-3016-058601	71-08-12-303-002.000-026	Vacant

## Maps of the Downtown South Allocation Area





## **EXHIBIT I**

### **PLAN SUPPLEMENT**

The Plan is further supplemented and amended to add the descriptions for the territory to be known as (i) the “Lafayette North Allocation Area” as described at Exhibit A, (ii) the “Lafayette South Allocation Area” as described at Exhibit B, (iii) the “Ignition Park Allocation Area” as described at Exhibit C, (iv) the “Downtown North Allocation Area” as described at Exhibit D, (v) the “Michigan Street Corridor Allocation Area” as described at Exhibit E, (vi) the “Studebaker Campus Allocation Area” as described at Exhibit F, (vii) the “Riverfront West Allocation Area” as described at Exhibit G, and (viii) the “Downtown South Allocation Area” as described at Exhibit H.

Tax Increment Revenues from each of the Allocation Areas may be used to support all or any portion of the development, design, construction, equipping, and improving, as the case may be, of economic development projects that are located in or serve the respective Allocation Areas.

The Commission anticipates capturing tax increment revenues from each of the Allocation Areas and applying such tax increment revenues to offset payments by developers on promissory notes in connection with economic development revenue bond financings undertaken by the unit, or to pay principal or interest on economic development revenue bonds issued by the unit to provide incentives to a developer, in furtherance of the economic development or redevelopment purposes of each of the Allocation Areas.

Based on representations made to the Commission, the Commission has determined that the full development of each of the Allocation Areas with the improvements described above, will not proceed as planned without the contribution of tax increment revenues to be derived from each of the Allocation Areas to the projects described above.

**Requested Action**

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND, INDIANA, AMENDING CHAPTER 21 OF THE SOUTH BEND MUNICIPAL CODE TO MAKE MISCELLANEOUS CHANGES FOR CLARIFICATION AND CONSISTENCY TO SIMPLIFY DEVELOPMENT PROCESS AND TO ACHIEVE HIGHER QUALITY DEVELOPMENT

**Project Summary**

Amend Chapter 21 of the South Bend Municipal Code to clarify, correct, or revise various sections to assist in development of a more vibrant and resilient community while improving the ease of use of the Zoning Ordinance.

**Analysis & Recommendation**

**Analysis:** Continuing to monitor and improve the Zoning Ordinance is vital to maintaining growth and development in a way that helps support economic growth and revitalizes neighborhoods. Since the last update to the zoning ordinance, various rules within it have been identified as overly restrictive, or as outdated and in need of modernization. For these reasons, staff recommends changing the ordinance to help streamline the development process and provide greater flexibility for developers; reduce the need for unnecessary variances from the code while not impacting the quality of development; and provide a number of updates that will bring the code up to date with current development trends. Additionally, there have been a number of typographical errors identified in the ordinance, as well as areas where further clarification is needed. Fixing these issues will improve understanding for users of the code.

The ordinance version approved by the Common Council on January 12, 2026, differed from the version recommended by the Plan Commission at its December meeting. Some non-substantive clarifications were made to the ordinance. Because state law requires that the Plan Commission and Common Council adopt identical language, the ordinance has returned to the Plan Commission for its ratification.

**Recommendation:** Based on the information available prior to the public hearing, the staff recommends the text amendment be approved as amended by Council.

## Zoning Ordinance Amendment #7

Last Updated

12/19/2025

General updates providing a clarification and/ or correction to an existing rule, such as a typographical, consistency, and cross reference revision are addressed in the following sections:

21-02.03(b)(3); 21-02.03(f)(1)(B - new); 21-05.02(f)(2)(D); 21-06.01(k)(7)(A)(iii); 21-06.01(l)(3)(A)(ii); 21-06.02(f)(12)(A)(i); 21-06.03(e); 21-06.03(j); 21-06.03(k); 21-07.03(d)(2); 21-07.04(e)  
21-08.01(e)(8)(B); 21-08.01(g)(5); 21-08.02(h)(3); 21-08.02(i)(3); 21-09.01(l)(4)(c); 21-09.02(c)(4); 21-10.02(a)(10)(B); 21-10.02(a)(10)(C); 21-10.07(d)(1)(A); 21-12.07(f)(4)(A); 21-13.01(j)(2)

Standard	Ordinance Sections	Item	Proposed Change	Rationale
Accessory Standards	21-06.02(b)(4) new	EV Charging Station Update	Exempts free libraries and EV charging stations from accessory structure rules	Modernize rules to align with vehicle fueling options.
	21-06.02(e)	Maximum Number of Accessory Buildings	Eliminates accessory building limits in commercial and industrial districts	Allow for more functional land use and consistent with the character of non-residential districts.
	21-06.02(e)(2)	EV Charging Station Update	Exempts free libraries and EV charging stations from accessory structure rules and moves from (e)(2) to (b)(4)	Modernize rules to align with vehicle fueling options.
	21-06.02(e)(3) new	Accessory Buildings	Allow for Pergolas as long as criteria are met	Avoids need for variances for this typical accessory type.
	21-06.02(f)(24)(A)(v)	Max height ground mounted solar energy system	Increase max height ground mounted solar energy system from 12' to 18'	Avoids need for variances for typical permit requests and to promote renewable energy. Also aligns with accessory standards.
	21-06.02(f)(27)	Trash Enclosure	Rewrite of the trash and recycling enclosure rules, adding allowable alternatives to enclosure requirements when not visible from street	Provide clarity and allows for more cost-effective construction and administrative flexibility.
	21-06.02(f)(4)(C)(i)	Size of chicken coop	2 sq ft minimum floor area per chicken in a coop	Creates consistency with Chapter 5, Animal Welfare regulations.
Building Design & Measurements	21-02.03(d)(2)(D)	Building Stories and Rooftop Spaces	Allow Zoning Administrator to waive stories standard for rooftop amenity spaces above 4 stories, conditions apply	Allows for administrative flexibility and eliminates need for variance.
	21-02.03(e)(1)	Contextual Setback	Allows Zoning Administrator to increase building frontage encroachment when a contextual setback is applied	Allows for contextual placement of building frontages.
	21-02.03(f)(2) new	Building Width definition	Add a Building Width definition, including a Zoning Administrator waiver for the max width of certain building types.	Improves user understanding by more clearly stating existing rules for building standards.
	21-03.01(h)	Façade transparency in S1	Adds façade transparency in S1 - 10% front, 5% corner	Creates more appealing residential building designs
	21-03.02(h)	Façade transparency in S2	Adds façade transparency in S2 - 10% front-ground, 5% corner-ground, 15% front & corner-upper	
	21-08.01(c)(2)	Building Entrance - Industrial	Allow Zoning Administrator to waive front entrance requirement for I Industrial	Allows for flexibility in building design.
	21-08.01(e)(3)	Façade Materials	Allow CMUs that look like brick or stone	Improves user understanding by providing a clarification and/ or correction to an existing rule. Also, allows for more flexibility in use of currently available design materials.
Building Standards	21-02.03(f)(1)(C)	Transparency - Half Story	Zoning Administrator can reduce the required transparency by 50% for certain top floor designs consistent with the architectural style	Allows for administrative flexibility with regards to some common architectural styles.
	21-03.01(g)	Balcony Encroachment	Allow rear balcony encroachment of 5' in S1	Removes an unnecessary restriction on building design.
	21-03.02(g)		Allow rear balcony encroachment of 5' in S2	
	21-03.03(g)		Allow rear balcony encroachment of 5' in U1	
	21-03.04(g)		Allow rear balcony encroachment of 5' in U2	
	21-03.05(g)		Allow rear balcony encroachment of 3' in U3	
	21-03.06(g)		Allow rear balcony encroachment of 3' in UF	
	21-04.04(f)	Building Entrance - Industrial	Allow Zoning Administrator to waive front entrance requirement for some uses in I Industrial	Allows for flexibility in industrial building design.
	21-04.04(g)	Building Materials - Industrial	Allow CMUs that look like brick or stone	Creates more flexibility for industrial building design while maintaining quality.
	21-08.02(e)(3)	Building Height - Detached Home	Allow detached homes in S2, U3, and UF to 3 stories	Allows for increased detached home heights consistent with district building standards.
	21-08.02(f)(3)	Building Height - Cottage Court	Allow cottage courts to 2 stories in S2, UF, U3 Districts	
	21-08.02(g)(3)	Building Height - Duplex	Allow duplexes in S2, U3, and UF to 3 stories	
		Building Width - Duplex	Allows duplexes up to 60' in S1 & S2	Supports ease of duplex development on larger suburban lots.
		Building Height - Stacked Flats	Removes minimum height for stacked flats	Removes an unnecessary restriction on building design.
	21-08.02(j)(3)	Building Width - Stacked Flats	Increases S2 and DT Stacked Flats building width from 120' to 250', and all other districts to 150'	Allows for flexibility in building design for elevator buildings and larger suburban lots.
	21-08.02(k)(3)	Building Width - Shop	Reduces façade minimum height from 16' to 12' in UF	Aligns better with the size of Downtown lots.
		Building Type - Shop		Allows for district appropriate façade heights.
	21-08.03(d)(2)	Building Frontage	Clarifies how a stoop is connected and elevated to the sidewalk in relation to the parcel	States rule more explicitly to meet ordinance intent.

