

## **Sec. 21-06.03 Northeast Neighborhood Overlay Zoning District**

Notwithstanding any provision elsewhere in the South Bend Zoning Ordinance ("hereafter referred to as "SBZO") to the contrary, all new development within the Northeast Neighborhood Zoning Overlay District ("hereafter referred to as "NNZO") shall be subject to the following regulations. In the case of conflict between the provisions of this NNZO and other provisions of the SBZO, the provisions of this NNZO shall control.

### **(a) Intent.**

It is the intent of this NNZO to codify a number of the recommendations of the Northeast Neighborhood Design Guidelines (Edition – Revised: August 2009) which are most relevant and applicable to new development in the NNZO.

By codifying a number of the recommendations of the Northeast Neighborhood Design Guidelines, the NNZO accomplishes the following purposes:

- (1) To establish a comprehensive design approach for the NNZO;
- (2) To encourage high-quality design of future *buildings* and site development that preserves and enhances the character of a traditional neighborhood;
- (3) To create a strong, unique neighborhood identity image;
- (4) To provide a range of design options to address future development opportunities;  
and,
- (5) To instill and enforce the sense of "pride of place" among residents, businesses, and property owners.

### **(b) Applicability**

- (1) New Development – The regulations contained in this NNZO shall be applicable to all new construction on real property located within the area designated as the Northeast Neighborhood Zoning Overlay District on the Zoning District Map for the City of South Bend. In order to assure the compatibility of new development within the NNZO area with that of the surrounding community, any new *building, structure* or *sign* within the NNZO after the effective date of the NNZO shall be subject to the regulations contained in this NNZO. Renovations or expansions of existing *buildings, structures, or signs* are not subject to the regulations of this NNZO but shall be subject to all applicable regulations of the underlying zoning *district*.
- (2) Land Use – The land use permitted on any individual *lot* with this NNZO shall be determined by the underlying zoning *district*.

- (3) Development Standards – The determination of which of the development standards and regulations of this NNZO shall be applicable to a particular *lot*, project or development shall be determined by the proposed use of the real property, not by the underlying zoning district.
- (4) Special Exception Uses – For those uses which must be reviewed by the Board of Zoning Appeals and approved by the Common Council through a Special Exception Use in accordance with the underlying zoning, the applicable regulations of this NNZO shall be determined by the Board of Zoning Appeals and the Common Council as part of their determination of the appropriateness of the use.
- (5) Planned Unit Development – As part of an application for a Planned Unit Development, the applicant may propose alternative development standards that do not adhere to the standards of the NNZO. If approved by the Common Council, these alternative development standards will control the development of the site. In the event that no alternative development standards are proposed, then the standards contained within this NNZO will govern.

**(c) Definitions.**

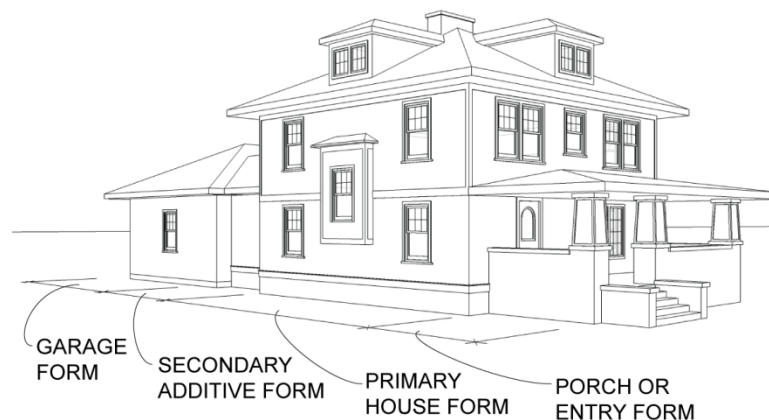
In addition to the definitions contained in Article 11, Section 21-11 Definitions, the following definitions apply in this NNZO.

- (1) American Foursquare Style – An American house style popular in the mid-1890s to the late 1930s that incorporates elements of the Prairie and Craftsman styles. Hallmarks of the style include a basically square, boxy shape, two-and-one-half stories high, large front porch, and commonly a hipped roof, as referenced by the accompanying graphic.



- (2) Arcade – A line of arches supported by columns or piers attached to a solid wall creating a passageway (i.e. Covered access to adjacent shops).

- (3) Architectural Style – Classification used to characterize the wide variety/range of features, such as appearance, form, and materials that make a *building* or other structure notable and historically identifiable (e.g. Some of the more identifiable architectural styles of the Northeast Neighborhood include American Foursquare, Colonial Revival, Craftsman, Prairie, and Tudor).
- (4) Articulation - The relationship of contacting surfaces to create a series of plane changes in order to avoid a flat appearance.
- (5) Atrium - An opening connecting two or more stories other than enclosed stairways, elevators, hoistways, escalators, plumbing, electrical, air-conditioning or other equipment, which is closed at the top and not defined as a mall.
- (6) Bay - One unit of a *building* that consists of regularly repeated spatial elements making a vertical division in a structure, commonly defined by the number of window and door openings per floor or by the space between columns and/or piers.
- (7) Belt Course - A narrow, horizontal band projecting from the exterior walls of a *building*, usually defining the interior floor levels.
- (8) Brace - A diagonal stabilizing member of a *building* frame.
- (9) Bracket - A support element under *eaves*, shelves or other overhangs; often more decorative than functional.
- (10) *Building Mass* – The relationship between height, width and depth of a *building* or structure (e.g. House massing may consist of a Primary House Form, front Porch/ Portico or Entry Form, Secondary Additive Form and a Garage), as referenced by the accompanying graphic.



