

Chapter

20.11

Definitions

City of Bloomington
Unified Development
Ordinance

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Definitions Overview

20.11.010 General

20.11.020 Defined Words

20.11.010 General

The definitions contained in *Chapter 20.11: Definitions* shall be observed and applied in the interpretation of all Chapters in the Unified Development Ordinance, except where the context clearly indicates otherwise. Words used in the present tense shall include the future; words used in the singular number shall include the plural and the plural the singular; words used in the masculine gender shall include the feminine.

20.11.020 Defined Words

The following terms shall have the following meanings:

Definitions: A

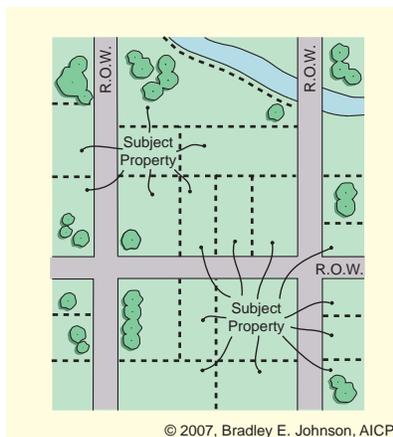
AASHTO: American Association of State Highway and Transportation Officials.

Accessory Dwelling Unit (ADU): See “*Dwelling, Accessory Unit.*”

Accidental Cause: A reference to an event happening by “*Accidental Cause*” means an event happens without any human agency, or if happening wholly or partly through human agency, the event under the circumstances is unusual, unexpected, and unintended by the owner or other person asserting rights in the partly or completely destroyed or removed structure with respect to rebuilding or replacing said structure.

ADA: The Americans with Disabilities Act.

Adjacent Property: Any property that physically touches a given property. For the purposes of this Unified Development Ordinance, properties across a public right-of-way are also considered adjacent.



Affordable Housing: Residential developments with a recorded restriction that requires the housing for a certain minimum number of years to be rented or owned by qualified very low and low-income households.

Agriculture: See “*Crops and Livestock Pasturage.*”

Amusements, Indoor: Commercial entertainment, recreation or games of skill, taking place inside an enclosed building open to the general public for a fee.

Amusements, Outdoor: Commercial entertainment, recreation or games of skill, open to the general public for a fee, where any portion of the activity takes place outside of a building. Such activities include, but are not limited to, miniature golf, bungee jumping, and amusement parks. “*Amusements, Outdoor*” does not include any activities offered by the public sector in a park or playground.

Antique Sales: A place offering antiques for sale. An antique, for purposes of this title, shall be a work of art, piece of furniture, decorative object, or the like, of or belonging to the past, at least thirty (30) years old or with collectible value.

Apartment: See “*Dwelling, Multifamily.*”

Apparel and Shoe Sales: A store selling or accepting for sale clothing and shoes.

Appliance Sales: See “*Home Electronics or Appliance Sales.*”

Applicant: The owner, owners, or legal representative of real estate who make application to the Bloomington Plan Commission and/or Board of Zoning Appeals for action by said Plan Commission or Board of Zoning Appeals affecting the real estate owned thereby.

Arbor: See “*Trellis.*”

Arcade Room: See “*Billiard or Arcade Room.*”

Architectural Features: Ornamentation or decorative features attached to or protruding from an exterior wall.

Art Gallery: An establishment engaged in the purchase, sale, loan, display or appraisal of art books, paintings, sculpture, or other works of original art.

Definitions: A

Art, Public: A visual work of art that is permanently displayed in way that it is visible from a public place, street or way. The work of art may include but need not be limited to sculptures, murals, monuments, frescoes, fountains, stained glass, or ceramics.

Artist Studio: A work space for one (1) or more artists or artisans.

Arts/Crafts/Hobby Store: Any business establishment that supplies materials necessary for artistic endeavors, craft projects, or the like, which may or may not include incidental classes related to the arts and crafts.

Assignable Area: The sum of all areas on all floors of a building used or available for use by a specific use, tenant, or occupant, and excluding areas such as stairwells, corridors, mechanicals, restrooms, and building maintenance/service areas. Assignable area includes, but is not limited to, offices, classrooms, labs, assembly areas, health care, special and general use areas, and any other areas that are used to accomplish the purpose of the uses in the building. Assignable area is computed by physically measuring or scaling measurements from the inside faces of surfaces that form the boundaries of the designated areas.

Assisted Living Facility: A facility combining housing, supportive services, personalized assistance, and health care, designed to respond to the individual needs of those who need help with activities of daily living, such as dressing, grooming and bathing, diet, financial management, evacuation of a residence in the event of an emergency, or medication prescribed for self-administration, but do not require hospitalization. An “*Assisted Living Facility*” does not contain equipment for surgical care or for treatment of disease or injury. The term “*Assisted Living Facility*” does not include “*Nursing/Convalescent Home.*”

Auto Body Shop: A facility that repairs, paints, straightens or undercoats the body or frame of automobiles. Maintenance, service, and engine repair may be performed as an ancillary function of the body work.

Auto Parts Sales: Stores that sell new automobile parts, tires, and accessories. May also include minor parts installation.

Awning: A roof-like cover that projects from the wall of a building.

Definitions: B

Balcony: An architectural appurtenance located above the first floor that is either entirely unenclosed or covered only by a roof or railing.

