



DEPARTMENT OF INFRASTRUCTURE, PLANNING & GROWTH

**Planning & Zoning Division
2020 Annual Report &
2021 Workplan**

Contact Information

227 W. Jefferson Boulevard
Suite 1140 County-City Building
South Bend, IN 46601

Phone (574) 235-7800
Fax (574) 235-5057
www.sjcindiana.com

Area Plan Commission Staff

Executive Director/Secretary	Abby Wiles	<i>Appointed August 2020</i>
Executive Director/Secretary	Larry P. Magliozzi	<i>March 2006 - Appointed May 2014-March 2020</i>
Senior Planner (Interim Exec. Dir.)	Ryan D. Fellows	<i>August 2019 (Interim Exec. Dir. April-July 2020)</i>
Planner	Shawn Klein	<i>August 2018</i>
Planner	Jordan Wyatt	<i>January 2018 – February 2020</i>
Administrative Assistant	Samantha Keultjes	<i>September 2019</i>
Commission Attorney	Mitch Heppenheimer	
ABZA Attorney	Brandie Ecker	

Member Jurisdictions

St. Joseph County	Town of Lakeville	Town of New Carlisle
Town of North Liberty	Town of Osceola	Town of Roseland

Area Plan Commission

<u>Member</u>	<u>Appointed By:</u>
Adam DeVon	St. Joseph County Council
Robert Hawley	St. Joseph County Commissioners
Elizabeth McCombs	Council on Town Affairs, Town of Roseland/Town of Lakeville <i>(as of Sept 2020)</i>
John McNamara	St. Joseph County Surveyor
Kirk Youell	Town Council, Town of Osceola
Rachel Rawls	County Agricultural Extension Educator
Dr. Jerry Thacker	School Corporation Superintendents – PHM School District
Dan Caruso	Town Council, Town of New Carlisle
Jason Lambright	Town Council, Town of North Liberty

I. Introduction

I.C. 36-7-4-312 requires the Executive Director, under the direction of the Area Plan Commission, to prepare and present to the Commission with an Annual Report and an Annual Plan for the operation of the planning department. This Annual Report provides information on the 2020 activities of the Area Plan Commission and establishes the proposed work program for 2021.

The Area Plan Commission is a 9-member area plan commission, providing planning-related services to the unincorporated areas of St. Joseph County and the Towns of Lakeville, New Carlisle, North Liberty, Osceola and Roseland. The APC is staffed by the Planning & Zoning Division, which is part of the Department of Infrastructure, Planning and Growth (IPG), formed in 2019. Under the IPG umbrella is the Office of the Surveyor, Division of Economic Development, Division of Planning & Zoning, and Division of Public Works. The Executive Director of the Area Plan Commission, the Executive Director of Economic Development, the County Engineer and the County Surveyor jointly manage the department.

The Department of Infrastructure, Planning and Growth is dedicated to enabling smart and sustainable growth in St. Joseph County to the benefit of all its residents. This merger has helped to break down internal silos, enabling a more robust and engaged group with the necessary expertise to help new and existing projects move through the S. Joseph County public process. The role, activities and responsibilities of the planning staff remain the same as the *Division of Planning and Zoning*.

II. Core Duties of the Planning & Zoning Division

Area Plan Commission Core Duties

- Makes recommendations on zoning petitions and text amendments to the legislative bodies
- As a part of the Combined Hearing Procedure
 - Hears petitions for variances – approves, approves with modifications or denies
 - Makes recommendations to County Council on special uses
- Hears appeals from the Plat Committee on subdivision plats
- Considers proposals for comprehensive plan amendments
- Considers resolutions relative to redevelopment activities
- Area Plan Commission Committees
 - *Executive Committee* - Advises and counsels the Executive Director of the Commission in budget, personnel and other administrative matters; serves as the Site Plan Committee to determine appeals of Staff decisions on major changes to approved final site plans as required by the applicable zoning ordinances.
 - *Plat Committee* – approves or denies plats