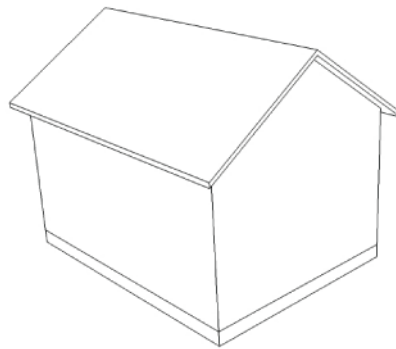
- (11) *Building Scale* - The relationship of a particular *building*, in terms of *building* mass, to other nearby and adjacent buildings.
- (12) *Cantilever* - A projecting beam or part of a structure fixed at one end, projecting beyond its vertical support.
- (13) *Casement Window* - A window with sash hung vertically and swinging inward or outward.
- (14) *Colonial Revival Style* – A nationalistic design movement in the United States in the late 19<sup>th</sup> century – mid 20<sup>th</sup> century that sought to revive elements and features of architectural style borrowed from earlier British colonial period houses of the early 19<sup>th</sup> century. Identifying features include a façade with normally symmetrically balanced windows and accentuated front door, often centered as referenced by the accompanying graphic.



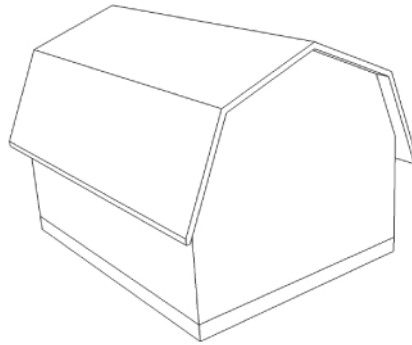
- (15) *Cornice* - Projecting ornamental molding along the top of a *building* or wall.
- (16) *Craftsman Style* - A style derived from the British Arts & Crafts movement from the late 19<sup>th</sup> century. It originated in southern California and was the dominant style for smaller houses (e.g. Bungalow) built throughout the United States until the early 1920s, as referenced by the accompanying graphic.



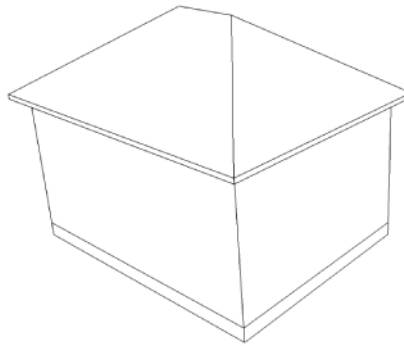
- (17) Cupola - A dome shaped roof on a circular base, often set on the ridge of a roof.
- (18) Decorative Fence – A fence made of metal or wood with open areas representing not less than 70% of the fence area. Chain link, barbed wire or similar style fences shall not be considered decorative.
- (19) Decorative Exterior Wall – A wall made of stone, brick, split-face concrete block, or other decorative unit masonry material. Plain concrete block shall not be considered decorative.
- (20) Dormer - A vertically set window on a sloping roof; the roofed structure housing such a window.
- (21) Eaves - The projecting overhang at the lower edge of a roof.
- (22) Egress - An exit.
- (23) Façade – External face of a *building*.
- (24) Flat Roof - A roof that has no perceptible pitch or slope.
- (25) Fenestration - The arrangement, proportioning and design of windows and doors in an exterior wall of a *building*.
- (26) Gable - A triangular exterior wall segment immediately under a double pitched roof (e.g. gabled roof), as referenced by the accompanying graphic.



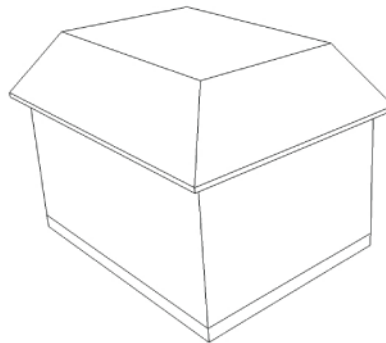
- (27) Gambrel Roof - A symmetrical ridged roof with two slopes on each side, the upper slope is at a shallow angle and the lower slope the steeper pitch, as referenced by the accompanying graphic.



- (28) Hipped Roof - A roof with four uniformly pitched sides, without gables, as referenced by the accompanying graphic.

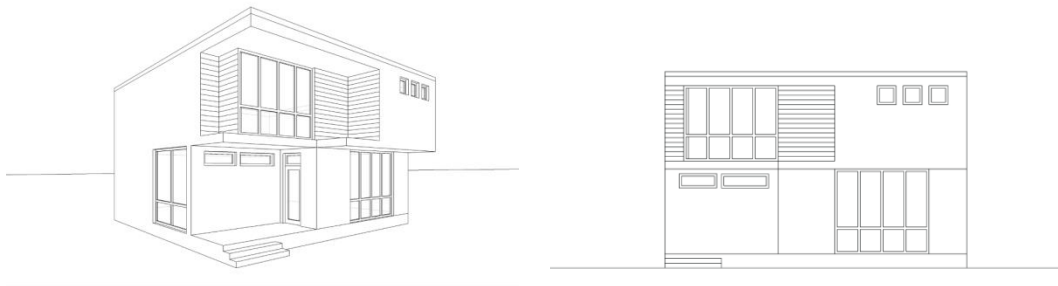


- (29) Ingress - An access or entry point.
- (30) Lintels - A beam supporting the weight above a door or window opening.
- (31) Mansard Roof - A roof that has two slopes on all four sides, the lower slope being much steeper, as referenced by the accompanying graphic.



- (32) Masonry - Wall construction of cut, shaped or molded units such as stone, brick, concrete, adobe, etc.

- (33) Modern Style – An overarching architectural movement that gained global popularity at the turn of the 20<sup>th</sup> century that was primarily driven by technological and engineering developments. Common characteristics include simplicity and clarity of forms and elimination of “unnecessary detail”, materials at 90 degrees to each other, visual expression of structure, use of industrially-produced materials and a visual emphasis on horizontal and vertical lines, as referenced by the accompanying graphic.



- (34) Molding - A type of trim that is applied to a vertical surface.
- (35) Mullion - A vertical member separating, and often supporting, windows, doors or panels set in a series.
- (36) Parapet - A low, solid, protective wall or railing along the edge of a roof or balcony.
- (37) Pavers - Preformed paving blocks that are installed on the ground to form patterns while at the same time facilitate pedestrian and vehicular travel.
- (38) Plaza - An open space that may be improved and landscaped, usually surrounded by streets and buildings.
- (39) Porch – Roofed structure attached to the front, side or back exterior of the *building*, used to shelter at a *building* entrance and occupy (e.g. Seasonal living space), as referenced by the accompanying graphic.