Bank or Credit Union: A federal or State-regulated facility that provides financial and banking services to customers or clients. These services may include deposit banking and closely related functions such as making loans, investments, and fiduciary activities. The term “*Bank or Credit Union*” does not include “*Check Cashing*”, except where separately permitted.

Banner: Means a sign with characters, letters, illustrations, or ornamentations applied to cloth, paper, flexible plastic, or fabric of any kind with only such material for backing.

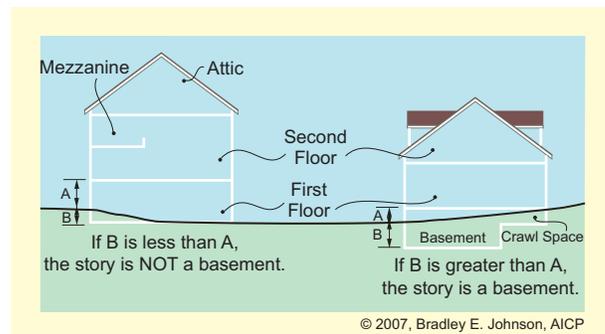
Banquet Hall: A facility available for lease by private parties to accommodate private functions including, but not limited to, banquets, meetings, weddings, anniversaries and other similar celebrations. A “*Banquet Hall*” may also include on-site kitchen/catering facilities.

Bar/Dance Club: A facility open to the public and characterized by live or televised entertainment, dancing or the serving of alcoholic beverages. Food or packaged alcoholic beverages may be sold but are generally accessory to the primary use.

Barber/Beauty Shop: A facility where barbering or cosmetology services is offered or practiced on a regular basis for compensation. This may include hair care, nail care, or skin care.

Base Flood Elevation: That elevation, expressed in feet above mean sea level, to which flooding can be expected to occur on a frequency of once in every one hundred (100) years, or which is subject to a one percent (1%) or greater chance of flooding in any given year.

Basement: That portion of a building that is partly or wholly below grade, as measured four (4) feet from the exterior of the foundation wall, regardless of whether the interior space is finished or unfinished. A basement shall be counted as a story for determining building setbacks if the front exterior wall of the basement facing a street is not completely below grade and each side of the foundation wall facing the side yard is less than fifty percent (50%) covered by grade.



Bay Window: A large window or series of windows projecting from the outer wall of a building and forming a recess within.

Beauty Shop: See “*Barber/Beauty Shop.*”

Bed and Breakfast: In any residential zoning district, an operator-occupied single-family detached dwelling where transient lodging and meals are provided for compensation, but not a “*Hotel/Motel*” or “*Rooming House.*” In other zoning districts, a “*Bed and Breakfast*” need not be occupied by the operator.

Berm: A man-made, formed, earth mound of definite height and width used for landscaping and screening purposes, the intent of which is to provide a transition between uses of differing intensity or to screen uses from sight.

Beverage Bottling: A center that specializes in the act or process of putting beverage contents into bottles and prepares these products for retail sales.

Bicycle Parking Facility, Class I: Long-term parking facilities that provide a high level of security for long durations (day, overnight, or longer). Class I facilities can include individual lockers, racks in an enclosed, lockable room, or racks or lockers in an indoor area always visible to employees.

Definitions: B

Bicycle Parking Facility, Class II: Short-term parking facilities that provide medium level security for relatively short durations (usually two (2) hours or less). These facilities often include stands or racks and allow a user to secure a bicycle frame and one or both wheels to the facility with a lock.

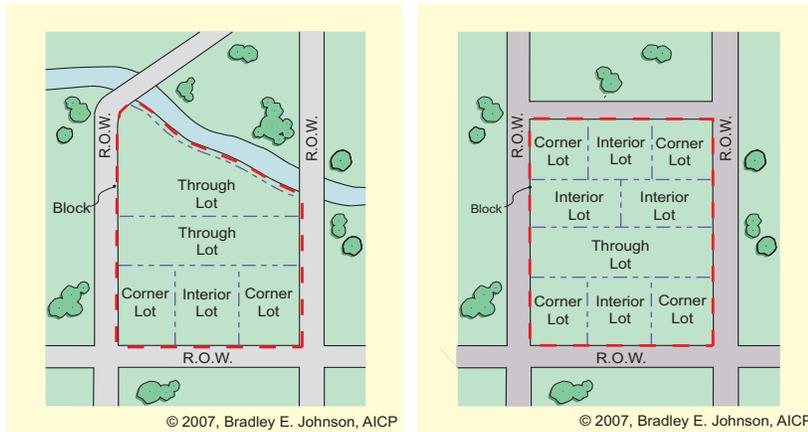
Bicycle Sales/Repair: An establishment that sells and provides repair services for bicycles, bicycle components, and related accessories.

Bike Lane: A portion of the street that has been designated and designed for the exclusive use of bicycles with distinct signage and pavement markings.

Billiard/Arcade Room: A facility where pool or billiard tables, pinball machines, video games or similar entertainment devices are played for amusement only. This definition shall not be construed so as to include gambling devices or any other devices prohibited by law.

Biohedge: See “*Shrub.*”

Block: Property abutting on one (1) side of a street and lying between the two (2) nearest intersecting or intercepting streets, intersecting railroad, intersecting waterway, or the end of a dead end street.



Block Face: That portion of a block adjacent and parallel to the abutting public street and normally extending from one (1) intersecting street to another.