District Standards	21-03.03(d)	U1 Lot Width	20' min. Footnote - *Lot Width minimum may be 20' for attached dwellings	Supports ease of development of for-sale duplexes in urban districts.
	21-03.06(f)	UF Max. Square Footage	Increase total retail and service use area to 5000 sf	Creates more flexibility for non-residential development in UF. Eases reuse of existing neighborhood business buildings.
	21-03.08(d)	DT Minimum Lot Width	Reduces DT minimum lot width to 15'	Supports ease of development, especially for townhouses, in urban districts.
Landscape or Fence	21-03.01(j)(footnote 1)	Trees	Revises existing tree caliper from 2" to 1.75"	Creates consistency with revised tree ordinance Chapter 19.
	21-03.02(j)(footnote 1)			
	21-03.03(j)(footnote 1)			
	21-03.04(j)(footnote 1)			
	21-03.05(j)(footnote 1)			
	21-03.06(j)(footnote 1)		Revises tree sizes - 1.75" caliper new shade tree. 1.5" caliper new ornamental tree	
	21-03.07(j)(footnote 1)			
	21-03.08(j)(footnote 1)			
	21-04.01(j)(footnote 1)			
	21-04.02(j)(footnote 1)			
Parking/ Access	21-04.03(j)(footnote 1)	Fence Height	Permits Zoning Administrator to allow 6' max fence height for schools and daycare centers	Improves public safety for vulnerable populations.
	21-04.04(j)(footnote 1)			
	21-09.01(d)(table 21-09A)		Apply Clear Sight Area to tall fences at intersection of alleys	Supports increased public safety.
	21-09.01(g) new	Ground Cover		
	21-09.01(k)(4) new	Alternate Landscape Plan		
Principal Uses	21-09.02(c)(5)	Allows Zoning Administrator to reduce parking dimensions up to one foot	Ensures that the city does not have garage dominated streetscapes and to minimize the need for curb cuts.	
	21-09.05(a)(1)			
	21-07.03(d)(4)	Minimum Lot Width for Curb Cut	Creates a 30' minimum lot width to get a curb cut (15' under a shared driveway condition)	Allows for design flexibility on smaller urban parcels.
	21-07.03(e)(1)	Parking Space Widths	Change use name to Gas/Fuel Station	Modernize rules to align with vehicle fueling options.
	21-03.07(c) Principal Uses	EV Charging Station Update	Change section heading to Gas/Fuel Station	
	21-03.08(c) Principal Uses		Add EV charging stations to fuel station standards	
	21-06.01(k)(11)		Minimum Lot Size for Auto Sales	Ensure adequate space for required site development standards.
	21-06.01(k)(11)(A)	Outdoor vehicle storage	Reduces allowed storage time from 30 days to 14 days for unregistered or salvaged vehicles for districts other than I	Enhances urban aesthetics and property values, but also addresses potential public safety issues.
	21-06.01(k)(21)(A)(iii)		Delete requirement for one waiting space after pick-up window	Unnecessary rule since parking is allowed in front.
	21-06.01(k)(7)(A)(vii)	Drive-Through Facility	Change gas station diagram captions to "Gas/Fuel station..."	Modernize rules to align with vehicle fueling options.
	21-06.01(k) Diagram Captions	EV Charging Station Update	Adds a operating hours restriction from 7am to 9pm	Restricts the operating hours of home-based businesses to minimize disturbance to neighbors.
	21-06.02(f)(12)(A)(iii)	Home Occupation	Adds clarification that the entrance cannot face the street	Makes a reasonable accommodation of home-based businesses.
	21-06.02(f)(12)(A)(vi)	Home Occupation	Update and reformat examples of prohibited and permitted home occupations and align specific uses to use types listed in the Principle Uses table 21-06A	Modernize home-based business rules to align with current economy.
	21-06.02(f)(12)(B)	Home Occupation		
	21-06.02(f)(12)(C)	Home Occupation	Update and reformat examples of prohibited and permitted home occupations and align specific uses to use types listed in the Principle Uses table 21-06A	Modernize home-based business rules to align with current economy.
	21-09.01(n)(2)(table 21-09B)	EV Charging Station Update	Change use name to Gas/Fuel Station	Modernize rules to align with vehicle fueling options.