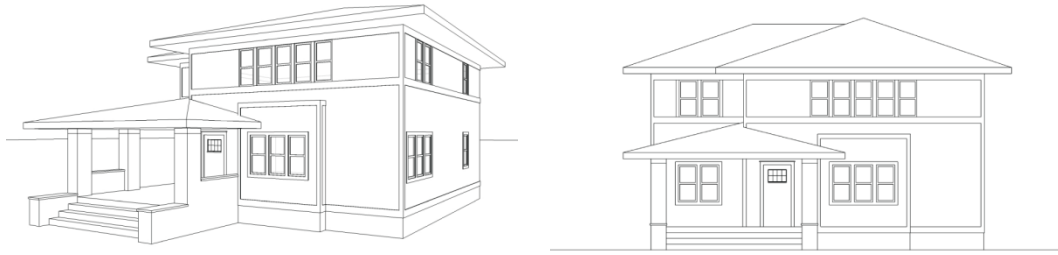


- (40) Portico - Roofed porch-like structure, often open along the front side, but may be enclosed and connected to the Primary Building Frontage at the primary *building* entrance, often supported by columns; used to shelter an entrance and is not occupied (e.g. Covered passage), as referenced by the accompanying graphic.



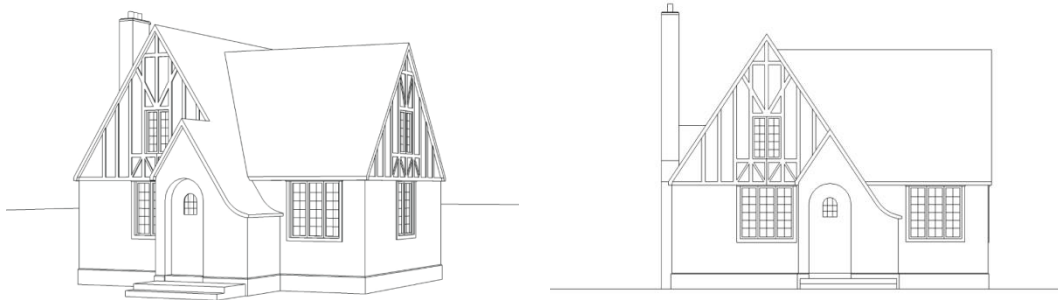
- (41) Primary Building Frontage – The side of a *building* facing the primary street located on side-by-side *lots*, *corner lots* and double frontage *lots*, which contains the primary *building* entrance.
- (42) Prairie Style – An American house style of the late 19<sup>th</sup> and early 20<sup>th</sup> century that is usually marked by horizontal lines, hipped roofs with widely overhanging *eaves*, windows grouped in horizontal band, with design aesthetics of the British Arts and Crafts movement (e.g. Architect Frank Lloyd Wright, a proponent of the style, emphasized the horizontal lines responding to the flatness of the Midwestern prairie), as referenced by the accompanying graphic.





- (43) Primary House Form - The largest mass of a house (e.g. Secondary House Form is a smaller mass and subordinate to it). See “Building Mass” definition.
- (44) Secondary House Form - The smaller mass of a house that is subordinate to the Primary House Form (e.g. largest mass). See “Building Mass” definition.
- (45) Secondary Building Frontage – The side of a *building* on a *corner lot* facing the secondary street, which does not contain the primary *building* entrance.
- (46) Setback - The horizontal distance measured between a *building* wall and its property *lot* lines (e.g. Front yard, rear yard and side yard).
- (47) Sill - The lowest horizontal member at the inner structure of a wood-framed wall, normally resting on and anchored to a foundation wall.
- (48) Spindle - A turned wooden element, often used in screens, stair railings and porch trim.
- (49) Steeply-sloped - Having a pitch of 10/12 or greater for a minimum horizontal distance of thirty-six inches (36”).
- (50) Street: Primary – The street on which the parcel’s front *lot* line abuts and address is platted.
- (51) Street: Secondary – The street that intersects with the Primary Street on which the parcel’s side *lot* line abuts (e.g. *Corner lot*).
- (52) Streetwall - The continuation of *building* façades along a Primary Street.
- (53) Step back - An architectural element in which the upper stories of a tall *building* are stepped back from the lower stories.
- (54) Transom - A crosspiece separating a doorway from a window or fanlight above it.

- (55) Tudor Style - A transitional style of English architecture that was prominent from 1890 to 1940 in America. Homes were built using late Medieval and early Renaissance styles characterized by steep cross-gabled roofs, often punctuated by small *dormers*, tall, narrow, casement windows in multiple groups, half-timbering, and massive decorative chimneys, as referenced by the accompanying graphic.



- (56) Turret - A small, slender tower usually at the corner of a *building*, often containing a circular stair.
- (57) Uplight - A decorative light fixture used to accent architectural elements or landscaping.
- (58) Vault - An arched ceiling of masonry.
- (59) Veranda - A roofed open gallery or *porch*.

**(d) Single Family and Two-Family Residential**

All new single family and two-family residential construction shall comply with the following regulations:

- (1) Single Family and Two-Family Residential Building Massing
- (A) Angular or curved *building* massing is prohibited.
- (B) *Building* heights shall not be less than one (1) story or fifteen feet (15') and shall not exceed two-and-a-half (2 ½) stories or thirty-five feet (35').
- (C) Front entry door(s) shall be located on the Primary Building Frontage and shall face the Primary Street.

- (D) A Front *Porch* or Portico is required and shall be attached to the Primary Building Frontage. A *Porch* shall have a minimum depth of six feet (6') and cover a minimum of fifty percent (50%) of the Primary House Form. A Portico shall have a minimum depth of four feet (4') and cover a minimum of thirty percent (30%) of the Primary House Form, as referenced in the accompanying graphic.



(2) Single Family and Two-Family Residential Roof Shapes

- (A) Hipped and gabled roofs are acceptable roof types.
- (B) Mansard, mock mansard, flat and barrel roofs are prohibited. Flat roof forms may only be used on the house's Entry Form (e.g. *Porch* or Portico) and Secondary Additive Form.
- (C) *Eaves* shall have a maximum overhang of three feet (3').