BMC: Bloomington Municipal Code

Board: See “*Board of Zoning Appeals.*”

Board of Zoning Appeals (BZA): The City of Bloomington Advisory Board of Zoning Appeals or any division or designee thereof.

Boarding House: See “*Rooming House.*”

Boat Sales: A facility where marine vehicles are sold, rented, or serviced.

Book Store: A retail establishment that, as its primary business, engages in the sale of books, magazines, newspapers, or any other printed information or media.

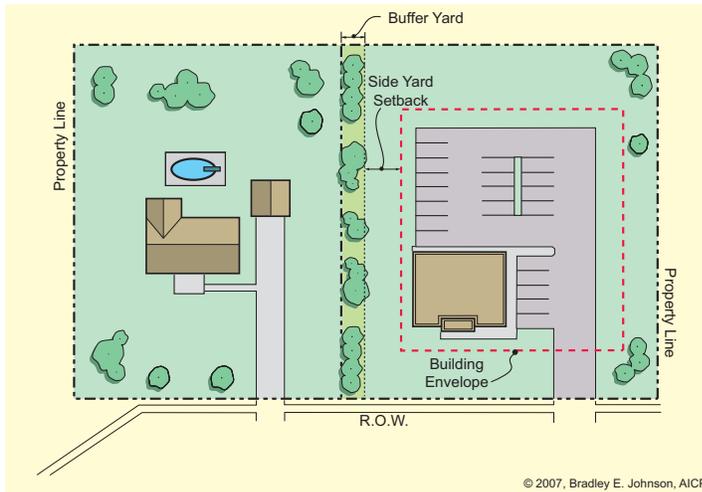
Bottled Gas Storage/Distribution: A facility that engages in the holding and transportation of bottled gas products.

Bowling Alley: An indoor facility for the sport of ten-pin or duck-pin bowling, with customary accessory uses such as snack bars.

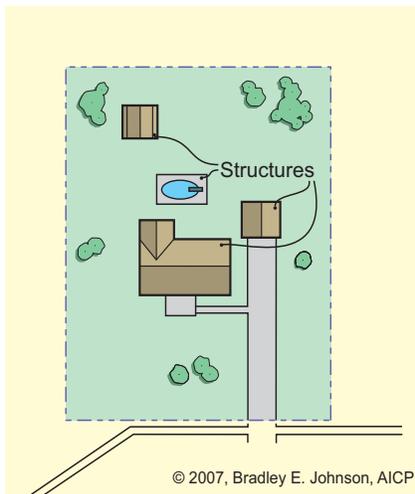
Brewpub: A commercial use which brews ales, beers, meads, and/or similar beverages on site and serves those beverages on site. Off-site sales are also permitted.

Definitions: B

Buffer Yard: An area adjacent to side and rear property lines, measured perpendicularly from adjacent property lines, intended to reduce the impacts of proposed uses on adjacent property or natural features and to screen incompatible uses from each other. Buffer yards also help to maintain existing vegetation, to block or reduce noise, glare or other emissions and to maintain privacy. Buffer yards are in addition to (separate from) rear or side setbacks.



Building: Any structure having a roof supported by columns, walls or air pressure.



Building Base: The street level portion of a building façade. The building base is typically one (1) or two (2) stories tall in height and contains such features as display windows, kick plates, pedestrian entrances and a sign band.

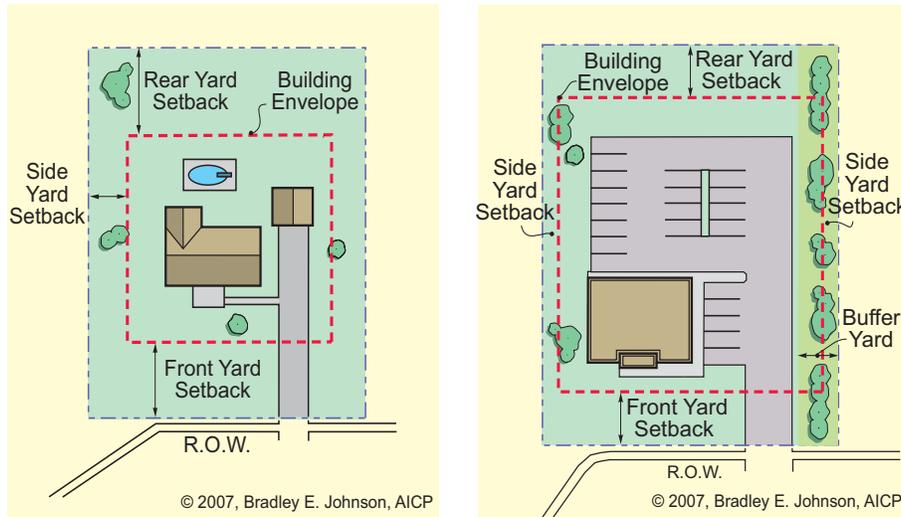
Building Cap: The uppermost portion of a building façade. The building cap is typically located above the uppermost windows and contains a cornice that is integrated with the roof form and downspouts/gutters for storm water diversion.

Building Code: The Indiana Building Code, which establishes and controls the standards for constructing all forms of permanent structures and related matters.

Building Coverage: The lot area covered by the primary building and any roofed-over accessory buildings or structures, measured from the exterior faces of exterior walls, but excluding decks, terraces and other accessory structures which are open to the sky.

Definitions: B

Building Envelope: The setback lines that establish an area on a lot in which building can occur.