Signs	21-10.01(TABLE 21-10A)	Temporary Signs for a Non-Residential Use	Increase max size for Temporary Signs for a Non-Residential Use size from 24 square feet to 32 square feet	Allows for common sign size.
	21-10.02(a)(13)	Open Signs	Permit open signs to be illuminated	Current code bans illuminated open signs.
	21-10.04(b)	Sign Height	Sign height is measured from natural grade	Creates consistency with other similar rules.
	21-10.05(d)(5)(A)	On Premise Signs	Allows roof signs in I	Creates consistency with other similar districts.
	21-10.05(d)(7)(C)		Delete second-floor sign rule	Eliminate need for variances and allows for flexibility in sign placement.
Special Exception	21-03.08(c) Principal Uses table	New Special Exception - Beer/Wine/Liquor Sales & Tobacco/Hookah/Vaping	Add Special Exception for Beer/Wine/Liquor Sales in DT district; Add Special Exception for Tobacco/Hookah/Vaping in DT district	Allows further review of uses, including limiting proximity to sensitive areas like schools and homes.
	21-04.03(b) Principal Uses table	New Special Exception - Gas Stations	Add Special Exception for Gas Stations in C & I districts and change use name to Gas/Fuel Station; Add Special Exception for Beer/Wine/Liquor Sales in C & I districts	Allows further review of uses, including limiting proximity to sensitive areas like schools and homes.
	21-04.04(b) Principal Uses table			Allows further review of uses, including limiting proximity to sensitive areas like schools and homes.
	21-06.01(Table 21-06A)	New Special Exceptions - Gas, Liquor, Tobacco uses	Add Special Exception for Beer/Wine/Liquor Sales in DT, C, & I districts; Add Special Exception for Tobacco/Hookah/Vaping in DT, C, & I districts; Add Special Exception for Gas Stations in C & I districts and change use name to Gas/Fuel Station; Remove Special Exception requirement for new construction U1 Duplex	Allows further review of uses, including limiting proximity to sensitive areas like schools and homes.

SUBSTITUTE BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE COMMON COUNCIL OF THE CITY OF SOUTH BEND,  
INDIANA, AMENDING CHAPTER 21 OF THE SOUTH BEND MUNICIPAL CODE  
TO MAKE MISCELLANEOUS CHANGES FOR CLARIFICATION AND CONSISTENCY  
TO SIMPLIFY DEVELOPMENT PROCESS AND  
TO ACHIEVE HIGHER QUALITY DEVELOPMENT

STATEMENT OF PURPOSE AND INTENT

The Common Council of the City of South Bend, Indiana, adopted a new zoning ordinance for the City of South Bend that went into effect on January 1, 2020. Since its adoption in November 2019, use of the Ordinance has identified a few standards that need further clarification, correction, or revision. Changes to these standards will support a more vibrant, resilient community while improving the ease of use of the zoning ordinance.

NOW, THEREFORE, be it ordained by the Common Council of the City of South Bend, Indiana, as follows:

SECTION I. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 2 Definitions & Measurements, Section 21-02.03 Measurements, subsection (b) Building Placement is hereby amended as follows:

(3) **Building Setbacks.** A setback distance is measured perpendicularly from the lot line to the closest exterior wall of a building's facade, exclusive of building frontage type (e.g., porch, stoop). A setback is measured from the greater of an actual or proposed street right-of-way.

SECTION II. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 2 Definitions & Measurements, Section 21-02.03 Measurements, subsection (d) Building Form is hereby amended as follows:

(2) **Building Height (Stories).**

(D) A single one-story shared amenity space per building shall not count as a story toward the maximum number if it meets the following criteria:

i. Is open only to building occupants and their guests;

ii. Has a gross floor area of no more than 25% of the gross floor area of the floor below;

- iii. Is set back where it is not visible from the street; and
- iv. Has no significant impact, as determined by the Zoning Administrator, on surrounding residential uses in a S1, U1, or U2 district.

SECTION III. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 2 Definitions & Measurements, Section 21-02.03 Measurements, subsection (e) Building Components is hereby amended as follows:

- (1) When a building component is allowed to be built into a minimum required setback, it is called an encroachment and shall meet all regulations for building components per Section 21-08.01. Where a contextual setback is applied, the Zoning Administrator may allow additional building frontage type encroachment.

SECTION IV. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 2 Definitions & Measurements, Section 21-02.03 Measurements, subsection (f) Building Standards is hereby amended as follows:

**(1) Facade Transparency.**

- (B) Façade transparency percentages are calculated independently for each floor on each facade.
- (C) Upper floor transparency is calculated based on the total façade area located between the surface of any floor to the surface of the floor above it or, if there is no floor above, from the surface of the floor to the surface of the roof. The Zoning Administrator may reduce the required transparency on the top floor of a building by up to 50% for designs consistent with the building's architectural style.

**(2) Building Width.** Width is measured as the horizontal length of a building façade measured parallel to a primary or secondary street. Building widths are applied only to facades visible from a street.

- (A) For the Stacked Flats, Shop, and Mid-Rise/Tower building types:

- (i) Elevated hallway connections between structures that are set back at least 20 feet from the front or corner facade shall not count toward continuity of building width.
- (ii) The Zoning Administrator may permit an increase in the maximum building width of up to 25% to fill out the lot

frontage when it is contextually appropriate and the building design meets the intent of the ordinance.

SECTION V. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 3 Standard Districts, Section 21-03.01 S1 Suburban Neighborhood 1, subsection (g) Building Components; Section 21-03.02 S2 Suburban Neighborhood 2, subsection (g) Building Components; Section 21-03.03 U1 Urban Neighborhood 1, subsection (g) Building Components; Section 21-03.04 U2 Urban Neighborhood 2, subsection (g) Building Components are hereby amended as follows:

<b>Allowed Encroachments (max.)</b>	<b>Rear <u>Not Allowed 5'</u></b>
Balcony	

SECTION VI. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 3 Standard Districts, Section 21-03.01 S1 Suburban Neighborhood 1, subsection (h) Building Standards is hereby amended as follows:

<b>Facade Transparency (min.)</b>
Ground Floor - Front Facade 10%
Ground Floor - Corner Facade 5%
Upper Floor - Front Facade 10%
Upper Floor - Corner Facade 5%

SECTION VII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 3 Standard Districts, Section 21-03.01 S1 Suburban Neighborhood 1, subsection (j) Landscape; Section 21-03.02 S2 Suburban Neighborhood 2, subsection (j) Landscape; Section 21-03.03 U1 Urban Neighborhood 1, subsection (j) Landscape; Section 21-03.04 U2 Urban Neighborhood 2, subsection (j) Landscape; Section 21-03.05 U3 Urban Neighborhood 3, subsection (j) Landscape; Section 21-03.06 UF Urban Neighborhood Flex, subsection (j) Landscape; Section 21-03.07 NC Neighborhood Center, subsection (j) Landscape; Section 21-03.08 DT Downtown, subsection (j) Landscape are hereby amended as follows:

<sup>1</sup> An existing tree of at least 2" 1.75" may fulfill this requirement.

SECTION VIII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 3 Standard Districts, Section 21-03.02 S2 Suburban Neighborhood 2, subsection (h) Building Standards is hereby amended as follows:

<b>Facade Transparency (min.)</b>
Ground Floor - Front Facade 10%
Ground Floor - Corner Facade 5%

Upper Floor - Front & Corner Facade 15%

SECTION IX. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 3 Standard Districts, Section 21-03.03 U1 Urban Neighborhood 1, subsection (d) Building Placement is hereby amended as follows:

Lot Width<sup>1</sup> 30' min.