(3) Single Family and Two-Family Residential Building Design and Materials

(A) Façades

- (i) Buildings shall have identifiable architectural styles that incorporate elements and details that remain consistent with that style.
- (ii) Unarticulated, Modern Style building façades are prohibited.
- (iii) *Building* designs that create blank wall conditions facing primary or secondary streets are prohibited.

- (iv) *Building* designs that orient front doors so that they are not visible from the primary street are prohibited.
- (v) The Primary Building Form's front façade's *porch/portico*, entry door, windows, roof shape and *building* massing, shall be the dominant character defining elements of the architectural style.

(B) *Fenestration*

- (i) Buildings shall provide *fenestration* on façades facing primary and secondary streets. Exposed, blank walls are prohibited.
- (ii) Door and window shapes shall be primarily rectangular (oriented vertically), or square. Horizontally oriented windows with vertical divisions may be used when consistent with the house's architectural style and character.
- (iii) Round, hexagon, and octagonal shaped windows shall only be allowed as accents.
- (iv) The front door entrance on the front façade of the house shall define, and remain consistent with, the building's architectural style and character.
- (v) Doors and windows shall be made of painted metal, wood, fiberglass or vinyl. Dark or reflective glass is prohibited.
- (vi) Mill finish (non-colored) aluminum door and window frames are prohibited.
- (vii) If a *building* has window shutters, the window shutters shall be sized and shaped to match the associated opening, and shall be mounted against the outside edge of the window. Window shutters shall be either louvered or paneled, and made of painted wood, metal, fiberglass or vinyl.
- (viii) Solid metal security gates, metal roll-down windows, and link/grill security devices are prohibited in all residential windows and doorways.

(C) *Materials*

- (i) "Jumbo," or other commercial-grade/scale products such as bricks, cinder/concrete block, unfinished metal, plywood, unfinished pre-cast or poured-in-place concrete are prohibited on any residential

*building* façades.

- (ii) Roofs, if sloped, shall be clad in cedar wood shake, fiberglass, asphalt shingles, prefinished metal shingles, prefinished metal standing seam, or slate. Prefinished metal standing seam roofing shall only be permitted for accent roofing above window projections and open-air *porches/porticos*.
- (iii) When used, asphalt or fiberglass shingles with a "shadow line" effect are encouraged, as long as they meet or exceed local *building* codes.

(D) Colors

- (i) Bright colors are prohibited as primary house colors but may be used for subtle trim accents in amounts not to exceed 10% of the façade area. All colors shall complement the architectural style and character of the house and the surrounding neighborhood.

(E) Projections

- (i) Residential entrances shall be visible from the primary street, easily accessible, and well-lit. Architectural elements such as *porches*, *porticos*, and canopies are required to identify residential entrances and maintain the existing neighborhood's architectural character.
- (ii) The floors of front *porches* shall be raised between twenty-four and forty-eight inches (24"-48") above finished grade and be designed so as to allow access to the public sidewalk at the front *lot* line.
- (iii) A front entry *porch* shall have a minimum depth of six feet (6'); A front entry *portico* shall have a minimum depth of four feet (4').
- (iv) *Porch/Portico* handrails and guardrails of perforated metal, stainless steel cables, or unfinished metal mesh are prohibited.
- (v) Open *porch/portico* bases are prohibited. *Porch/portico* bases shall be continuously skirted with a painted wood lattice panel, masonry, or similar material to the primary *building*.

(F) Lighting

- (i) Floodlights and uplights with bulbs greater than 100 watts on residential *building* façades are prohibited. Motion-sensored flood lights and security lights shall be limited to rear door entries, side door entries or garages only.

- (ii) *Building* and landscape lighting shall be a natural white color consistent with incandescent, fluorescent, LED or metal halide lighting. Colored lights are prohibited unless for appropriate seasonal decoration or interest.

(G) Mechanical Equipment and Utilities

- (i) Exposed mechanical equipment along primary and secondary street frontages is prohibited.
- (ii) Window-mounted air conditioning units placed facing primary or secondary street frontages are prohibited.
- (iii) Satellite television dishes shall be located according to the provisions of the SBZO, unless documentation is provided to demonstrate a lack of reception, shall not be visible from the primary street frontage. If such documentation is provided, the satellite television dish shall be located as discretely as possible.

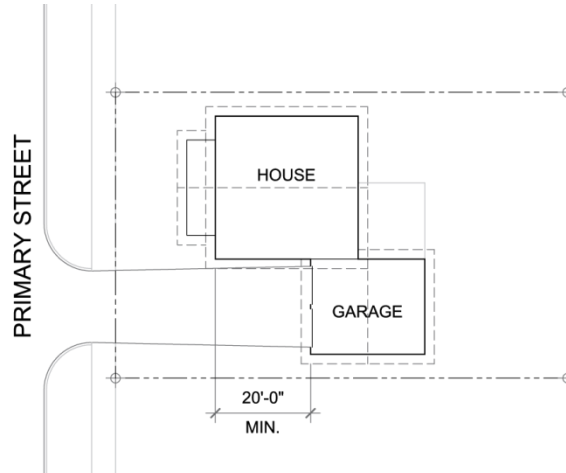
(4) Single Family and Two-Family Residential Landscaping

- (A) Steeply-sloped yards in excess of a slope of 2 to 1 (two foot horizontal for one foot vertical) shall incorporate a slope retention element of either a small retaining wall with steps as a transition to the sidewalk or ground cover/low shrub planting schemes.
- (B) Decorative walls, decorative fences, or hedges shall not exceed three feet (3') in height along the front and side property lines that face the primary or secondary streets and shall be consistent with the house's architectural style and character.
- (C) Decorative walls, decorative fences, and hedges shall be no greater than five feet (5') in height along the rear and side property lines that do not face the streets.