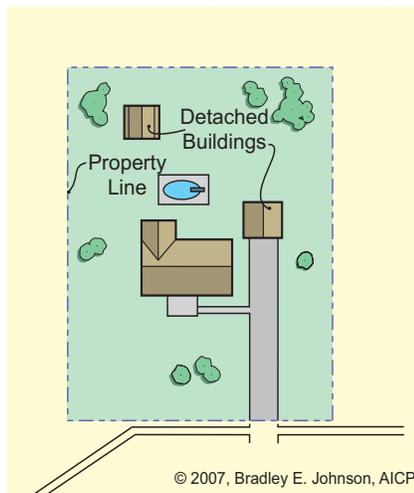


Building Middle: The area of the façade of a building between the base and the cap. This area includes evenly spaced and similarly sized windows, as well as balconies and other architectural features.

Building or Structure, Accessory: A subsidiary or auxiliary building or structure located on the same zoning lot with the primary building or structure and which is customarily incidental to the primary building or structure or to the primary use of the land.

Building or Structure, Attached: A building or structure that is structurally connected to another structure by a foundation, wall, bridge, or roof line, or appears to be connected. Carports, garages, porch awnings, and the like are considered attached structures and must abide by all regulations pertaining to primary structures.

Building or Structure, Detached: A building or structure that has no structural connection with the primary building or structure or any other building or structure.



Building or Structure, Enclosed: A building or structure that is fully enclosed on all sides by solid walls and a roof which are integral parts of the building and are distinguished from the side or top surfaces of the contents of the building or structure.

Building or Structure, Lawful Nonconforming: Any building or structure that does not comply with one or more provisions of this Unified Development Ordinance, but which lawfully existed upon the effective date of the provisions of this Unified Development Ordinance with which the building or structure does not comply.

Building or Structure, Primary: A building or structure in which is conducted the primary use of the lot on which it is located.

Definitions: B

Building or Structure, Temporary: Any building or structure which is easily moved, without any foundation or footing, or intended to be used for a limited period of time. Temporary buildings or structures include, but are not limited to, tents, trailers, and other temporary structures that are not, and are not legally required to be, erected under the State, City, and County permit processes for permanent buildings.

Building Permit: An official document or certification that is issued by the Monroe County Building Department, after issuance of a Certificate of Zoning Compliance, and which authorizes the construction, alteration, enlargement, conversion, reconstruction, remodeling, rehabilitation, erection, demolition, moving, or repair of a building or structure.

Building Supply Store: A business establishment that provides materials for sale that are commonly used for building construction purposes.

Building Trade Shop: A facility that includes the offices and indoor storage areas of people involved in the building trades, including but not limited to electricians, general contractors, heating and cooling contractors, landscapers, painters, roofers and plumbers.

Build-to Line: An alignment establishing a certain distance from the front property line where a building must be constructed.

Business School: See “*School, Trade or Business.*”

Business, Standardized: Any type of commercial establishment, not including business/professional offices located above the ground floor and any commercial businesses located in such a manner as to be devoid of any building frontage which is visible to a street, located in the Courthouse Square Overlay and University Village Overlays, which are required by contractual or other arrangement or affiliation to offer or maintain standardized services, merchandise, menus, employee uniforms, trademarks, logos, signs, or exterior design.

Business/Professional Office: A facility in which business, professional, administrative and/or clerical activities are conducted, including but not limited to insurance agencies, architects, lawyers, engineers, real estate offices, advertising agencies, travel agencies, abstract and title agencies or insurance companies, and stockbrokers. A “*Business/Professional Office*” can provide office functions which serve other off-site land uses. The term “*Business/Professional Office*” does not include medical offices or “*Medical Clinics,*” except where separately permitted.

BZA: See “*Board of Zoning Appeals.*”

Definitions: C

Caliper: A trunk diameter measurement of nursery stock, as measured at six (6) inches above the ground for trees up to and including four-inch caliper size, and measured at twelve (12) inches above the ground for larger sizes.

Canopy: A roof-like structure projecting from a wall and supported in whole or in part by vertical supports from the ground, and serving to provide shelter from the weather or trees.

Car Wash: A facility for washing, cleaning, drying and waxing of passenger vehicles, recreational vehicles, or other light duty equipment. A car wash may be self service or full service.

Carnival: A temporary outdoor land use involving a group or aggregation of rides, entertainment, games, or concessions or any combination thereof. An admission fee may or may not be charged.

Carport: A roofed accessory structure not more than fifty percent (50%) enclosed by walls for the purpose of providing shelter for one (1) or more motor vehicles.

Cellular Phone/Pager Services: A business establishment that specializes in the sale or service of mobile phones and pagers or related devices.

Cement Production: See “*Gravel/Sand/Cement Production.*”

Cementitious Siding: An exterior building finish that has the shape and appearance of horizontal lap wood siding and is made of a combination of cement, sand, cellulose (wood) fiber, and sometimes clay.

Cemetery or Mausoleum: Property used for interment of deceased persons. Cemeteries may include associated mausoleums, columbaria and chapels. The term “*Cemetery or Mausoleum*” does not include “*Mortuary*” or “*Crematory*,” except where separately permitted, and does not include a pet cemetery.

