

# Article 21-05: Overlay Districts

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## Section 21-05.01: HP Historic Preservation Overlay

### (a) Intent

The HP Overlay District is established to preserve buildings, other structures, and sites of historical, architectural, engineering, and cultural significance in South Bend.

### (b) Applicability

Any construction, reconstruction, alteration, demolition, or moving of any exterior feature of any building, structure, or use in the HP Overlay District, in a historic preservation district, or designated as a historic landmark shall comply with the standards of this section.

### (c) Relation to Other Zoning Ordinance Standards

HP is a zoning overlay that does not change the underlying base zoning but does include additional standards for these areas.

### (d) General Provisions

A certificate of appropriateness issued by the Historic Preservation Commission shall be required prior to the construction, reconstruction, alteration, demolition, or moving of any exterior feature of any building, structure, or use in the HP Overlay District. Preservation standards are available on the Historic Preservation Commission website.



## Section 21-05.02: NNZO Northeast Neighborhood Zoning Overlay

### (a) Intent

The NNZO District is established to accomplish the following purposes:

- (1) To establish a comprehensive design approach for the NNZO;
- (2) To encourage high-quality design of new buildings and site development that preserves and enhances the character of a traditional neighborhood;
- (3) To create a strong, unique neighborhood identity;
- (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

Notwithstanding any provision elsewhere in the South Bend Zoning Ordinance to the contrary, all new development within the NNZO shall be subject to the regulations of this section.

- (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 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 shall be subject to the regulations contained in this overlay.
- (2) **Renovations and Expansion of Existing Buildings.** 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.



**(c) Relationship to the Zoning Ordinance**

The NNZO provides more comprehensive standards for this area. All development shall meet the standards of this NNZO and the underlying zoning district. In the case of conflict between the provisions of this NNZO and other provisions of this zoning ordinance, the more restrictive provision shall prevail.

**(d) Uses**

**(1) Accessory Uses**

- (A) Trash Containers. Residential trash containers shall not be stored in an established front or corner yard.

**(e) Access & Parking**

- (1) If an alley is not present, off-street parking areas for corner lots shall have access from the secondary street.
- (2) All off-street parking areas, except for residential buildings with 4 or fewer units, shall be located in an established rear yard.
- (3) Where alleys are used as a means for two-way access to and from off-street parking areas for a nonresidential use, the width of such alleys shall be at least 18 feet wide.

**(f) Building Standards**

**(1) Building Design**

- (A) The front or corner facades of a building shall have a maximum facade transparency of 75 percent for the ground floor and 40 percent for upper floors.
- (B) 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. Round, hexagon, and octagonal shaped windows shall only be used as accents.
- (C) If a parapet is more than 4 feet in height above the roof line, it shall be of a uniform height all the way around the roof.

- (D) All residential buildings shall use an identifiable architectural style or combination of styles that incorporate elements and details that remain consistent with that style. Modern Style building facades are prohibited.



*American Foursquare Style*



*Colonial Revival Style*



*Craftsman Style*



*Modern Style*



*Prairie Style*



*Tudor Style*

- (E) All sides of any freestanding single-user retail & service building shall include four-sided design (i.e., be designed and detailed with each facade having the same level with similar materials and details).

**(2) Building Materials**

- (A) Roofs, if sloped, shall be clad in cedar wood shake, fiberglass shingles, asphalt shingles, real or synthetic slate shingles, clay tile, prefinished pre-stamped metal shingles, or solar shingles or tiles. Prefinished metal standing seam roofing may be used for accent roofing, such as above window projections and open-air porches, stoops, and overhangs.
- (B) Bright colors shall not be used as a primary building color but may be used for subtle trim accents in amounts not to exceed 10 percent of the facade area.
- (C) Window-mounted air conditioning units and wall or in-wall mounted air conditioning condensing equipment shall not be placed on facades facing a street, open space, or walkway.
- (D) 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, except where such devices are at least 50 percent transparent and located wholly behind a window or door, when viewed from the street or open space.
- (E) On residential building facades, cinder/concrete block, metal, plywood, and unfinished pre-cast or poured-in-place concrete shall not be used. However, concrete or concrete masonry is permitted on basement foundation walls between the ground floor sill plate and grade.
- (F) On commercial and mixed-use facades visible from streets, sidewalks, and parking areas, no more than 10 percent of the facade shall be comprised of one or a combination of the following materials: stucco, smooth/textured synthetic plaster, wood trim, metal, decorative block, "renaissance stone," exterior insulation and finish systems (E.I.F.S.), unfinished pre-cast concrete panels, and poured-in-place concrete.
- (G) On commercial and mixed-use facades, window frames shall be constructed of painted or clad wood or metal.