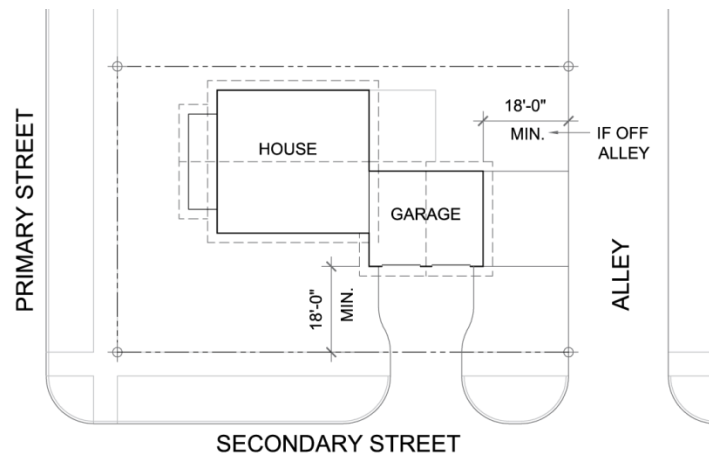
(5) Single Family and Two-Family Residential Parking and Service Areas

- (A) Off-street parking shall be provided by an enclosed garage located to the rear of the primary *building* frontage.
- (B) Garages that gain access from an alley or secondary street are preferred.

- (C) If the garage door on an attached garage must face a primary street, the garage door must be set back a minimum of 20 feet (20') from the primary *building* frontage, as referenced in the accompanying graphic.



- (D) Garages oriented with garage doors facing an alley or Secondary Street shall have a setback (apron) of not less than eighteen feet (18') from the alley and from the right-of-way at the Secondary Street, sufficient to accommodate the parking of an automobile provided that the minimum required setbacks are met for *corner lots* per the zoning ordinance, as referenced in the accompanying graphic.



- (E) Garage setbacks shall include paved and screened locations for trash cans if trash cans are not stored in the garage.
- (F) No more than one (1) double or two (2) single garage doors are permitted to face any primary or secondary street.

- (G) Garages shall incorporate roof types that match the roof type of Primary House Form. Hipped and gabled roofs are acceptable roof types.
  - (H) Three-car garages are prohibited.
  - (I) Driveways fifteen feet (15') or greater at the curb or circular designed driveways within the front yard setback are prohibited.
- (6) Single Family and Two-Family Residential Building Addresses
- (A) Address numbers should be a minimum of three inches (3") in height. Vinyl-applied numbers are prohibited.

**(e) Multi-Family Residential**

All new multi-family residential construction shall comply with the following regulations:

- (1) Multi-Family Residential Building Massing
  - (A) In the event of mixed residential *building* types on abutting *lots* located within the same block face, the height and massing of new multi-family buildings shall be no more than twice the height and massing of the immediately abutting *building*, including buildings on the same *lot*.
  - (B) Angular or curved *building* massing is prohibited.
  - (C) Buildings shall not exceed three (3) stories or forty feet (40') in height.
- (2) Multi-Family Residential Roof Shapes
  - (A) Hipped and gabled roofs are acceptable roof types.
  - (B) Mansard, mock mansard, flat and barrel roofs are prohibited. Flat roof forms may only be used on the building's Entry Form (e.g. Porch or *Portico*).
  - (C) *Eaves* shall have a maximum overhang of three feet (3').
- (3) Multi-Family Residential Building Setbacks
  - (A) *Building* setbacks shall not exceed ten feet (10') from the right of way line of the street on which the parcel's address is platted.
- (4) Multi-Family Residential Building Design



(A) Façades

- (i) All residential buildings shall include design elements, including but not limited to, front doors/entries, front *porches/porticos/overhangs*, articulated rooflines, and balanced/symmetrical *fenestration* on all *façades*.
- (ii) Residential buildings shall have identifiable architectural styles that incorporate elements and details that remain consistent with that style.
- (iii) Unarticulated, Modern Style building façades are prohibited.
- (iv) Front *building* façades shall be oriented toward, and parallel to, all primary street frontages including *corner lots*.
- (v) *Building* designs that create blank wall conditions facing primary or secondary streets are prohibited.
- (vi) The front door entrance(s) shall define, and remain consistent with, the *building's* architectural style and character and shall face the Primary Street frontage.
- (vii) *Building* designs that orient front doors so that they are not visible from the Primary Street are prohibited.
- (viii) Front façade entry doors, windows, roof shapes and *building* massing shall be the dominant character defining elements of the architectural style.
- (ix) Garage doors shall face alleys or be oriented so as to not face the primary street frontage.
- (x) Front façade entry doors and mailboxes shall face the primary street frontage.

(B) Multi-Family Residential *Fenestration*

- (i) Buildings shall provide *fenestration* on façades facing primary and secondary streets. Exposed, blank walls are prohibited.
- (ii) Door and window shapes shall be primarily rectangular (oriented vertically), or square. Horizontally oriented windows with vertical

divisions may be used when consistent with the building's architectural style and character.

- (iii) Round, hexagon, and octagonal shapes shall only be allowed as accents.
- (iv) Doors and windows shall be made of painted metal, wood, vinyl or fiberglass.
- (v) Opaque or reflective glass is prohibited.
- (vi) Mill finish (non-colored) aluminum door and window frames are prohibited.
- (vii) If a *building* has window shutters, the window shutters shall be sized and shaped to match the associated opening, and shall be mounted against the outside edge of the window. Window shutters shall be either louvered or paneled, and made of painted wood, metal, vinyl, or fiberglass.
- (viii) Solid metal security gates, metal rolldown windows, and link/grill security devices are prohibited in all windows and doorways.

(C) Multi-Family Residential Materials

- (i) Cinder/concrete block, metal, plywood, unfinished pre-cast or poured-in-place concrete are prohibited on any residential *building* façades except for basement foundation walls between the first floor sill plate and grade, where concrete, concrete masonry, brick, stone or stucco is permitted.
- (ii) Roofs, shall be clad in cedar wood shake, fiberglass shingles, asphalt shingles, slate shingles, clay tile, prefinished pre-stamped metal shingles, prefinished metal standing seam or other recognized residential roofing material. Prefinished metal standing seam roofing shall only be permitted for accent roofing above window projections and open-air *porches/porticos/overhangs*. Sheet or roll-type roofing is prohibited on sloped roofing.

(D) Multi-Family Residential Colors

- (i) Bright colors are prohibited as primary house colors but may be used for subtle trim accents in amounts not to exceed 10% of the façade area. All colors shall complement the architectural style and character of the *building* and the surrounding neighborhood.