Center Line: The midpoint in the width of a public right-of-way. This shall be determined by recorded subdivision plats, or by the historic centerline for all unplatted rights-of-way. In the event that acquisition of additional right-of-way has taken place on one side of a right-of-way, the original centerline prior to such acquisition shall be considered the centerline for the purposes of this Unified Development Ordinance.

Central Sewer System: A community sanitary sewer system including collection and treatment facilities owned and maintained by the City of Bloomington.

Central Water System: A community water supply system including existing and/or surface water sources and intakes, treatment facilities, and distribution lines and includes such of the above facilities established by the developer to serve a new subdivision or commercial/industrial development.

Certificate of Appropriateness: A permit issued by the Historic Preservation Commission granting an applicant approval for the alteration, change, demolition, relocation, excavation, or new construction of a structure within a local historic or conservation district.

Certificate of Occupancy: A certificate issued by the Monroe County Building Department stating that the occupancy and use of a building or structure complies with the provisions of all applicable Monroe County and City of Bloomington codes and ordinances.

Certificate of Zoning Compliance (CZC): Refers to improvement location permits as authorized by the IC 36-7-4-800 Series. A certificate issued under the Unified Development Ordinance prior to permitting a person, firm, or corporation to erect, construct, enlarge, alter, repair, move, occupy, use, improve, remove, convert, or demolish any lot, building, structure or sign within its jurisdiction, or permitting a person to change the condition of the land or the use.

Changeable Copy: Means a sign which displays words, lines, logos, or symbols which can be easily changed to provide different information without altering the face or surface of such sign.

Channelized Runoff: Water runoff that would have naturally flowed over and through the soil, deflected to and moved through an artificial open channel or waterway that eventually makes its way to surface water resources.

Check Cashing: A business that for compensation engages in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. Check cashing also includes a facility that provides loans to individuals in exchange for personal checks as collateral. The term “*Check Cashing*” does not include a State or federally regulated “*Bank or Credit Union.*”

Definitions: C

Chicken Flock, Accessory: A use accessory to a permitted residential use that meets the definition of “*Chicken Flock*” in *Section 7.01.010* of the Bloomington Municipal Code, as it may hereafter be amended, which is expressly incorporated herein by reference, and that is permitted under this Unified Development Ordinance only where permitted by and in compliance with all requirements of *Title 7* of the Bloomington Municipal Code, as it may hereafter be amended.

Church: See “*Place of Worship.*”

Circus: A temporary outdoor land use involving an aggregation of rides, entertainment, games, concessions or animal acts, or any combination thereof. An admission fee may or may not be charged.

City: The City of Bloomington, Indiana.

City of Bloomington Survey of Historic Sites and Structures: shall refer to those sites and structures listed in the following: the document entitled City of Bloomington Historic Sites and Structures Table, with said Table being incorporated into this Title by reference and made a part thereof, two (2) copies of which are on file in the Office of the Clerk for the legislative body for public inspection; and any "Contributing" structure listed on the Indiana State Historic Architectural and Archaeological Research Database if said structure is the subject of a request constituting a substantial demolition of the structure as defined in Section 20.11.020, Defined Words.

Coin Laundry: A facility where patrons wash, dry, or iron clothing or other fabrics in machines operated by the patron.

College: See “*School, College/University.*”

Collocation: A space on an existing or proposed communication tower that can be used for the installation and/or mounting of antennas or radio or cellular communication equipment that operates on a different frequency from the initial user.

Commission: See “*Plan Commission.*”

Commitment: A written document, in recordable form approved by the City Legal Department, which may include maps, site plans or other exhibits, and which contains the information necessary to effect the provisions of this ordinance or the approval to which the commitment is connected. Commitments are established by the IC 36-7-4-1500 Series for establishment of Planned Unit Developments; IC 36-7-4-1405 and IC 36-7-4-613 for Site Plans; IC 36-7-4-921 for variances; and IC 36-7-4-608 for amendments to the zoning maps. Commitments shall be recorded in the office of the Monroe County Recorder.

Common Area: Any portion of a development that is neither part of a lot or tract nor dedicated to the public and is designed and intended for the common usage, benefit or enjoyment of the residents of the development. These areas include open spaces and may include such other uses as parking lots and complementary buildings or structures. Maintenance of such areas is not the responsibility of the City and shall be set forth by the development association in the form of restrictive covenants, which shall guarantee the maintenance of these areas.

Common Area Development: A type of development where the lot area includes only the footprint of a building or the footprint and a limited area outside the footprint. The remainder of the area included in the parent parcel is owned in common by a homeowner’s association.

Common Council: The Common Council of the City of Bloomington, Indiana.

Communication Facility: Antennas and antenna tower structures including, but not limited to, any towers, equipment enclosures, or other structures intended for use in connection with the wireless transmission or receipt of radio, television, or any other electromagnetic spectrum based transmissions or receptions. The following shall not be considered as communications facilities for the purpose of this definition: satellite reception dishes less than three (3) feet in diameter; wireless communication facilities that are completely located within a primary structure and that operate with the sole purpose of providing communications within said structure; and hand-held wireless communications devices.

Communication Tower: Any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antennas. The term includes: radio and television transmission towers, microwave towers, cellular telephone and wireless communication towers, alternative tower structures and the like.

Community Center: A building, together with accessory structures and uses, used for recreational, social, educational, or cultural activities by and for the benefit of community groups and individuals, which is accessible to the general public, and which is not operated for profit.

