

Article 21-11: Neighborhood & Subdivision Design

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Section 21-11.01: General Provisions

(a) Short Title

This article shall be known and cited as the "City of South Bend Subdivision Control Ordinance" per IC 36-7-4-700.

(b) Intent

The intent of this section is to promote development patterns that support the creation of complete neighborhoods with a mix of housing, civic, retail, and service choices within a compact, walkable, and transit friendly environment. This section provides a framework for the subdivision of buildable land that meets the following goals.

- (1) Provide clear standards for private development that influences the function and character of a neighborhood.
- (2) Ensure orderly growth and development through the conservation, protection, and proper use of land through adequate provisions for circulation, utilities, and services.
- (3) Ensure street connectivity and safety within walkable neighborhoods having numerous route options.
- (4) Promote walkable urban projects.
- (5) Provide access to open space.
- (6) Promote the health, safety, and general welfare of the City.

Section 21-11.02: Subdivision of Land

(a) Applicability

The subdivision of land may occur in any and all districts established by this Ordinance. Whenever a subdivision occurs, the rules, regulations, and procedures of this section shall apply.

- (1) No subdivision, resubdivision, or adjustment of lot lines of any lot, tract, or parcel of land shall occur except in strict accordance with the provisions of this section.
- (2) No street, sanitary sewer, storm sewer, water main, or other facility shall be laid out, constructed, opened, or dedicated for public use or travel, or for the common use of occupants of abutting buildings, except in strict accordance with the provisions of this section.
- (3) No lot under consideration for a proposed division, consolidation, or alteration shall be sold, nor shall a permit to erect, alter, or repair any building upon land be issued, until the proposed division, consolidation, or alteration has been approved and recorded, and until the associated improvements required by the City have either been constructed or guaranteed as provided in [Section 21-12.06](#). However, if a major subdivision has received primary approval, permits for model homes may be issued, provided that no more than two permits are in existence at any one time, and that such homes are not occupied until the subdivision has been given secondary approval and has been recorded.

(b) General Regulations

- (1) The subdivision shall conform to the applicable provisions of the zoning ordinance, including lot width and depth.
- (2) In all subdivisions, consideration shall be given to preserve the natural environment, existing topography, and historic resources in a historic preservation district or designated as a historic landmark.
- (3) The subdivision shall be coordinated with existing developments or neighborhoods, and may require the extension of existing streets.

- (4) In review of subdivisions, the Plan Commission shall give consideration to the needs and requirements for open space uses and community facilities.
- (5) Proposed subdivisions in flood hazard areas shall assure that the development is consistent with the need to minimize flood damages.
- (6) Easements shall be provided for utilities where necessary. When located along a rear or side lot line, easements shall be centered on such line and be at least 5 feet wide on both sides of the lot line. Easements shall be continuous to the end of the block to connect with adjoining blocks in the shortest direct line.
- (7) All property corners shall be indicated by monuments in compliance with 865 IAC 1-12-18.

(c) Lot Standards

- (1) Side lines of all lots shall be at right angles or radials to street lines, when possible.
- (2) Every lot shall abut on a public street.
- (3) Double frontage lots shall not be permitted, except where the lot abuts a limited access highway.
- (4) Flag lots shall not be permitted.

(d) Required Improvements

- (1) All required improvements shall be designed and constructed in accordance with the latest standards adopted by the Board of Public Works.
- (2) Proper and adequate provisions shall be made for drainage. The City Engineer shall determine the extent, location, and capacity of such facilities.
- (3) Complete public sewer and water systems shall be provided as approved by the Board of Public Works.
- (4) Streets, including curbs and gutters, shall be improved and surfaced per the latest standards adopted by the Board of Public Works.

Subdivision of Land

- (5) Sidewalks shall be installed on both sides of any street per the latest standards adopted by the Board of Public Works.
- (6) A complete street lighting system shall be provided per the latest standards adopted by the Board of Public Works.

(e) Open Space & Linkages

- (1) On sites greater than 5 acres or providing 50 dwelling units, a minimum of 10 percent of the project area shall be designated as publicly accessible civic or open space. This number shall be calculated after street rights-of-way are subtracted from the project area. Civic or open spaces may be managed privately or publicly but shall be open to the public.
- (2) If a subdivision abuts or is located within 500 feet of any portion of a public trail, a direct linkage from the subdivision to such public trail shall be provided.