(E) Multi-Family Residential Projections

- (i) Attached dwelling units shall have street-facing, individual front entries with a covered entrance feature such as a *porch*, *portico* or overhang along the primary street frontage. Decks and garages shall be located and oriented to the rear of the structure.
- (ii) Front doors shall be a prominent feature on the primary street façade of the unit.
- (iii) Porch/*Portico* handrails and guardrails (including balconies) of perforated metal, stainless steel cables, and unfinished metal mesh are prohibited.
- (iv) Open *porch* bases are prohibited. Porch bases shall be continuously skirted with a painted wood lattice panel, masonry, concrete or similar material to the primary *building*.

(F) Multi-Family Residential Lighting

- (i) Floodlights and uplights with bulbs greater than one hundred (100) watts on residential *building* façades are prohibited. Motion-sensored flood lights and security lights shall be limited to rear door entries, side door entries or garages only.
- (ii) *Building* and landscape lighting shall be a natural white color consistent with incandescent, fluorescent, LED or metal halide lighting. Colored lights are prohibited unless for appropriate seasonal decoration or interest.

(G) Multi-Family Residential Mechanical Equipment and Utilities

- (i) Mechanical equipment shall not be located along primary and secondary street frontages.
- (ii) Rooftop mechanical equipment shall be located in the center or rear corner of a *building*, away from the primary street elevation.
- (iii) Roof top mechanical equipment shall be screened by the roof form. When the roof form cannot hide such equipment, a solid screen shall be constructed of materials similar to those of the primary façade.
- (iv) Satellite television dishes shall be located so that they are not visible from the primary street.

- (5) Multi-Family Residential Landscaping
- (A) Steeply-sloped yards in excess of a slope of 2 to 1 (two foot horizontal for one foot vertical) shall incorporate a slope retention element of either a small retaining wall with steps as a transition to the sidewalk or ground cover/low shrub planting schemes.
  - (B) When utilized, decorative walls, fences, or hedges shall not exceed three feet (3') in height along the front and side property lines that face the Primary and Secondary Streets and shall be consistent with the architectural style and character of the *building*.
  - (C) Decorative fences and hedges shall be no greater than five feet (5') in height along the rear and side property lines that do not face the streets.
  - (D) For urban townhome development, if front yard fencing is provided, said fencing shall be of a single, unified fence design for all units within a project. Individual fencing of individual urban townhome front yards is prohibited.
- (6) Multi-Family Residential Parking and Service Areas
- (A) Urban Townhome/Rowhome Residential
    - (i) Off-street parking for all new urban townhome/rowhomes, shall be in the form of an enclosed garage located at the rear of the primary structure.
    - (ii) Garages oriented with garage doors facing an alley shall have a setback (apron) of not less than eighteen feet (18') from the alley, sufficient to accommodate the parking of an automobile.
    - (iii) Side-loaded garages accessible from primary or secondary street frontages are permitted only when legal alley access to garages is not available.
    - (iv) Garages that have ingress or egress from the front of the property or the primary street are prohibited.
    - (v) Garage setbacks shall include paved and screened locations for trash cans if trash cans cannot be stored in the garage.
    - (vi) Garages that have ingress or egress from rear alleys may incorporate double-car doors.

- (vii) No more than one (1) double or two (2) single garage doors are permitted to face any street.
- (viii) Garages shall incorporate hipped or gabled roof types that complement the roof type of the primary *building*. Where appropriate to the design, *dormers* may be included.
- (ix) Three-car garages are prohibited.
- (x) Driveways shall be no more than twelve feet (12') wide at front property line.
- (xi) Circular driveways within the front yard setback are prohibited.
- (xii) Driveways on *corner lots* shall be located to maximize the distance from intersections.
- (xiii) Driveway curb-cuts shall be placed to maximize the number of on-street parking spaces.

(B) All Other Multifamily Designs (i.e., non-Urban Townhome / Rowhome Design)

- (i) Off-street parking areas shall be located behind buildings with access off a secondary street or alley. Visitor parking shall also be located behind the buildings or at on-street parking locations.
- (ii) Off-street parking areas shall be located at least fifteen feet (15') from any *building* façade.
- (iii) Off-street parking areas shall be adequately lit and shall minimize glare on surrounding properties.

(7) Multi-Family Residential Building Addresses

- (A) All buildings shall clearly display their address numbers along the primary street elevation in a conspicuous place on the side of or above the front door of the *building*. Address numbers shall be at least three inches (3") in height.
- (B) Address numbers should be a minimum of three inches (3") in height. Vinyl-applied numbers are prohibited.

**(f) Commercial / Mixed Use Buildings**

All new commercial or mixed-use *building* construction shall comply with the following regulations:

- (1) Commercial/Mixed Use Buildings Located in the MU-District
  - (A) All buildings on properties zoned "MU" (Mixed-Use District of the SBZO) shall include active first-floor commercial space.
- (2) Commercial/Mixed Use Building Massing
  - (A) In areas with buildings developed on abutting *lots* (including across the street) the maximum *building* height shall not be more than fifteen feet (15') greater than the average of the maximum height on abutting *lots*, provided that the maximum *building* height for a portion of the *building* may increase one foot (1') for each additional one foot (1') of setback for that portion of the *building*.
  - (B) Buildings shall be oriented towards the street with main entrances or windows facing the primary or secondary street frontages.
  - (C) Buildings sited at irregular or random angles to the street are prohibited.
  - (D) Multiple or attached *building* complexes shall maintain a consistent street orientation and shall also maintain a parallel or perpendicular orientation to each other.
  - (E) Multi-story commercial/mixed-use buildings shall maintain a minimum commercial façade height for the first floor retail of fifteen feet (15').
  - (F) Gaps between buildings that interrupt the streetwall are prohibited except for pedestrian pathways and service alleys within long blocks. Such pedestrian pathways and service alleys should link the primary streets to parking areas and public spaces located behind buildings, and be no greater than fifteen feet (15') wide.
  - (G) The façade of any single-story commercial/mixed-use *building* shall be at least twenty-two feet (22') in height.
  - (H) All sides of any free-standing single-user "outlot" retail buildings shall include four-sided design (i.e., be designed and detailed with each façade having the same level with similar materials and details).