Staff Core Duties

- Prepare all necessary documentation for the monthly Plan Commission
- Administer and coordinate the rezoning application process
- Administer and coordinate the subdivision application process
- Administer and coordinate the variance and special use application process for the Area Board of Zoning Appeals
- Research and prepare text amendments to the zoning and subdivision ordinances
- Propose and prepare amendments to comprehensive plans
- Assist the public on land use related matters
- Acts as the Zoning Administrator for the unincorporated areas of St. Joseph County
- Complete plan reviews for projects in the unincorporated areas of the County and provides technical assistances to member jurisdictions
- Issues Improvement Location Permits
- Assist APC member jurisdictions on land use related matters
- Participate in special planning efforts and provide staff capacity for other projects

III. 2020 Accomplishments

The planning staff has been a leader in streamlining the development process, making it easier for the public and development community to file applications. The staff continuously explores new opportunities as they arise to maintain a high level of administrative responsibility and efficiency.

COVID-19 Pandemic

Throughout the COVID-19 pandemic, Planning & Zoning Division staff were able to provide core services to the public remotely. During the full closure, staff worked remotely via Teams and VPN. During the phased reopening, staff alternated days and worked to transition public meetings to Zoom. Staff also worked with board members to train them on the necessary technologies to allow them to attend virtually. Throughout the pandemic, staff communicated with the development community via phone and email to consult on development proposals and coordinate submittals. Staff continues to utilize many of the technological tools put in place during the COVID-19 pandemic to offer greater accessibility to the public and development community.

Specific Accomplishments

The following accomplishments are exclusive to the Planning & Zoning Division. The Department of Infrastructure, Planning and Growth has reorganized some functions, such as GIS.

- Developed and began implementation of a streamlined process for handling zoning enforcement complaints
- Updated the ABZA staff report format to provide additional information to board members
- Revised the ABZA by-laws to improve meeting efficiency
- Replaced the St. Joseph County Subdivision Ordinance
- St. Joseph County Zoning Ordinance – completed ten text amendments, including but not limited to:
 - Replaced the sign section of the St. Joseph County Zoning Ordinance
 - Added solar energy systems standards
 - Completed revisions to accessory uses, trailers and mobile homes
- Revised the 2021 Area Plan Commission calendar to reduce the filing time for petitions

Recurring Work Elements

- Administer zoning (map change) applications
- Administer subdivision plat applications
- Administer variance and special use applications
- Administer zoning violation complaints
- Review and issue Improvement Location Permits
- Administer the Project Advisory Team
- Research and propose ordinance text changes
- Review street and alley vacation requests
- Participate in the Building Department’s Plan Review process – issuance of ILPs

- Assist the public in a wide range of zoning and plat-related property issues
- Participation in the following:
 - Transportation Technical Advisory Committee (MACOG)
 - St. Joseph Regional Water & Sewer District
 - Economic Development Professional Network (Chamber of Commerce)
 - Juday Creek Task Force (MACOG)
 - Shirley Heinze Land Trust Advisory Committee
 - Census 2020 Complete Count Committee
 - AARP Age-Friendly SJC Steering Committee

IV. Activity Data

Area Plan Commission Petitions

The following tables include rezonings (map changes only), combined hearings (map changes and variance(s)), text amendments and subdivision appeals. No subdivision appeals were filed in 2020.

Summary

The summary table shows all petitions filed for St. Joseph County, including the unincorporated areas as well as the five member towns. Numbers shown for 2016 to 2019 include City of South Bend petitions, as South Bend left the APC effective December 1, 2019. Numbers shown for 2020 include only unincorporated St. Joseph County and the five member towns.

Even with the City of South Bend’s departure from the APC, rezoning petitions and combined hearings increased from 21 in 2019 to 24 in 2020.

Summary	2020*	2019	2018	2017	2016
All Petitions	34	37	24	48	36
Map Change Only	18	10	10	10	20
Combined Hearings	6	11	11	23	7
Text Amendments	10	15	3	15	6
Subdivision Appeals	-	1	-	-	1

**Does not include petitions filed in the City of South Bend*

By Jurisdiction

Petitions filed in unincorporated St. Joseph County account for the majority of the filings. Of the 24 rezonings and combined hearings, one combined hearing was in the Town of New Carlisle and one combined hearing was in the Town of Osceola. There were no filings in the Towns of Lakeville, North Liberty or Roseland. All text amendments were within unincorporated St. Joseph County.