Community Garden: An area of land managed and maintained by a group of individuals to grow and harvest food crops and/or non-food, ornamental crops, such as flowers, for personal or group use, consumption or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members.

Comprehensive Plan: See “*Growth Policies Plan.*”

Computer Sales: A business establishment specializing in the sale of electronic devices for the storage and processing of information, which may also include the sale of related supplies.

Condition of Approval: Stipulations or provisions set forth by the Board of Zoning Appeals, Plan Commission, or Common Council required as a prerequisite for approval of a petition.

Conditional Use: A use specifically designated as such in this Unified Development Ordinance which, because of its unique characteristics, cannot be properly classified as a permitted use in a particular zoning district and which may be conducted only pursuant to a Conditional Use approval granted by the Board of Zoning Appeals.

Condominium: The same as the word is defined by Indiana Code Article 32-25, entitled “Condominiums”.

Connectivity: The directness of links and the density of connections in the street network. An area with high connectivity has many links, numerous intersections, and minimal dead-ends or cul-de-sacs.

Connector Path: A hard surface linkage or shortcut between two (2) destinations that is not accessible by automobiles.

Conservation Areas: The cumulative of all areas required to be maintained for environmental preservation.

Contractor’s Office: A temporary structure used as an office for contractors and builders during construction.

Convalescent Home: See “Nursing or Convalescent Home.”

Convenience Store: A retail store that sells a limited line of groceries, food or drink for immediate consumption, as well as household items intended for daily convenience. A convenience store may also sell gasoline or alternative fuel products in certain zoning districts. The term “*Convenience Store*” does not include “*Vehicle Repair*” shops or “*Auto Body Shop*”.

Copy Center: A retail establishment that provides duplicating services using photocopying, blueprint, and offset printing equipment and may include the collating and binding of booklets and reports.

Country Club: A chartered, nonprofit membership club catering primarily to its membership and invited guests, providing one (1) or more of the following recreational and social activities: golf, swimming, riding, outdoor recreation, clubhouse and locker rooms. A country club may also include incidental retail sales such as a pro shop and may include dining and catering facilities.

County: Monroe County, Indiana.

Courthouse Square: A geographic area encompassing all buildings facing the Monroe County Courthouse. This shall also include buildings located at the southwest corner of College and Kirkwood, the southeast corner of Walnut and Kirkwood, the northeast corner of Walnut and 6th Street, and the northwest corner of College and 6th Street.

Covenant: Private and legal restrictions of various kinds on the use and development of a lot. In the case of public health, safety and welfare, covenants may be required by the Plan Commission, that are recorded with the plat and deed. Unless specifically agreed to, covenants are not enforceable by the Plan Commission or its designees, but instead are enforceable in civil court by interested or affected parties.

Credit Union: See “*Bank/Credit Union.*”

Crematory: A facility containing apparatus intended for use in the act of cremation of deceased persons.

Definitions: C

Crops and Pasturage: Agricultural uses including raising, harvesting, and selling crops, or feeding (including grazing), breeding, managing, selling, or producing livestock, as defined by this Unified development Ordinance, or livestock products, for the production of income. This shall also include any other horticultural, floricultural or viticultural use, and animal husbandry. Crops include field crops, flowers and seeds, fruits, grains, melons, ornamental crops and vegetables. Livestock products include milk, butter, cheese, eggs, meat, fur, and honey. The term “Crops and Pasturage” does not include feed lots, forest management and timber harvesting activities, noncommercial residential gardens, or the commercial feeding of garbage or offal to swine or other animals.

Cul-de-sac: A street having one (1) end open to traffic and being permanently terminated by a vehicular turnaround at the other end. A stub street is not a cul-de-sac.

Definitions: D

Dance Club: See “*Bar/Dance Club.*”

Day Care Center, Adult: A facility providing care for the elderly and/or functionally impaired adults in a protective setting for a period of less than twenty-four (24) hours per day.

Day Care Center, Child: Any building or place, other than a “child day care home,” where children receive care from a provider while unattended by a parent, legal guardian or custodian, for a period of less than twenty-four (24) hours per day. The term “*Day Care Center*” includes but is not limited to the following: nursery schools, child care centers, kindergartens and play groups; but does not include kindergartens accredited or recognized by the Indiana State Board of Education which shall be included within the definition of “*School, Primary/Secondary*” herein. The term “*Day Care Center*” shall include facilities defined as “*child care centers*” under IC 12-7-2-28.4 and facilities defined as “*child care homes*” under IC 12-7-2-28.6, IC 12-7-2-33.7, and IC 12-7-2-33.8 in which child care homes are not the primary residence of the provider. Where required by State law, day care centers shall be and remain licensed by the State, pursuant to IC 12-17.2, et seq., and shall operate in accordance with their license and all applicable State laws. A “*Day Care Center*” exempt from State licensing requirements shall provide proof of exemption.

Day Care Home, Adult: A residential dwelling unit used as the primary residence of the day care provider where adults receive care from the provider while unattended by a guardian or custodian for a period of less than twenty four (24) hours per day.