- (I) Multi-story mixed-use buildings shall not have a continuous uninterrupted façade greater than sixty feet (60') in height or length.
  - (J) Upper floor residential/office uses are required to provide façade or roof form *articulation* along with *building fenestration* changes to accentuate the mixed-use character of the *building*.
  - (K) Terraces and balconies, if incorporated, shall be designed so as not to protrude beyond the primary *building* façade.
- (3) Commercial/Mixed Use Building Shapes
- (A) Roofs shall be hipped, gabled, or flat with a parapet. Parapets shall range between three and five feet (3'-5') in height.
  - (B) Mansard, mock mansard, and barrel roofs as the main roof style are prohibited.
  - (C) *Eaves* shall have a maximum overhang of three feet (3').
- (4) Commercial/Mixed Use Building Setbacks
- (A) Off-street parking areas located between the *building* and street are prohibited.
  - (B) The maximum front *building* setback shall be five feet (5') to maintain the streetwall.
  - (C) Corner buildings shall have a maximum setback of five feet (5') from the primary and secondary street property line to hold or frame site corners along both street frontages.
  - (D) Buildings shall have a zero foot (0') side setback from the interior side property line, except for pedestrian access through the site.
  - (E) Pedestrian access areas shall not exceed a maximum of fifteen feet (15') wide.
  - (F) Pedestrian areas between buildings are prohibited unless necessary for access to/from off-street parking areas to store entrances.

(5) Commercial/Mixed Use Building Design

- (A) Multiple *building* developments using one overall architectural theme shall include varied roof forms, façade treatments, sign bands, and details to create the effect of a traditional neighborhood retail street which developed over many years.
- (B) *Building* façades shall include design elements (i.e. height of a wall or cornice or parapet line, window lines, *belt courses* or other horizontal design elements) that substantially replicate the pattern of abutting buildings or sections of the same *building*.
- (C) Mixed-use buildings shall express a clear defined retail base, middle, and top.
- (D) *Building* architectural details and features include but are not limited to cornices, *belt courses*, window *bays*, variations in wall plane, and roof features.
- (E) Blank or windowless elevations that face primary or secondary streets are prohibited. Walls which do not included window glazing or storefront entrances shall be articulated by the provision of: faux windows trimmed with frames, sills, lintels, awnings; murals; or similar elements.
- (F) Street-facing façades of buildings with fifty feet (50') or more of horizontal length shall include the use of vertical *bays* between twenty-five to thirty feet (25'-30') in width to give the appearance of small, individual storefronts. Techniques for implementation include changes in *articulation* of plane of the *building* façade such as vertical *bays*, columns and reveals. Columns or reveals, if used, shall not be less than eighteen inches (18") in width.
- (G) First-floor retail on a street facing façade shall have a minimum window surface of sixty percent (60%) and maximum of seventy-five percent (75%). Upper-floor residential or office shall have a minimum window surface of twenty-five percent (25%) and maximum of forty percent (40%).
- (H) Unarticulated, flat front, all glass or metal, Modern Style buildings are prohibited.

(6) Commercial/Mixed Use Building *Fenestration*

- (A) Window shapes shall be vertically-oriented rectangular, square, or Palladian.



- (B) Round, hexagon, and octagonal shapes shall only be used as accents.
  - (C) Solid windowless walls are prohibited unless necessary to the function of the *building*. If such walls are necessary to the function of the *building*, they shall incorporate arches, piers, columns, murals, tasteful graphics, planters and/or other elements that reduce *building* scale and add visual interest.
  - (D) Commercial or mixed-use buildings with ground-level retail or office space shall include clear glass windows to allow views into *building* interiors. Opaque or reflective glass is prohibited.
  - (E) Storefront windows shall be constructed of painted or clad wood or metal and clear glass.
  - (F) Solid metal security gates, metal roll-down windows, and link or grill security devices are prohibited.
- (7) Commercial/Mixed Use Building Materials
- (A) Unarticulated or finished concrete block and plywood are prohibited on commercial mixed-use *building facades* or on walls that are visible from streets, sidewalks and parking areas.
  - (B) Stucco, metal, exterior insulation systems (EIFS), unfinished pre-cast concrete panels and cast-in-place concrete are prohibited as the primary material used on commercial mixed-use *building facades* or walls visible from streets, sidewalks and parking areas. Up to ten-percent (10%) of *facades* facing streets, sidewalks or parking areas can be comprised of one or a combination of these materials.
  - (C) Decorative block, “renaissance stone,” smooth/textured synthetic plaster and wood trim may be used only for decorative accent purposes and shall be limited to ten-percent (10%) of *facades* facing streets, sidewalks or parking areas.
  - (D) Roofs, if sloped, shall be clad in cedar shake wood, fiberglass, asphalt shingles, tile or real/synthetic slate and shall meet all standards required by the City *building* code. Standing seam finished metal roofing should be used for accent purposes only and shall be limited to fifteen-percent (15%) of the roof surface area.
  - (E) Windows and doors shall be constructed of colored clad wood or painted metal and clear glass. Mill finish (non-colored) aluminum door and window

frames are prohibited. Anodic coatings, copper, and brass finishes are acceptable alternates.

- (8) Commercial/Mixed Use Building Color
  - (A) Bright colors are prohibited as primary *building* colors but may be used for subtle trim accents in amounts not to exceed ten-percent (10%) of the façade area.
- (9) Commercial/Mixed Use Building Projections
  - (A) *Building* entrances shall be visible from the street. Architectural elements, canopies, and lighting shall help to identify entrances.
  - (B) Pedestrian pass-throughs, *arcades* or *paseos*, and other like permanent architectural features shall be finished on all their surfaces with the same quality and types of materials as a *building* exterior in compliance with these guidelines.
  - (C) Retractable and internally lit awnings are prohibited.
  - (D) A standard clear awning height shall be eight and a half feet (8' 6") above the sidewalk.
- (10) Commercial/Mixed Use Mechanical Equipment and Utilities
  - (A) Mechanical equipment and utilities shall be hidden from view along all primary and secondary street frontages.
  - (B) Rooftop mechanical equipment shall be located in the center or rear corner of a *building*, away from the primary street elevation.
  - (C) Rooftop mechanical equipment shall be screened by the roof form or a solid screen constructed of materials similar to those of the primary façade. Perforated or louvered screens may be used.
  - (D) Vents, gutters, downspouts, flashings, electrical conduits, and other appurtenances shall be painted to match the adjacent surface unless being used expressly as an accent material.
  - (E) Window-mounted air conditioners are prohibited. Wall or in-wall mounted air conditioning condensing equipment is prohibited facing streets or pedestrian ways.