**Building Setbacks** **Front<sup>1,2</sup>** **Side<sup>2,3</sup>**

<sup>1</sup> Lot width may be reduced to 20' for attached dwellings.  
<sup>1,2</sup>  
<sup>2,3</sup>

SECTION X. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 3 Standard Districts, Section 21-03.05 U3 Urban Neighborhood 3, subsection (g) Building Components; Section 21-03.06 UF Urban Neighborhood Flex, subsection (g) Building Components are hereby amended as follows:

<b>Allowed Encroachments (max.)</b>	<b>Rear</b>
Balcony	<u>Not allowed</u> 3'

SECTION XI. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 3 Standard Districts, Section 21-03.06 UF Urban Neighborhood Flex, subsection (f) Building Form is hereby amended as follows:

**Building Design**

Total Non-Residential or Non-Civic Use (max.)	5,000 square feet
<del>Total Retail &amp; Service Use (max.)</del>	<del>2,500 square feet</del>

SECTION XII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 3 Standard Districts, Section 21-03.07 NC Neighborhood Center, subsection (c) Principal Uses is hereby amended as follows:

Gas/Fuel Station

**SECTION XIII.** Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 3 Standard Districts, Section 21-03.08 DT Downtown, subsection (c) Principal Uses is hereby amended as follows:

Gas/Fuel Station	<u>Allowed Special Exception</u>
Beer/Wine/Liquor Sales	<u>Allowed Special Exception</u>
Tobacco/Hookah/Vaping	<u>Allowed Special Exception</u>

**SECTION XIV.** Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 3 Standard Districts, Section 21-03.08 DT Downtown, subsection (d) Building Placement is hereby amended as follows:

<b>Lot Size</b>	
Lot Width	<u>20'</u> <u>15'</u> min

**SECTION XV.** Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 4 Special Districts, Section 21-04.01 OS Open Space, subsection (i) Landscape; Section 21-04.02 U University, subsection (i) Landscape; Section 21-04.03 C Commercial, subsection (i) Landscape; Section 21-04.04 I Industrial, subsection (i) Landscape are hereby amended as follows:

<sup>1</sup> An existing tree of at least 2" 1.75" may fulfill this requirement.

**SECTION XVI.** Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 4 Special Districts, Section 21-04.03 C Commercial, subsection (b) Principal Uses; Section 21-04.04 I Industrial, subsection (b) Principal Uses is hereby amended as follows:

Gas/Fuel Station	<u>Allowed Special Exception</u>
Beer/Wine/Liquor Sales	<u>Allowed Special Exception</u>
Tobacco/Hookah/Vaping	<u>Allowed Special Exception</u>

**SECTION XVII.** Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 4 Special Districts, Section 21-04.04 I Industrial, subsection (f) Building Components is hereby amended as follows:

Main entrances shall be prominently located and visible from the primary street or open space; the Zoning Administrator may waive this requirement for any Agricultural; Industrial, Manufacturing, & Processing; Transportation; or Utilities use if not needed to meet the intent of this ordinance.

SECTION XVIII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 4 Special Districts, Section 21-04.04 I Industrial, subsection (g) Building Standards is hereby amended as follows:

Standard, fluted, or split face concrete masonry units (CMUs) above the basement level are prohibited as face material. Glazed or heavily polished CMUs or CMUs that look like brick or stone are allowed.

SECTION XIX. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 4 Special Districts, Section 21-05.02 NNZO Northeast Neighborhood Zoning Overlay, subsection (f) Building Standards is hereby amended as follows:

**(2) Building Materials**

(D) ~~Security devices such as solid metal security gates, metal roll down windows, rolling shutters, and link/grill systems shall not be installed on front or corner facades, except where such devices are at least 50 percent transparency and located wholly behind a window or door, when viewed from the street or open space.~~

(E)(D)

(F)(E)

(G)(F)

(H)(G)

SECTION XX. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 6 Uses, Section 21-06.01 Principal Uses, Table 21-06A: Principal Uses by Zoning District is hereby amended as follows:

<b>Retail &amp; Service</b>	<b>DT</b>
Beer/Wine/Liquor Sales	<u>Allowed Special Exception</u>
Tobacco/Hookah/Vaping	<u>Allowed Special Exception</u>
<b>Retail &amp; Service</b>	<b>C, I</b>
Beer/Wine/Liquor Sales	<u>Allowed Special Exception</u>
Gas/Fuel Station	<u>Allowed Special Exception</u>
Tobacco/Hookah/Vaping	<u>Allowed Special Exception</u>

SECTION XXI. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 6 Uses, Section 21-06.01 Principal Uses, subsection (k) Retail & Services is hereby amended as follows:

**(7) Drive-Through Facility**

**(A) Standards:**

- (iii) A drive-through facility shall not cause any interference to a public right-of-way or conflict with safe movement along sidewalks or walkways, to building entrances or exits, or to required parking spaces.
- (vii) ~~A drive through facility shall provide sufficient room for at least one waiting space after exiting the last pick up or service facility.~~
- (viii) ~~(vii)~~
- (ix) ~~(viii)~~
- (x) ~~(ix)~~

**(11) Gas/Fuel Station**

**(A) Standards:**

- (i) ~~Gasoline~~ Fuel dispensers and pump island canopies shall not be located within any minimum required setback. In a NC or DT district, ~~gasoline~~ fuel dispensers and pump island canopies shall not be located in an established front or corner yard.
- (ii) Gas/fuel stations shall not cause any interference to a public right-of-way or conflict with safe movement along sidewalks or walkways, to building entrances or exits, or to required parking spaces.
- (iii) The site design of any gas/fuel station shall provide for the safe and efficient ingress and egress to the site for fuel delivery vehicles and an area for such fuel delivery vehicles to park while unloading which does not interfere with or impede ingress or egress to or from any public street, required parking spaces, or any ~~gasoline~~ fuel sales area.
- (vi) A gas/fuel station canopy shall be consistent in design and materials with the primary building, shall be neutral colored, and shall have masonry support columns.

**(21) Vehicle Sales or Rental**

**(A) Standards:**

- (iii) A vehicle sales or rental use shall have a minimum lot size of 120' by 180'.

- (iii)(iv)
- (iv)(v)
- (v)(vi)
- (vi)(vii)
- (vii)(viii)
- (viii)(ix)
- (ix)(x)

**(22) Vehicle Service, Major**

**(A) Standards:**

(ii) No partially dismantled, wrecked, or unregistered vehicle shall be stored outdoors for more than 14 30 days, except in an I district, where the maximum time shall be 30 days.

SECTION XXII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 6 Uses, Section 21-06.01 Principal Uses, subsection (k) Retail & Services, Gas Station diagrams are hereby amended as follows:

Gas/fuel station layout for an urban location

Gas/fuel station layout for a suburban location

SECTION XXIII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 6 Uses, Section 21-06.01 Principal Uses, subsection (l) Transportation is hereby amended as follows:

**(4) Parking Lot**

**(A) Standards:**

(ii) See Section 21-07.03(h)(g) for parking structure regulations.

SECTION XXIV. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 6 Uses, Section 21-06.02 Accessory Uses and Structures, subsection (b) Applicability is hereby amended as follows:

**(4)** Any structure that is less than 4 square feet in area and 9 feet in height, including, but not limited to, little free libraries and electric vehicle charging stations, shall not be considered an accessory structure.

**SECTION XXV.** Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 6 Uses, Section 21-06.02 Accessory Uses and Structures, subsection (e) Maximum Number of Accessory Buildings is hereby amended as follows:

A lot in a S1, S2, U1, U2, U3, or UF district shall not have more than one detached accessory building; however, the following structures shall not count for the purposes of this calculation.