Day Care Home, Child: A residential dwelling unit used as the primary residence of the day care provider where children receive care from the provider while unattended by a parent, legal guardian or custodian for a period of less than twenty four (24) hours per day. A facility shall not be classified as a day care home unless it provides care for no more than sixteen (16) full or part-time children at any one (1) time. The maximum of sixteen (16) children does not include children of at least seven (7) years of age for whom the provider is a parent, stepparent, guardian, custodian or other relative. The term “*Child Day Care Home*” includes those facilities where fewer than six (6) full and part-time children (excluding any children for whom the provider is a parent, stepparent, guardian, custodian or other relative) receive care from the provider while unattended by a parent, legal guardian or custodian. Where required by State law, child day care homes shall be and remain licensed by the State and shall be operated in accordance with their license and all applicable State laws. A “*Child Day Care Home*” exempt from State licensing requirements shall provide proof of exemption.

Deck: An accessory structure which is typically constructed of wood, elevated from ground level and open to the sky. Decks may be freestanding or attached to a primary structure or building.

Dedication: The setting apart of land or interests in land for use by the municipality or public by ordinance, resolution, or entry in the official minutes as by the recording of a plat.

Demolition: The complete removal or destruction of any structure excluding its foundation.

Density: A unit of measurement describing the number of dwelling units per measured acre. The Unified Development Ordinance may regulate density by establishing the permitted number of units per acre or the amount of land, measured in square feet or acres, required per individual unit on the resulting lots.

Department Store: A facility which is conducted under a single owner’s name wherein a variety of unrelated merchandise and services are housed, enclosed and are exhibited and sold directly to the customer.

Detention Facility: An area that is designed to capture specific quantities of storm water and to gradually release the storm water at a sufficiently slow rate to avert flooding.

Development Plan: See “*Site Plan.*”

Development Plan, PUD: The name for PUD Final Plans under the Bloomington Zoning Ordinance effective 1973-1995. See “*Final Plan, PUD.*”

Development Standards: Height, bulk, density, environmental performance standards, and other standards for development as set forth in this Unified Development Ordinance, including landscaping, parking, and other required improvements, excluding those provisions which specifically regulate the use of property.

Definitions: D

Diameter at Breast Height (DBH): The diameter of an existing tree trunk or the cumulative diameter of multiple trunks measured four and one-half (4.5) feet or fifty-four (54) inches above natural grade.

Director: See “*Planning and Transportation Director.*”

Display Window: A window of a store facing onto the street that is used to display merchandise or signage. Display windows typically include a kick plate and are not typically double-hung windows.

Distribution Facility: A facility where goods are received and/or stored for delivery to the ultimate consumer at another location.

District, Commercial: Refers to the CL, CG, CA, and CD zoning districts and commercial portions of Planned Unit Developments.

District, Multifamily: Refers to the RM and RH zoning districts and multifamily portions of Planned Unit Developments.

District, Nonresidential: Refers to all zoning districts, including Planned Unit Developments, other than those defined as a “Residential District.”

District, Residential: Refers to the RE, RS, RC, RM, RH, and MH zoning districts and residential portions of Planned Unit Developments.

District, Single-family: Refers to the RE, RS, and RC zoning districts and single-family portions of Planned Unit Developments.

DNR: The Indiana Department of Natural Resources.

Drip-line: An imaginary line on the soil around a tree that mirrors the circumference of the furthest extension of the branches above.

Drive: A vehicular access to a development site, including private streets or roads and excluding an aisle serving as direct access to a row of parking spaces.

Drive Apron: The driving surface area, typically located within the public right-of-way, between the edge of a paved street and the driveway accessing a private property.

Drive-through: A facility designed to dispense products or services to patrons who remain in their vehicles. A drive-through may be in conjunction with another permitted use or may, where permitted, be the only use of a property.

Drive-through Bay: The portion of a drive-through use or structure, including any awnings, structures, or service windows, where individual vehicles are parked to receive service.

Driveway: A surfaced area intended solely for the purpose of accessing a garage or parking area, other than an aisle serving as direct access to a row of parking spaces.

Driving Range: See “*Golf Driving Range, Outdoor.*”

Drugstore: An establishment engaged in the preparation and sale of prescription drugs and the sale of nonprescription drugs, medicines, medical supplies and various food and dry goods.

Dry-cleaning Service: An establishment which launders or dry cleans articles dropped off on the premises directly by the customer, or where articles are dropped off, sorted, and picked up but where laundering or cleaning is done elsewhere.

Dwelling, Accessory Unit: A residential dwelling unit, but not a mobile home, located on the same lot as a single-family dwelling unit, either within the same building as the single-family dwelling unit or in a detached building. Accessory dwelling units shall only be established in accordance with the standards set forth in the Unified Development Ordinance and only in those zoning districts where the use is listed as a special review use.

Dwelling, Manufactured Home: A dwelling unit, designed and built in a factory, which bears a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 USC 5401 et seq.) and which was constructed after January 1, 1981, and which exceeds nine hundred fifty (950) square feet of occupied space.

Definitions: D

Dwelling, Mobile Home: Any factory-fabricated portable structure, residential or nonresidential, designed to be towed or transported on its own chassis for placement on a temporary or permanent foundation, or on its own structure or elements thereof, without the aid of house moving equipment or other specialized but separate supporting apparatus, and which is not a “*Dwelling, Manufactured Home*” as defined by this Unified Development Ordinance. The term “*Dwelling, Mobile Home*” includes double-wide mobile homes of two (2) such units designed to be used in combination at a building site. This definition is not intended to apply to other modular housing or prefabricated housing panels, trusses, or other sub-elements, nor any other dwelling unit which is defined as a “*Dwelling, Manufactured Home*.”

