ORDINANCE 84 -18

To Add a Section to Chapter 20.11
of Title 20 of the Bloomington Municipal Code

WHEREAS, the Bloomington Plan Commission has considered and recommended that the Bloomington Municipal Code be changed;

NOW, THEREFORE BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. Section 20.11.12.00, Upper Floor and Basement Uses in the BD Zone, be added to Chapter 20.11 of the Bloomington Municipal Code, to read as follows:

20.11.12.00 Upper Floor and Basement Uses in the BD Zone

20.11.12.01 Location. The Board of Zoning Appeals may grant a special exception for certain manufacturing, repair, printing, publishing, service, wholesale, and mail order uses in other than first floor premises in the BD (Downtown Business) Zone.

20.11.12.02 Limitation on Uses. Manufacturing uses permitted as a special exception shall be limited to: printing, publishing, small electrical products/appliances and scientific, medical and dental instruments, apparel, and recreation products such as sails, tents, backpacks and other products that are manufactured from cloth or other light and flexible materials. Repair uses permitted as a special exception shall be limited to: furniture, books, small electrical products/appliances and scientific instruments. Service uses permitted as a special exception shall be limited to: upholstery of furniture, sewing, research, medical, and dental laboratories, photographic processing. Only those wholesale supply and mail order distribution uses shall be permitted which are deemed by the Board to be compatible with surroundings and consistent with the intent of the BD zone in terms of scale, product, and operating characteristics. Appearance of loading facilities and vehicle staging areas, traffic generation, and any other external characteristics may be considered by the Board in this determination.

20.11.12.03 Structural Suitability. Uses shall be consistent with the structural capabilities and qualities of the building in which the proposed use is to be located.

20.11.12.04 Loading and Waste Storage. The loading and waste storage for the proposed uses shall not obstruct the use of alleys, streets or sidewalks, or in any other way be detrimental to surroundings.

20.11.12.05 Noise. Noise factors of the proposed use shall not be detrimental to surroundings.

20.11.12.06 Exterior Architecture. The proposed use shall not adversely affect the exterior appearance of the building. Boarded or painted over windows shall not be permitted. The Board may require screening of waste containers or any other aesthetic control deemed necessary to mitigate appearance unsuitable to the Downtown environment.

20.11.12.07 Submittal Requirements. The proposal shall be accompanied by complete and explicit details as may be required by the Board in order to make the above determinations. Any characteristic related to the above criteria for any use approved pursuant to this section shall not be permitted unless specifically included in the plans submitted to the Board.

SECTION II. Section 20.07.04.00, 20.07.05.00, 20.07.06.00, and 20.07.07.00, Land Use Tables, be amended as attached.

SECTION III. Severability. If any section, sentence or provision of this ordinance or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other parts of this ordinance which can be given effect without the invalid part, and to this end the provisions of this chapter are declared to be severable.

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

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 18 day of April, 1984.

Patricia A. Gross
PATRICIA GROSS, President
Bloomington Common Council

ATTEST:

Patricia Williams
PATRICIA WILLIAMS, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 19 day of April, 1984.

Patricia Williams
PATRICIA WILLIAMS, City Clerk

SIGNED and APPROVED by me upon this 19 day of April, 1984.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance would permit certain uses in upper floors and basements in the BD zone, with Special Exception permit from the Board of Zoning Appeals.

4/23/84
Copies to:
1. Planning
2. Redev.
3. Engr.
4. Legal

****ORDINANCE CERTIFICATION****

In accordance with IC 18-7-4-508, I hereby certify that the attached Ordinance Number 84-18, is a true and complete copy of Plan Commission Case Number MP-11-84 which was given a recommendation of approval by a vote of 10 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on March 19 ,1984.

Date: March 22 ,1984

Timothy A. Mueller
Tim Mueller, Secretary
Plan Commission
Planning Director

Received by the Common Council Office this ____ day of _____, 1984.

_____
Patricia Williams, City Clerk

Appropriation Ordinance #_____ Fiscal Impact Statement Ordinance #_____ Resolution#_____

Type of Legislation:

Appropriation	____	End of Program	____	Penal Ordinance	____
Budget Transfer	____	New Program	____	Grant Approval	____
Salary Change	____	Bonding	____	Administrative Change	____
Zoning Change	____	Investments	____	Short-Term Borrowing	____
New Fees	____	Annexation	____	Other Code Amendment	

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure ____ Emergency ____
Unforseen Need ____ Other_____

Funds Affected by Request:

Fund(s) Affected		
Fund Balance as of January 1	$	$
Revenue to Date		
Revenue Expected for Rest of year		
Appropriations to Date		
Unappropriated Balance		
Effect of Proposed Legislation(+/-)		
Projected Balance	$	$

Signature of Controller_____

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues? Yes____ No XX

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion. This legislation impacts neither revenues nor costs for the City of Bloomington since it is a change to the text of the Municipal Code.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary)

Agency submitting legislation City of Bloomington Plan Commission

By Tim Mueller Date 3/22/84

In accordance with IC 18-7-4-508, I hereby certify that the attached Ordinance Number 84 , is a true and complete copy of Plan Commission Case Number MP-11-84 which was given a recommendation of approval by a vote of 10 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on March 19 ,1984.

Date: March 22 ,1984

Timothy A. Mueller
Tim Mueller, Secretary
Plan Commission Planning Director

Received by the Common Council Office this ____day of _____, 1984.