**(2) Any structure that is less than 4 square feet in area and 6 feet in height.**

**(3)(2)**

**(3) A pergola of 200 square feet or less that is no taller than the eave of the primary structure or 18', whichever is less.**

**SECTION XXVI.** Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 6 Uses, Section 21-06.02 Accessory Uses and Structures, subsection (f) Accessory Use Definitions and Standards is hereby amended as follows:

**(4) Chickens, Chicken Coops, and Chicken Pens**

**(C) Construction**

**(i)** The chicken coop shall be enclosed with solid material on all sides and have a solid roof and door(s). The coop shall be at least 18 inches high, and provide at least 4 1/2 square foot of floor area per chicken. Traditional building materials shall be used. Doors shall be constructed so that they can shut and lock. Vents, covered with wire, will be placed as necessary for adequate ventilation. The coop shall be impermeable to rodents, wild birds, and predators, including dogs and cats.

**(12) Home Occupations**

**(A) Standards**

**(i)** The home occupation shall be located within a fully enclosed building owned or occupied by the resident of the site.

**(iii)** No more than one client may be served or instructed at a time. Clients may not be served or instructed before 7:00 a.m. or after 9:00 p.m.

(vi) There shall be no additional or separate entrance to the primary dwelling facing the street for the purpose of conducting the home occupation.

**(B) Prohibited Home Occupations.** The following uses, by the nature of the investment or operation, have a pronounced tendency, once started, to rapidly increase beyond the limits specified above for home occupations and impair the use, value and quiet enjoyment of adjacent residential properties. Therefore, the following uses specified below and other similar or comparable uses shall not be permitted as home occupations: Bar/Tavern/Restaurant; Beer/Wine/Liquor Sales; Industrial (any); Medical/Dental Clinic; Tobacco/Hookah/Vaping; Transportation (any); Vehicle Service (any); and Veterinary Clinic, Kennel, or Stable.

- (i) ~~Antique, Book or Gift Shop~~
- (ii) ~~Appliance Repair, large or small~~
- (iii) ~~Barber Shop / Beauty Shop~~
- (iv) ~~Bicycle Repair or Service~~
- (v) ~~Dance, Yoga, or Exercise Studio~~
- (vi) ~~Dental Office or Clinic~~
- (vii) ~~Freight, Trucking or Shipping~~
- (viii) ~~Lawn Mower Repair or Service~~
- (ix) ~~Medical Office or Clinic~~
- (x) ~~Painting of Vehicles, Trailers, Boats, etc.~~
- (xi) ~~Photography Studio~~
- (xii) ~~Private Schools with Organized Classes~~
- (xiii) ~~Restaurants, Eating, or Drinking Establishments~~
- (xiv) ~~Upholstering~~
- (xv) ~~Television or Radio Repair~~
- (xvi) ~~Tool or Equipment Rental~~
- (xvii) ~~Tooling, Welding, or Machine Shop~~
- (xviii) ~~Vehicle Repairs, major or minor~~
- (xix) ~~Veterinary Clinic, Kennel, or Stable~~

**(C) Permitted Home Occupations.** By way of example, the following uses, when conducted in compliance with the conditions set forth above, qualify as permitted home occupations: Animal Care Establishment (Pet Grooming); Childcare Home as defined by IC 12-7-2-28.6; Food Preparation as defined in IC 16-42-5.3; Personal Care & Services, including Barber/Beauty Shop; Professional Offices; and Teaching/Tutoring (including musical instruments, dance, yoga).

- (i) ~~Artist's, Musician's, or Writer's Studio~~
- (ii) ~~Cake Making or Decorating (not a catering or commercial bakery facility)~~

- (iii) ~~Childcare Home as defined by IC 12-7-2-28.6~~
- (iv) ~~Data Processing, Word Processing, or Transcription Services~~
- (v) ~~Dressmaking, Millinery, Sewing, or Tailoring~~
- (vi) ~~Home School, including Cottage Schools~~
- (vii) ~~Personal Office~~
- (viii) ~~Teaching or Tutoring, including musical instruments or dance, when limited to one pupil at a time~~
- (ix) ~~Internet Sales, exclusively online~~

**(24) Solar Energy System**

**(A) Standards:**

- (v) Ground-mounted solar energy systems are limited to a maximum height of ~~42~~ 18 feet. Power transmission lines from a ground mounted solar energy system to any structure shall be located underground, if possible, and shall be completely shielded against shock hazard.

SECTION XXVII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 6 Uses, Section 21-06.02 Accessory Uses and Structures, subsection (f) Accessory Use Definitions and Standards, (27) Trash Containers is hereby deleted and replaced as follows:

**(27) Trash and Recycling Containers**

Designated outdoor storage areas and equipment used to collect refuse and recyclables.

**(A) Standards**

- (i) Any trash or recycling container or combination of containers exceeding 36 cubic feet in capacity shall be placed on an impervious surface and screened on all sides by a building or a solid-walled enclosure not less than 6 feet in height nor more than 10 feet in height above grade and equipped with an opaque screen gate.
- (ii) The solid-walled portion of the enclosure shall be similar in design and materials to those of the building façade and shall be built to grade. Fences shall not be considered as a solid wall, and chain link fences with slats shall not be used as gate material.
- (iii) Gates or doors of the enclosure shall be kept completely closed except when refuse is being added or removed.

- (iv) Building foundation landscape, designed per Section 21-09.01(m), shall be installed along any sides of the enclosure not screened by a building.
- (v) The Zoning Administrator, upon request by an applicant, shall have the authority to approve an alternate design subject to the provisions below, as long as the intent of the ordinance is met.
  - a. Enclosure, material, and landscaping requirements may be reduced or waived if the enclosure is adjacent to and accessed from an alley and is not visible from a street.
  - b. An opaque fence may be used in place of a solid wall if the enclosure is located in an established rear yard or in a side yard not visible from a street and is designed so that refuse cannot leak or blow under it.
  - c. Landscaping may be reduced or waived if the enclosure is located in an established rear yard or in a side yard not visible from a street.

SECTION XXVIII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 6 Uses, Section 21-06.03 Temporary Uses and Structures, subsection (e) Duration is hereby amended as follows:

Except as specifically provided otherwise in this section-, a temporary use, building or structure shall be permitted for a period not to exceed one year. Except as specifically provided otherwise in this section, the improvement location permit, if required, may be renewed one or more times by the Zoning Administrator, for good cause shown, for an additional period(s) not to exceed a total of three years beyond the original expiration date.

SECTION XXIX. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 6 Uses, Section 21-06.03 Temporary Uses and Structures, subsection (j) Regulations for Mobile Classrooms is hereby amended as follows:

- (1) Mobile classrooms shall be for use within the following Civic & Institutional Use types: by a religious institution, school, or college/-uUniversity; Religious Institutions; and School, Pre-K/Primary/Secondary; or and

SECTION XXX. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 6 Uses, Section 21-06.03 Temporary Uses and Structures, subsection (k) Regulations for Temporary Seasonal Retail Sales is hereby amended as follows:

(2) ~~In districts where off street parking is required, a minimum of 3 off street parking spaces shall be provided on site for the temporary seasonal retail sales use;~~

~~(3)(2)~~  
~~(4)(3)~~  
~~(5)(4)~~

SECTION XXXI. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 7 Access & Parking, Section 21-07.03 Vehicle Access & Parking, subsection (d) Off-Street Vehicle Parking Area Access is hereby amended as follows:

(2) Whenever practical, if an alley is present and open to traffic, all vehicular access ~~should~~ shall take place from the alley. When an alley is not present, access to corner lots from a secondary street is preferable to access from a primary street.