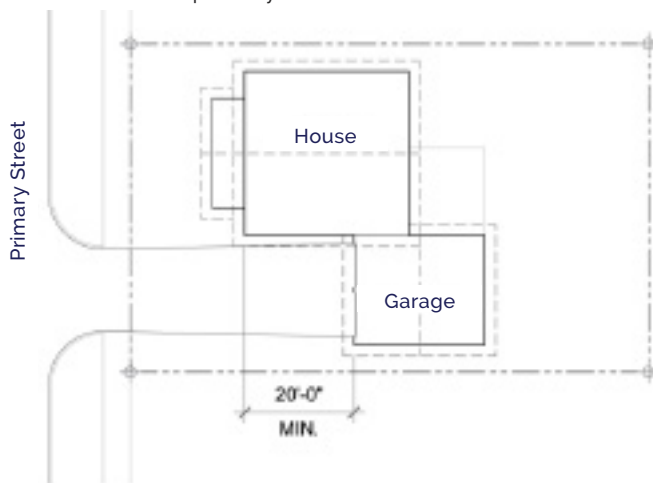
- (H) On commercial and mixed-use facades, vents, gutters, downspouts, flashings, electrical conduits, and other similar elements shall be painted to match the adjacent surface unless being used expressly as an accent material.

**(3) Facade Articulation**

- (A) All commercial and mixed-use buildings, regardless of zoning district, shall be developed to the facade articulation standards of the NC District per the provisions of Section 21-08.01(f).

**(4) Building Components**

- (A) Garage
  - i. In a S1, U1, or U2 district, the total capacity of a garage, garages, or carports, in combination, whether attached or detached, shall not exceed 2 vehicles.
  - ii. When an alley is present, garage doors shall not face the primary or secondary street. When an alley is not present, garages on a corner lot shall not face a primary street. When an alley is not present and the garage door on an attached garage faces a primary street, the garage door shall be set back a minimum of 20 feet behind the front building facade. When present, no more than one double or two single garage doors shall face any primary or secondary street; however, no garages for a multi-unit dwelling shall face a primary street.

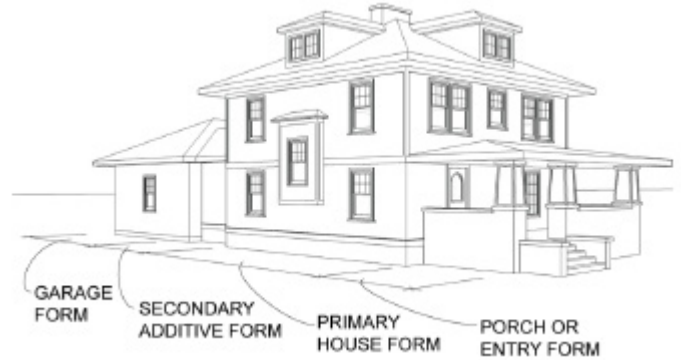


*Garage Location*

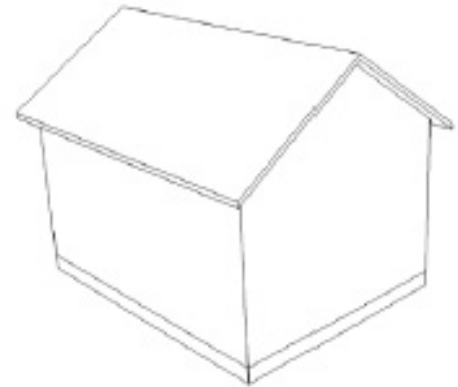
- iii. Garages shall incorporate roof types that match the roof type of the primary building. Where appropriate to the design, dormers may be included.