Section 21-11.03: Blocks

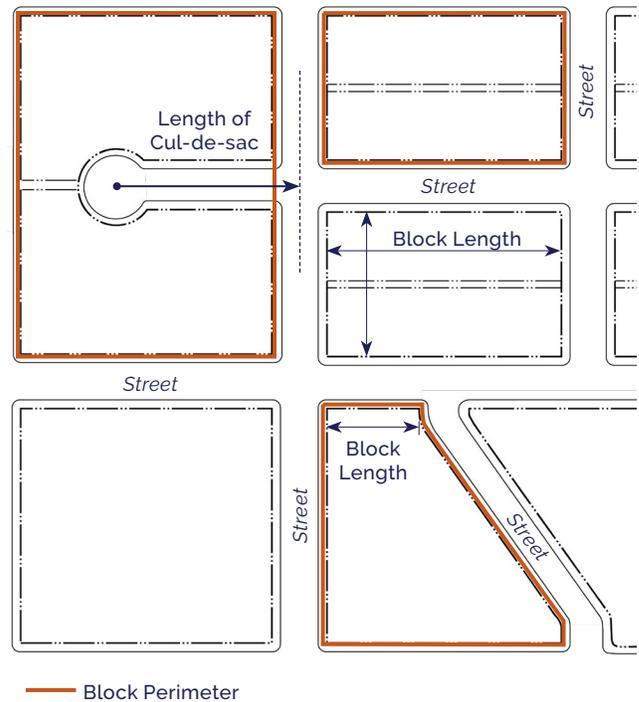
(a) Applicability

This section applies to development sites that meet any of the following criteria:

- (1) Creates a new block, reconfigures the dimension of a block, or creates 300 feet or more of new public or private street.
- (2) Projects that result in modification to any lot or combination of lots by a single property owner or agent with an aggregate area of 3 acres or more within any 5-year period.

(b) Block Standards

- (1) Blocks shall be generally rectangular in shape but are expected to respond to natural features and the block pattern of surrounding development.
- (2) Blocks shall be a minimum width so as to provide two rows of developable lots.
- (3) A new block, or an existing block where a change in dimensions is proposed, shall be subdivided with streets to create blocks that meet the standards in [Table 21-11A](#), measured according to the following criteria:
 - (A) A block is defined by streets or by civic spaces.
 - (B) Block length is measured along the right-of-way line of one block side.
 - (C) Block perimeter is the sum of its side block lengths.
 - (D) Where multiple zones apply to one block, the predominant zone along each block face will determine the maximum block length, and the least restrictive zone will determine the maximum block perimeter.
 - (E) In a standard district, block lengths in excess of 600 ft. shall provide a mid-block passage connecting two block sides with a dedicated right-of-way or reserved with a permanent access easement.



Measuring Length and Perimeter of Blocks

Table 21-11A: Block Perimeter		
Zone	Block Length	Block Perimeter
S1, S2	900 ft. max.	2,400 ft. max
U1, U2, U3, UF	800 ft. max.	2,000 ft. max
NC	600 ft. max.	1,800 ft. max
DT	400 ft. max	1,600 ft. max
OS	800 ft. max.	2,000 ft. max
U, C, I	1,200 ft. max	4,000 ft. max

Blocks

- (4) Portions of development sites abutting areas of undeveloped land, areas unsuitable for development, nonconforming incomplete blocks, or physical obstacles may be granted a waiver from the block dimension requirements by the Plan Commission.
- (5) Block perimeter may be increased with the approval of the Zoning Administrator to accommodate special buildings, civic spaces, or unique arrangements of these elements.

(c) Block Connectivity

- (1) New streets shall connect to and extend the existing block network where possible. This requirement does not apply to portions of the project boundary where connections cannot be made because of physical obstacles.
- (2) Where adjoining areas are not developed, streets in a new subdivision shall be extended to the project boundary line to allow for the future extension of streets into adjoining areas. Such rights-of-way shall be provided at intervals no greater than the maximum block length for the zone.

Section 21-11.04: Streets & Alleys

(a) Applicability

This section shall apply to any development that includes the addition of public or private streets.

(b) Street Standards

- (1) The arrangement, character, extent, width, grade, and location of all streets shall be correlated to existing and planned streets, existing topography, public convenience and safety, and in their appropriate relation to the proposed building types and uses of the land to be served by such streets.
- (2) Proposed streets shall be adjusted to the contour of the land to produce usable lots and streets of reasonable gradient.
- (3) Half-streets and half-alleys shall be prohibited. Whenever a half-street is adjacent to a tract to be subdivided, the other half (1/2) of the street shall be platted within such tract.
- (4) The minimum right-of-way width of all streets shall be per the latest standards adopted by the Board of Public Works.
- (5) Street jogs with centerline offsets of less than 150 feet shall be prohibited.
- (6) Cul-de-sac and dead-end streets, designed to be so permanently, shall not be longer than 200 feet measured along its centerline from the centerline of the intersecting street to the radius point. All dead-end streets shall terminate per the latest standards adopted by the Board of Public Works.
- (7) No new street shall have a name which duplicates or so nearly duplicates so as to be confused with any existing street in the incorporated and unincorporated areas of St. Joseph County, unless the new street is to be an extension or is at the same block number of an existing street. Loop streets and cul-de-sac which are an extension of or aligned with existing streets but will never be continued shall not duplicate the name of the existing street. Continuous streets which have major directional changes shall require a change in street name for each directional change.

(c) Alley Standards

- (1) Alleys shall be provided at the discretion of the Plan Commission and the Board of Public Works.
- (2) Alley intersections with sharp changes in alignment shall be avoided, but where necessary, corners shall be cut off sufficiently to permit safe vehicular movement.
- (3) Dead-end alleys shall be prohibited except when provided with forty-foot outside turning radius at the dead end.