(4) Curb cuts shall not be allowed on lots of less than 30' in width. Under a shared driveway condition, this minimum may be reduced to 15' if the lots sharing the driveway are at least 30' in width combined.

~~(4)(5)~~  
~~(5)(6)~~  
~~(6)(7)~~

SECTION XXXII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 7 Access & Parking, Section 21-07.03 Vehicle Access & Parking, subsection (e) Design and Construction of Off-Street Vehicle Parking Areas is hereby amended as follows:

(1) **Parking Area Layout.** The layout of all off-street parking areas shall be in compliance with Table 21- 07B or the most recent version in the Architectural Graphic Standards for a Level of Service “A” or “B.” An alley adjacent to the lot may be used to meet the requirement for drive aisle width. The Zoning Administrator may reduce any measurement within Table 21-07B by up to 1 foot on space-constrained lots.

SECTION XXXIII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 7 Access & Parking, Section 21-07.04 Off-Street Loading, subsection (e) Use of Loading Area is hereby deleted in its entirety.

**SECTION XXXIII.** Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 8 Building Standards, Section 21-08.01 Building Standards, subsection (c) Building Design is hereby amended as follows:

(2) Primary facades shall be oriented to a front lot line. Building designs that orient main entrances so that they are not visible from the primary street are prohibited. Any entrance on a side facade shall be visible from the street or clearly identified using architectural features, awnings/canopies, or lighting. The Zoning Administrator may waive this requirement for buildings oriented to a common open space or for Agricultural; Industrial, Manufacturing, & Processing; Transportation; and Utilities uses in an I district.

**SECTION XXXV.** Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 8 Building Standards, Section 21-08.01 Building Standards, subsection (e) Building Materials for New Construction – Front and Corner Facades is hereby amended as follows:

(3) Standard, fluted, or split face concrete masonry units (CMUs) above the basement level are prohibited as face material. Glazed or heavily polished CMUs or CMUs that look like brick or stone are allowed.

(7) Security devices such as solid metal security gates, metal roll-down windows, coiling shutters, and link/grill systems shall not be installed on front or corner facades or facing open space, except where such devices are at least 50 percent transparent and located wholly behind a window or door.

~~(7)~~(8) (8) In a NC or DT district, the following additional regulations apply.

(A) Vinyl siding is prohibited.

(B) ~~Security devices such as coiling shutters and accordion gates are prohibited on front or corner side facades, except where such devices are at least 50 percent transparent and located wholly behind a window or door, when viewed from the public right of way or open space.~~

(C) (B) Vents, air conditioners, and other utility elements, except where such elements are enclosed, camouflaged, screened, obscured, or otherwise not visible from the street, are prohibited as part of a front or corner facade.

~~(9)~~(10) (10)

~~(10)~~(11) (11)

SECTION XXXVI. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 8 Building Standards, Section 21-08.01 Building Standards, subsection (g) Building Components is hereby amended as follows:

(5) **Building Entrance.** A point of ingress and egress for pedestrians into a building, ~~upper story use, or first floor tenant space.~~

SECTION XXXVII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 8 Building Standards, Section 21-08.02 Building Types, subsection (e) Detached House is hereby amended as follows:

(3) **Building Type Standards**

**Building Dimensions**

Building Height

<u>S2, U3, UF districts</u>	3 stories max.
<u>All other districts</u>	2.5 stories max.

SECTION XXXVIII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 8 Building Standards, Section 21-08.02 Building Types, subsection (f) Cottage Court is hereby amended as follows:

(3) **Building Type Standards**

**Building Dimensions**

Building Height

<u>U2 district</u>	1.5 stories max.
<u>All other districts</u>	2 stories max.

SECTION XXXIX. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 8 Building Standards, Section 21-08.02 Building Types, subsection (g) Duplex is hereby amended as follows:

(3) **Building Type Standards**

**Building Dimensions**

Building Height

<u>S1, U1, U2 districts</u>	2.5 stories max.
<u>All other districts</u>	3 stories max.

Building Width

<u>S1, S2 districts</u>	60' max.
<u>All other districts</u>	48' max.

SECTION XL. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 8 Building Standards, Section 21-08.02 Building Types, subsection (h) Townhouse is hereby amended as follows:

**(3) Building Type Standards**

**Building Dimensions**

Building Height      3 stories max.

SECTION XLI. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 8 Building Standards, Section 21-08.02 Building Types, subsection (i) Apartment House is hereby amended as follows:

**(3) Building Type Standards**

**Building Dimensions**

Building Height      3 stories max.

SECTION XLII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 8 Building Standards, Section 21-08.02 Building Types, subsection (j) Stacked Flats is hereby amended as follows:

**(3) Building Type Standards**

**Building Dimensions**

Building Height (stories)      2 min. / 5 stories max.

Building Width

S2, DT districts      200' 250' max.

All other districts      120' 150' max.

SECTION XLIII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 8 Building Standards, Section 21-08.02 Building Types, subsection (k) Shop is hereby amended as follows:

**(3) Building Type Standards**

**Building Dimensions**

Façade Height

UF district      12' min.

All other districts      16' min.

Building Width

DT district      250' max

All other districts      150' max

**SECTION XLIV.** Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 8 Building Standards, Section 21-08.03 Building Frontage Types, subsection (d) Stoop is hereby amended as follows:

**(2) Frontage Standards**

**Standards**

~~A stoop shall be at least 18" above the sidewalk and shall directly connect to the sidewalk, walkway, or driveway.~~

~~A stoop shall have a railing or wall, a covering, or be at least 18" above the adjacent walkway or driveway.~~

~~A stoop shall be at least 18" above the elevation of the city sidewalk achieved by building an elevated stoop and/or building on an elevated lot.~~

~~A stoop shall connect to the city sidewalk directly or via a walkway or driveway.~~

~~A stoop shall have a railing, a wall, a covering, or be elevated at least 18" above an adjoining driveway or walkway.~~

**SECTION XLV.** Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 9 Site Development, Section 21-09.01 Landscape, subsection (d) Minimum Plant Material Sizes at Time of Planting is hereby amended as follows:

**Table 21-09A: Minimum Size at Time of Planting**

<b>Plant Category</b>	<b>Minimum Size</b>
Deciduous Shade Tree	<del>2 1/2"</del> <u>1.75"</u> caliper at 6" above ground
Deciduous Ornamental Tree	<del>1 1/2"</del> <u>1.5"</u> caliper at 6" above ground

**SECTION XLVI.** Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 9 Site Development, Section 21-09.01 Landscape, is hereby amended as follows:

**(g) Ground Cover**

~~In a front yard, corner yard, or tree lawn, ground cover shall include, but is not limited to, grasses; natural vegetated ground covers; preserved existing natural vegetation (e.g., thickets); or mulch. Artificial turf or similar synthetic material shall not be used.~~

**(g)(h)**

**(h)(i)**

**(i)(j)**

**(j)(k)**

**(k)(l)**

(4) The use of artificial turf for game courts or athletic fields if other alternatives are not feasible. Any approval to allow artificial turf must be noted in the landscape plan.