Unincorporated SJC	2020	2019	2018	2017	2016
All Petitions	28	20	9	20	10
Map Change Only	14	4	4	3	1
Combined Hearings	4	5	5	7	7
Text Amendments	10	10	-	10	1
Subdivision Appeals	-	1	-	-	1

Lakeville	2020	2019	2018	2017	2016
Petitions	-	-	-	2	1
Map Change Only		-	-	1	1
Combined Hearings	-	-	-	-	-
Text Amendments	-	-	-	1	-

New Carlisle	2020	2019	2018	2017	2016
Petitions	1	1	-	-	-
Map Change Only	-	1	-	-	-
Combined Hearings	1	-	-	-	-
Text Amendments	-	-	-	-	-

North Liberty	2020	2019	2018	2017	2016
Petitions	-	-	-	2	1
Map Change Only	-	-	-	1	1
Combined Hearings	-	-	-	-	-
Text Amendments	-	-	-	1	-

Osceola	2020	2019	2018	2017	2016
Petitions	1	1	-	-	2
Map Change Only	0	-	-	-	-
Combined Hearings	1	-	-	-	-
Text Amendments	0	1	-	-	2

Roseland	2020	2019	2018	2017	2016
Petitions	-	1	-	-	-
Map Change Only	-	1	-	-	-
Combined Hearings	-	-	-	-	-
Text Amendments	-	-	-	-	-

South Bend*	2020	2019	2018	2017	2016
Petitions	-	14	15	24	22
Map Change Only	-	4	6	5	-
Combined Hearings	-	6	6	16	-
Text Amendments	-	4	3	3	-

*No 2020 petitions shown, as the City of South Bend left the APC effective December 1, 2019

By Decision

Jurisdiction	Fav	Unfav	No	Total	Pass	Denied	W/D
Unincorporated SJC	17	5	-	22	20	2	1
Lakeville	-	-	-	-	-	-	-
North Liberty	-	-	-	-	-	-	-
New Carlisle	1	-	-	1	1	-	-
Osceola	1	-	-	1	1	-	-
Roseland	-	-	-	-	-	-	-

Subdivisions

A total of 66 subdivisions were filed in 2020, compared to 57 filed in 2019 (excluding petitions filed in the City of South Bend), representing an increase of nine petitions.

2020 Subdivision Filings	Major Primary	Major Secondary	Minor	Replat	Total
All Petitions	9	7	38	12	66
St. Joseph County	8	6	38	10	62
Osceola	1	1	-	1	3
North Liberty	-	-	-	1	1

Street & Alley Vacations

Numbers shown 2016 to 2019 include City of South Bend petitions, as South Bend left the APC effective December 1, 2019. All four street and alley vacation petitions reviewed in 2020 were located in unincorporated St. Joseph County.

Jurisdiction	2020	2019	2018	2017	2016
All Petitions	4	27	32	29	18
Unincorp SJC	4	3	2	3	-
Lakeville	-	-	-	-	-
New Carlisle	-	-	-	-	-
North Liberty	-	-	-	-	-
Osceola	-	1	-	-	-
Roseland	-	-	-	-	-
South Bend*	-	23	30	26	18

**No 2020 petitions shown, as the City of South Bend left the APC effective December 1, 2019*

Area Board of Zoning Appeals

Summary

The overall decrease in ABZA petitions from 2019 to 2020 can be attributed to the City of South Bend’s departure from the APC; however, as shown in the petitions by jurisdiction, petitions in unincorporated St. Joseph County only decreased from 59 in 2019 to 54 in 2020.