_____
Patricia Williams, City Clerk

Appropriation Ordinance #_____ Fiscal Impact Statement Ordinance #_____ Resolution#_____

Type of Legislation:

Appropriation	____	End of Program	____	Penal Ordinance	____
Budget Transfer	____	New Program	____	Grant Approval	____
Salary Change	____	Bonding	____	Administrative Change	____
Zoning Change	____	Investments	____	Short-Term Borrowing	____
New Fees	____	Annexation	____	Other Code Amendment	

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Unappropriated Balance		
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Signature of Controller_____

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Agency submitting legislation City of Bloomington Plan Commission

USES PERMITTED	Class of USE	RE	RS	RL	RM	RH	BL	BG	BA	BD	ML	MG	MQ	SI	SM
9. Bus Terminal (Passenger)									O	O					
10. Candy, Confectionary							9	O	O	O	O				
11. Eating, Drinking (Rest.)	F							O	O	O	O				
12. Furniture Repair	D							O	O	S	O				
13. Funeral Service				20		20	O	O	O	O					
14. Gasoline Service Station							C	O	O		O				
15. Hotel/Motel									O	O					
16. Laundry and Dry Cleaning	E						9 14	O	14	14	O	O			
17. Personal Service	E	6	6	6	6	6	O	O	O	O	O				
18. Printing (Job, Service)	E							O	O	O					
19. Radio and TV Stations								O	O	O					
20. Recreation									O		O				
21. Schools (Trade & Business)								O	O	O	O				
22. Taxi Stands								O	O	O	O				
23. Telephone Exchanges								O	O	O					
24. Theaters (Not Drive-In)								O	O	O					
25. Tire Recapping								S			S	S			
26. Veterinary Service/Dog Kennel		O						O	O						
27. Auto Parking								O		O					
28. Gun Club/Skeet Range	D	S													
29. Theaters, Drive-In	D								S		S	S	S		

(4) Permitted alone or in conjunction with commercial facilities in the same building provided all area and density requirements in the Bulk, Height, and Density Table (20.08) are met.
(5) Subject to regulations for Mobile Home Parks contained in Planned Developments, Chapter 20.13.
(6) Subject to regulations governing Home Occupations in Chapter 20.11.
(7) Subject to Planned Development regulations (20.13).
(8) Retail sales of baked goods. Incidental baking of goods to be sold on premises is permitted.
(9) Limited to a maximum of 3,000 square feet of gross floor area.

USES PERMITTED	CLASS of USE	RE	RL	PL	RM	RH	BL	BG	BA	BD	ML	MG	MQ	SI	SM
30. Building Trades Shop									O		O	O			
31. Warehouses											O	O			
32. Warehouses (Mini)									O		O	O			
C. COMMERCIAL, WHOLESALE															
1. Building Material								15	O		O	O			
2. Farm Products									15		O	O			
3. Farm Supplies								O	O		O	O			
4. Food Products									15	S	O	O			
5. Household Goods									15	S	O	O			
20.07.06.00 INDUSTRIAL															
A. MANUFACTURING/PROCESSING															
1. Apparel	G									S	O	O			
2. Bakery, Dairy Products, Confectionary	H										O	O			
3. Beverage, Bottling									O		O	O			
4. Chemicals and Chemical Products	H										16	O			
5. Clock, Scientific Instrument	G							O		S	O	O			
6. Drugs and Pharmaceuticals	G											O			
7. Electronic Equipment	G											O			
8. Furniture	H										17	O			

(10) Permitted on major thoroughfare but not within 1,000 feet of existing platted residential subdivisions. One hundred foot landscaped buffer is required on setback from road and all adjacent residential land.
(11) Sales of produce grown on premises provided sales area does not exceed 100 square feet. Structures may not be permitted.
(12) All major overhaul, body and fender work, upholstering and welding shall be conducted within a completely enclosed building and all spray painting shall be conducted within an approved spray booth and, provided further, that no outdoor storage of automobile part, discarded tires, or similar materials, or outdoor storage of more than three wrecked or temporarily inoperable motor vehicles awaiting repairs shall be permitted.
(14) Pick-up stations or self-service facilities.

USES PERMITTED	of USE	RE	RS	RL	RM	RH	BL	BG	BA	BD	ML	MG	MQ	SI	SM
9. Grain Mills	H											O			
10. Machinery, Tool and Die	H											O			
11. Meat, Poultry, Seafood											18	18			
12. Metal Fabrication	H											O			
13. Millwork, Veneer, Sawmills	H											O			
14. Musical Instruments	G										O	O			
15. Paper Products	H										O	O			
16. Paving and Concrete Block												O			
17. Printing/Newspapers	G							O	O	S	O	O			
18. Research Laboratories	G								O	S	O	O			
19. Service & Distribution Uses (18.20.11.12.02)										S					
B. INDUSTRIAL, NON-PROCESSING															
1. Junk Yards												S			
2. Mining and Mineral Extraction													O		
3. Motor and Bus Terminals											O	O			
4. Railroad Yards												O			
5. Warehouse, Storage											O	O			
20.07.07.00 INSTITUTIONAL															
A. PUBLIC, QUASI-PUBLIC															
1. Airports														O	
2. Cemeteries (Mausoleums)		S	S	S	S	S			S					O	
3. Cultural Facilities							O	O	O	O				O	

(15) Wholesaling and warehousing and combined wholesale/retail sales, providing warehousing and storage does not exceed 5,000 square feet and is completely enclosed.
(16) Manufacture of products from already prepared chemical materials.
(17) Custom shops, upholstery shops and small furniture manufacturing may be permitted in the ML zone by the Plan Commission.
(18) Processing or freezing of dressed meat and poultry permitted in all M zones. Slaughter or dressing must receive special permission of the plan commission and is permitted only in the MG zone.