(l)(m)  
(m)(n)  
(n)(o)  
(o)(p)

SECTION XLVII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 9 Site Development, Section 21-09.01 Landscape, subsection (l) Streetscape Trees is hereby amended as follows:

**(4) General Requirements**

(C) Streetscape trees shall consist of native, deciduous shade trees and be selected from the recommended list of tree species for South Bend, and Trees must be approved granted a permit by the City Forester.

SECTION XLVIII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 9 Site Development, Section 21-09.01 Landscape, subsection (n) Landscape Buffer is hereby amended as follows:

**(2) Applicability**

**Table 21-09B: Buffers Required by Use**

Uses	Standards
Gas/ <u>Fuel</u> Station	21-06.01(k)(11)

SECTION XLIX. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 9 Site Development, Section 21-09.02 Fences & Walls, subsection (c) Height is hereby amended as follows:

(4) An open fence more than 50% open enclosing a game court as defined by Section 21-06.02(f)(9) may be erected to a maximum of 12 feet in height, irrespective of the above standards.

(5) A fence more than 50% open providing safety at School, Pre-K/Primary/Secondary and Day Care Center uses may be erected to a maximum of 6 feet in height, irrespective of the above standards, to the extent determined by the Zoning Administrator.

SECTION L. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 9 Site Development, Section 21-09.05 Clear Sight Area, subsection (a) Clear Sight Area Requirements is hereby amended as follows:

(1) Except in a NC or DT district, no building, structure, or improvement, including landscape, shall be erected, placed, planted, or maintained so as to interfere with a clear sight area located between the heights of 3 feet and 10 feet above the crown of a street, driveway, or alley. A clear sight area shall be established for all streets and alleys, whether public or private.

SECTION LI. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 10 Signs, Section 21-10.01 General Provisions, Table 21-10A Allowed Temporary Signs is hereby amended as follows:

**Temporary Signs for a Non-Residential Use**

Total Sign Surface Area

S1, S2, U1, U2, or U3 district	24 <u>32</u> square feet max. total for all signs per street frontage
--------------------------------	---

SECTION LII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 10 Signs, Section 21-10.02 Exempt Signs, subsection (a) Exempt Signs is hereby amended as follows:

**(10) Parking Lot Directional and Information Sign**

(B) S1, S2, U1, U2, U3, UF, and NC Districts – signs shall not exceed 4 square feet in surface area, ~~or nor shall they exceed~~ 4 feet in height;

(C) DT, OS, U and C Districts – signs shall not exceed 6 square feet in surface area, ~~or nor shall they exceed~~ 4 feet in height;

**(13) Window Sign.** One window sign per non-residential use provided it does not exceed 4 square feet ~~and is non-illuminated~~.

SECTION LIII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 10 Signs, Section 21-10.04 Sign Measurement, subsection (b) Sign Height is hereby amended as follows:

Sign height is measured as the vertical distance from the ~~street grade at average natural ground level within 2 feet~~ of the base of the sign or sign structure, to the highest point of the sign or sign structure.

**SECTION LIV.** Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 9 Signs, Section 21-10.05 On-Premise Signs, subsection (d) On-Premise Signs: Building Signs is hereby amended as follows:

**(5) Roof Signs**

(A) Roof signs are only permitted in the NC, or DT, or I districts and shall only be installed on a building with a flat roof.

**(7) Wall Signs**

(C) ~~No wall sign may extend above the window sills of the second story, unless the establishment extends to the second story or above. No portion of a wall sign may extend above the roofline or parapet wall of a building with a flat roof or above the lower eave of a building with a pitched roof.~~

**SECTION LV.** Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 10 Signs, Section 21-10.07 Off-Premise Signs, subsection (d) Advertising Signs is hereby amended as follows:

**(1) Sign Surface Area for Advertising Signs**

(A) Limited Access Highways ~~and Arterial Streets~~ - The maximum sign surface area for advertising signs oriented toward a limited access highway shall be 672 square feet.

**SECTION LVI.** Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 12 Administration, Section 21-12.07 Development Review Procedures, subsection (f) Common Procedures is hereby amended as follows:

**(4) Use Variance Procedures**

**(A) Applicability**

(ii) ~~When a combination of uses on a lot is not allowed in any of the zoning districts, the property should be zoned into the district that permits the most of those proposed uses and a use variance sought for the balance of uses~~  
(iii) ~~(ii) In any of the above conditions, a~~ A use variance cannot be sought if a use could be permitted with a special exception.

**(E) Procedure**

(i) When a combination of uses on a lot is not allowed in any of the zoning districts, the property should be zoned into the district that permits the most of those proposed uses and a use variance sought for the balance of uses.

- (i)(ii)
- (i)(iii)
- (i)(iv)
- (i)(v)
- (i)(vi)
- (i)(vii)
- (i)(viii)
- (i)(ix)
- (i)(x)
- (i)(xi)
- (i)(xii)

SECTION LVII. Chapter 21, Zoning, of the *South Bend Municipal Code*, Article 13 Nonconformities & Enforcement, Section 21-13.01 Nonconformities, subsection (j) Reconstruction, Remodeling, or Enlargement of a Legally Established Nonconforming 1 Unit Dwelling or 2 Unit Dwelling is hereby amended as follows:

(2) Remodeled or enlarged, provided that such remodeling or additions comply with the development standards of the applicable district related to maximum building coverage, minimum setbacks (except as set forth in (l) below), maximum setbacks, and building height, and off-street parking.

SECTION LVIII. This Ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

---

Canneth Lee, Common Council President

Attest:

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Bianca Tirado, City Clerk

Presented by me to the Mayor of the City of South Bend, Indiana on the \_\_\_\_\_ day of \_\_\_\_\_, 2025, at \_\_\_\_\_ o'clock \_\_\_\_\_. m.

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Bianca Tirado, City Clerk

Approved and signed by me on the \_\_\_\_\_ day of \_\_\_\_\_, 2025, at  
\_\_\_\_\_ o'clock \_\_\_\_\_. m.

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James Mueller  
Mayor, City of South Bend, Indiana