Summary Table	2020	2019	2018	2017	2016
All Petitions	56	125	127	132	152
Variances (#)	88	303	257	312	269
Special Exceptions	1	11	18	18	19
Conditional Uses	-	-	-	-	-

By Jurisdiction

Unincorp SJC	2020	2019	2018	2017	2016
Petitions	54	59	62	66	84
Variances (#)	82	142	97	118	144
Special Exceptions	1	3	3	6	9
Conditional Uses	-	-	-	-	-

Lakeville	2020	2019	2018	2017	2016
Petitions	-	-	-	-	1
Variances (#)	-	-	-	-	3

New Carlisle	2020	2019	2018	2017	2016
Petitions	-	-	1	1	-
Variances (#)	-	-	2	1	-

North Liberty	2020	2019	2018	2017	2016
Petitions	-	1	-	1	2
Variances (#)	-	4	-	2	2

Osceola	2020	2019	2018	2017	2016
Petitions	2	1	1	-	-
Variances (#)	6	5	1	-	-

Roseland	2020	2019	2018	2017	2016
Petitions	-	1	1	-	1
Variances (#)	-	1	7	-	8
Special Exceptions	-	-	1	-	-

South Bend	2020*	2019	2018	2017	2016
Petitions	-	63	62	64	64
Variances (#)	-	151	150	191	112
Special Exceptions	-	8	14	12	10

**No 2020 petitions shown, as the City of South Bend left the APC effective December 1, 2019*

Financials

Income decreased from \$87,678 in 2019 to \$51,159 in 2020. The reduction in income can be attributed to an overall decrease in petitions filed resulting from the City of South Bend’s departure from the APC (effective December 1, 2019).

Financials	2020	2019	2018	2017	2016
Total	\$51,159	\$87,468	\$114,938	\$71,151	\$71,728
Zonings (Map Changes)	\$10,410	\$8,340	\$16,860	\$25,730	\$31,085
Subdivisions	\$25,700	\$35,600	\$50,150	\$43,365	\$39,240
Variances/Special Exception Uses	\$6,495	\$ 18,625	\$27,100	-	-
Zoning Administration	\$7,450	\$24,275	\$20,500	-	-
Other Income	\$1,104	\$628	\$328	\$2,056	\$1,403

V. 2021 Work Plan

Staff will continue to perform core duties and reoccurring work elements, as outlined in the previous sections of this report. Additionally, the following projects and initiatives have been identified specifically for 2021:

- **Comprehensive Plan**

In addition to the performing the core duties, kicking off the planning process for the Comprehensive Plan will be the APC's main priority in 2021. Per the timeline outlined in the Request for Proposals (RFP) for the Comprehensive Plan, proposals from consultants are due March 16, 2021, and the anticipated project kickoff is mid- to late-May 2021. Once a consultant is selected, the anticipated timeline to complete the project and deliver the final plan is two years from the date of the executed contract.

- **Zoning Enforcement**

The Planning & Zoning Division will continue to work with staff within the IPG Department to streamline the zoning enforcement process. This includes improvements to Filemaker, our project management software, to facilitate this.

- **Website**

Complete an overhaul of the Planning & Zoning Division's section of the website. In addition to revamping the website, staff will also focus on implementing forms and payments for online submittals.

- **Rezoning Meetings**

To improve communication with our elected officials, staff will begin meeting with the respective Council and County Commissioner members on rezoning petitions, prior to the APC hearing.

- **Zoning Ordinance Updates**

Staff continues to identify necessary quick fixes to the Zoning Ordinance. Several revisions to the University District have already been identified for 2021. Though periodic updates are needed to improve the administration of the Zoning Ordinance, it is anticipated that staff would begin work on a comprehensive update of the Zoning Ordinance following the completion of the Comprehensive Plan.

- **Post-Construction Inspections**

Develop and implement a system for post-construction inspections on Planning/Zoning items, including but not limited to landscaping, architectural elements, walkways, etc.

- **Map Changes**

Staff will work with the Town of North Liberty on two staff/town initiated rezonings.

- **Board Training/Professional Development**

Due to the high number of new board members on the Area Plan Commission and Area Board of Zoning Appeals, there is a need to provide training and professional development opportunities. Staff will explore opportunities for providing training and professional development to educate new and existing board members on Indiana statutes and local ordinances.