(11) Commercial/Mixed Use Decorative Fencing

- (A) Wood, chain-link, and barbed-wire fencing is prohibited.
- (B) Decorative three foot (3') height masonry walls may be used in conjunction with landscaping to provide screening. Decorative masonry walls shall incorporate the same or complementary materials and detailing as adjacent buildings and streetscape.



Existing seat wall and landscape planter in along Michigan Street in South Bend.

(12) Commercial/Mixed Use Outdoor Cafes and Seating Areas

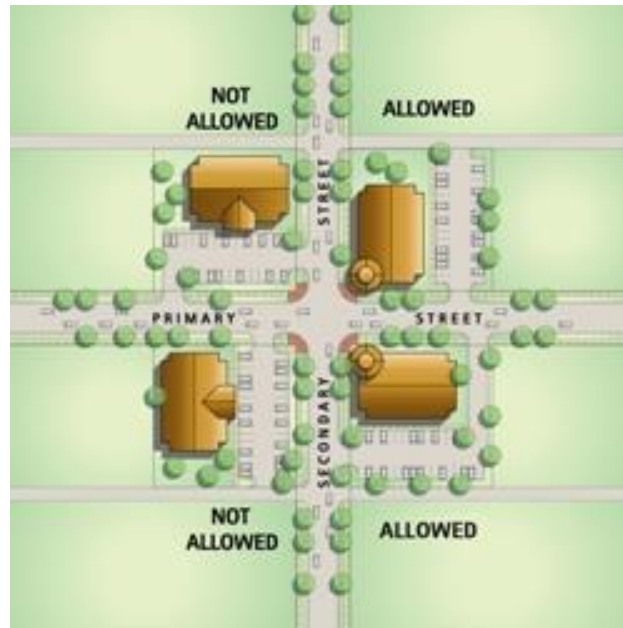
- (A) Outdoor cafes and seating areas shall so be located as to maintain a minimum useable sidewalk width of not less than six feet (6').
- (B) Sidewalk cafes shall obtain a seasonal permit from the City of South Bend.

(13) Commercial/Mixed Use Landscape Guidelines

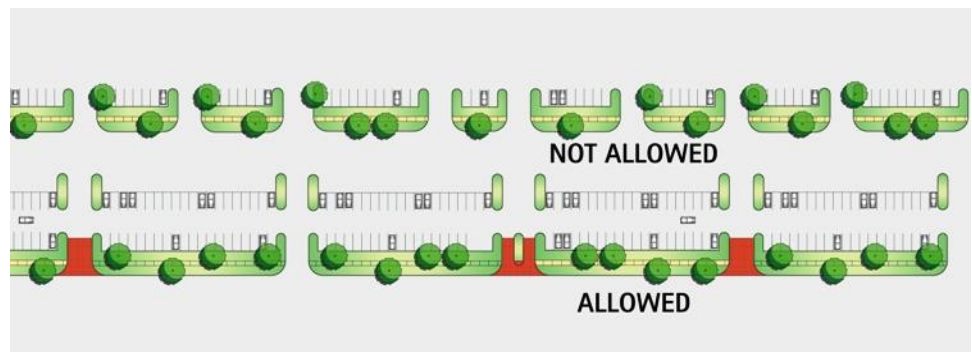
- (A) Parkway Tree Lawn Plantings – All plantings within the parkway tree lawn shall obtain approval of the South Bend Board of Public Works.

(14) Commercial/Mixed Use Off-street Parking and Service Areas

- (A) Parking and service areas shall be located at the rear of the building. With the exception of on-street parking, parking and service areas that front primary and secondary streets are prohibited.



- (B) Dedicated off-street parking for individual businesses is prohibited, with the exception of drop-off/pick-up type service businesses, which may provide one dedicated space per business, during business hours. Multi-use buildings shall provide shared off-street parking.
- (C) Off-street parking areas for commercial/mixed-use buildings shall be located at least fifteen feet (15') from all *building* façades.
- (D) Where alleys are used in a commercial/mixed-use area as a means for access to and from off-street parking areas, the width of such alleys shall be at least eighteen feet (18') wide.



- (E) Where applicable, curb-cuts should be placed to maximize the number of on-street (curb) parking spaces.

**(g) Signs**

Any new sign shall comply with the following regulations:

(1) Single Family Residential

Single Family Residential uses shall be permitted signs in compliance with the provisions of Section 21-07.03 (c) On-Premise Signs: SF1, SF2, MF1 and MF2 Districts of the SBZO applicable to the single family dwellings or single family platted subdivisions.

(2) Multi-Family Residential

Multi-family residential uses shall be permitted freestanding identification signs in compliance with the provisions of Section 21-07.03 (c) On-Premise Signs: SF1, SF2, MF1 and MF2 Districts of the SBZO applicable to the multifamily dwelling uses provided that:

- (A) the maximum height of a freestanding identification sign may be up to eight feet (8') feet above grade; and
- (B) there shall be no minimum setback for such freestanding identification sign provided such signs shall not encroach into any public right-of-way or clear sign area regulated by Section 21-01.01 (t) – Clear Sight Area Requirements of the SBZO.

(3) Commercial / Mixed-Use

Commercial / Mixed-Use buildings shall be permitted signs in compliance with the provisions of Section 21-07.03 (e) On-Premise Signs: MU & CBD Districts of the SBZO applicable to the MU District provided that:

- (A) *Building* identification signs shall be limited to one (1) sign per *building* being either: a parapet mounted wall sign not to exceed forty (40) square feet in area; or, a grand projecting sign not to exceed eighty (80) square feet in area.
- (B) In addition, each tenant/use within a *building* shall be allowed one (1) business identification sign per frontage of the tenant/use limited to either: a fascia mounted lower level wall sign not to exceed twelve (12) square feet in area per sign; or, a blade sign not to exceed twelve (12) square feet in area per sign.