## Property Information

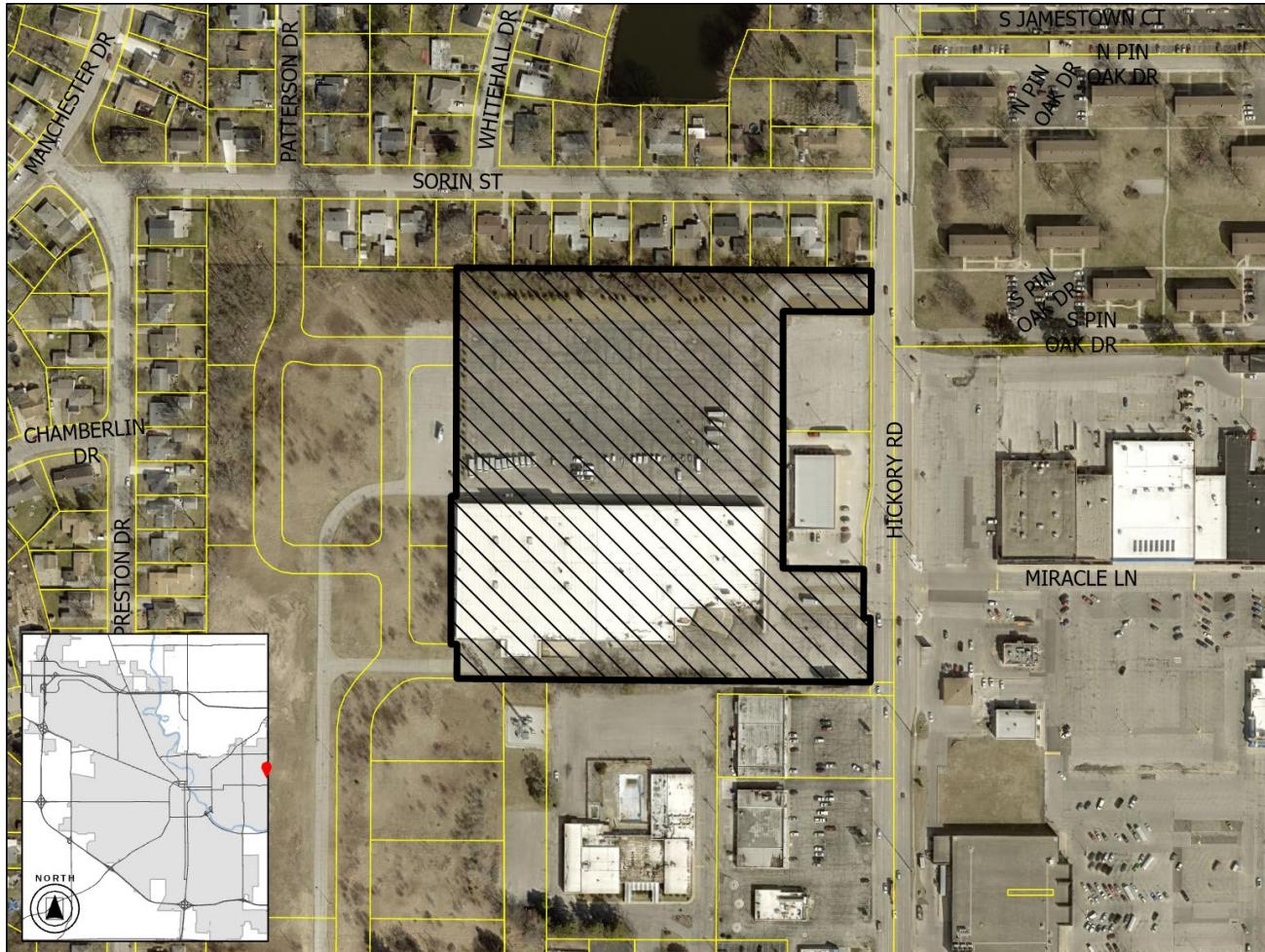
Subdivision Name: **Popeye's Hickory Minor Subdivision**

Location: 605 HICKORY RD

## Requested Action

The total area of the subdivision is 10.586 acres and will consist of 2 building lots.

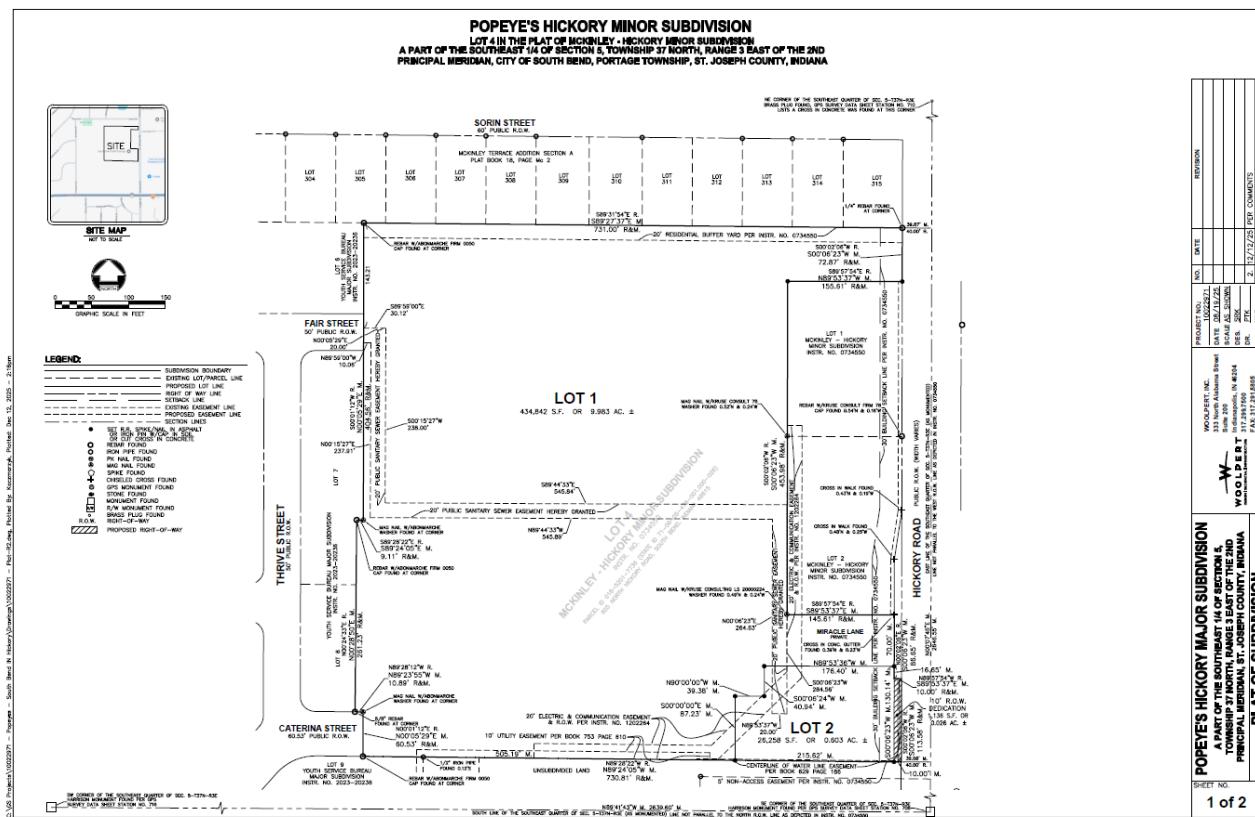
## Location Map



## Recommendation

**Staff Recommendation:** The staff has reviewed this subdivision and finds it complies with the requirements for Approval as specified by the South Bend Subdivision Control Ordinance. The staff therefore recommends that this subdivision be granted Approval.

## Proposed Plat



## Project Details

## Environmental Data:

A check of the Agency's maps indicates that no environmental hazard areas or wetlands are present.

## Drainage:

## **Rights-Of-Way:**

## Utilities:

The rights-of-way are correct as shown.

The site will be served by Municipal Water and Municipal Sewer.

## Agency Comments:

## Recommendation

## Staff Comments:

**Staff Recommendation:** The staff has reviewed this subdivision and finds it complies with the requirements for Approval as specified by the South Bend Subdivision Control Ordinance. The staff therefore recommends that this subdivision be granted Approval.