**(5) Building Types**

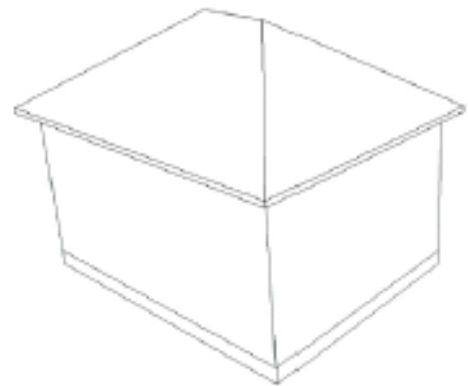
- (A) Carriage House, Detached House, Cottage Court, or Duplex
  - i. Roof type shall be gabled or hipped. Flat roof forms may only be used for building frontage types and on the secondary additive form.
- (B) Townhouse
  - i. Roof type shall be gabled or hipped. Flat roof forms may only be used for building frontage types.
  - ii. Units along a street at the end of a row of townhouses oriented to an open space shall have a frontage type oriented to the street.
- (C) Apartment House or Stacked Flats
  - i. Roof type shall be gabled, hipped, or flat.
  - ii. Main entrances shall be prominently located on the front facade.
- (D) Shop or Mid-Rise/Tower
  - i. Roofs shall be hipped, gabled, or flat with a parapet.



*Building Forms*



*Gabled Roof*



*Hipped Roof*

**(6) Building Frontage Types**

- (A) Porch
  - i. A porch shall cover a minimum of 50 percent of the primary house form.
- (B) Stoop
  - i. A stoop shall cover a min. of 30 percent of the primary house form.
- (C) Forecourt
  - i. A building with a forecourt frontage type shall additionally have a porch, stoop, or gallery frontage type on its ends facing a primary street.



Porch

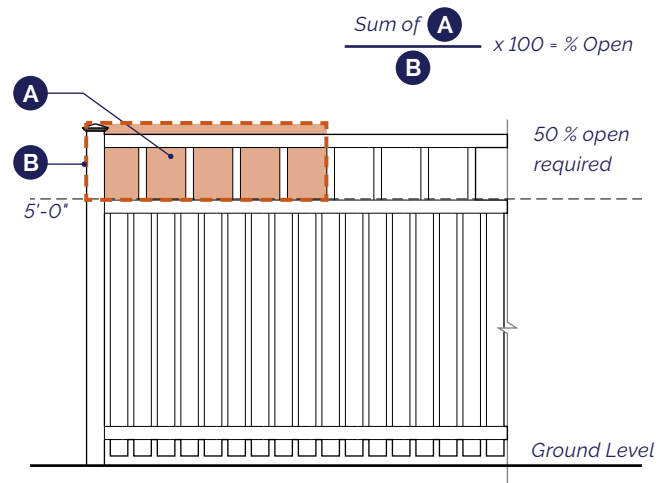


Stoop

**(g) Site Development**

**(1) Landscape, Fences, & Walls**

- (A) Any portion of a fence that exceeds 5 feet in height shall consist of a decorative element that is at least 50 percent open.
- (B) Chain-link fencing shall be prohibited.
- (C) For attached dwelling units, if fencing is provided in the front yard, such fencing shall be of a single, unified design for all units within a project.
- (D) When a masonry wall is used as part of a Type 1 Buffer, the wall shall incorporate the same or complementary materials and detailing as adjacent buildings and streetscape.
- (E) Walls shall be consistent with the building's architectural style and character.



Decorative Element above 5 feet

**(h) Signs**

- (1) Signs shall comply with the standards of the underlying district, except that any one sign shall not exceed 100 square feet in surface area.

**(i) Neighborhood & Subdivision Design**

- (1) **Maximum Lot Width.** The maximum lot width of lots for residential buildings with 4 or fewer units shall not exceed 70 feet.