Dwelling, Multifamily: Any building, group of buildings or portion thereof containing two (2) or more individual dwelling units where each unit is provided with an individual entrance to the outdoors or to a common hallway and in which the number of families in residence does not exceed the number of dwelling units provided. Multifamily dwelling units shall not include “*Dwelling, Single-family Attached*” as separately defined in this chapter.

Dwelling, Single-family Attached: A dwelling type consisting of two (2) dwelling units attached side by side under one (1) roof, that are located on separate lots, and that share a common wall, with each unit designed for and occupied by a single family, as defined in this chapter.

Dwelling, Single-family Detached: A single building per lot containing a single residential dwelling unit, including a “*Dwelling, Manufactured Home*,” designed for and occupied by one (1) family which is completely separate from any other building. The term “*Single-family Detached Dwelling*” does not include a “*Dwelling, Mobile Home*.”

Dwelling Site: A site within a manufactured home park and/or mobile home park with required improvements and utilities that is leased for the long-term placement of a manufactured home and/or mobile home.

Dwelling Unit: One (1) or more rooms containing cooking, living, sanitary, and sleeping facilities, occupied by not more than one (1) family (see definition of “*Family*”). The dwelling unit shall be characterized by but not limited to:

- (1) A single house number with a single mailbox for the receipt of materials sent through the United States mail;
- (2) A single kitchen adequate for the preparation of meals;
- (3) A tenancy based upon a legal relationship of a unitary nature, i.e., a single lease, mortgage, or contractual sales agreement for the entire premises.

A dwelling unit occupied by more than one (1) “*Family*” (see definition) shall be constructed and regulated as a “*Rooming House*” (see definition).

Dwelling Unit Equivalent (DUE): In the RM, RH, CL, CG, CA, BP, and MD Districts only, establishes a density value for dwelling units based upon the size of the unit and/or the number of bedrooms in the unit. This value shall be applied to the units per acre measurement in order to calculate density and determine compliance with density maximums. Where allowed, the following proportions shall be used in calculating the dwelling units per acre:

- 5-bedroom unit = 2 units
- 4-bedroom unit = 1.5 units
- 3-bedroom unit = 1.0 unit;
- 2-bedroom unit with less than 950 square feet = 0.66 of a unit;
- 1-bedroom unit with less than 700 square feet = 0.50 of a unit;
- Efficiency or studio unit with less than 550 square feet = 0.33 of a unit.

Dwelling, Upper Floor Units: One (1) or more residential dwelling units located on the floors above a nonresidential use on the street or ground level. For the purpose of this definition, nonresidential use shall not include uses accessory to the residential use, including, but not limited to, storage, management offices, leasing offices, common area, or parking.

Definitions: E

Easement: A non-possessory interest in land granted by a property owner to the City, the general public, a corporation, or other persons for specific purposes including but not limited to the construction of utilities, drainage ways, and streets, or for the protection of natural features.

Easement, Conservancy: An easement that restricts any land-disturbing activities within a defined area. The purpose of a conservancy easement includes retaining or protecting natural, scenic, or open space values of real property; assuring its availability for forest, recreational or open space use, and protecting natural resources.

Easement, Drainage: An easement that permits the unobstructed flow of upstream storm water runoff. A drainage easement may include detention or retention ponds, swales, wetlands or underground pipes, and which allows the City Utilities Department exclusive access for installation, maintenance, repair or removal of drainage facilities.

Easement, Karst Conservancy: An easement that restricts any land-disturbing activities within a defined area around a surface karst feature and permits the City of Bloomington the right to enter the property to inspect the easement and alter or repair the karst feature.

Easement, Pedestrian: An easement that permits the general public the right to access the easement for purposes of walking, running, bicycling, skating, or utilizing certain classes of non-motorized vehicles, and grants the City the right to construct, alter, repair, maintain, or remove improvements within the easement area.

Easement, Sanitary Sewer: An easement that allows the City Utilities Department exclusive access for installation, maintenance, repair, or removal of sanitary sewer facilities.

Easement, Temporary Turnaround: An easement that permits the general public the right to access the easement for purposes of turning a motor vehicle around at the end of a stub street. This easement right is terminated when the road is extended to the adjoining property.

Easement, Transit Facility: An easement that grants the public transit authority the right to construct, alter, repair, maintain, or remove structures to be used for awaiting, boarding, or exiting public transportation, or grants the general public the right to utilize the transit facility easement for the purposes of awaiting, boarding, or exiting public transportation.

Easement, Tree Preservation: Means an easement that prohibits the removal of any tree over six (6) inches in diameter at breast height within the easement area, and allows the removal of dead and diseased trees that pose a safety risk or impede drainage, only after first obtaining written approval from the Planning and Transportation Department.

Easement, Utility: An easement that allows both private and public utility providers access associated with the installation, maintenance, repair, or removal of utility facilities.

Easement, Waterline: An easement that allows the City Utilities Department exclusive access for installation, maintenance, repair, or removal of potable water facilities.

Edge Vegetation: Those plants that naturally grow in a transition area between two (2) distinct, but adjoining, plant communities such as those that grow between a forest and an open space, along the edge of the forest.

EIFS: Exterior Insulation Finish System.

Electromagnetic Field (EMF): A field with two (2) components, one (1) electrical and the other magnetic, rising from the conduction of electricity through a medium of transmission.

Electronic Reader Board: Means a sign with a fixed or changing display/message composed of a series of lights that may be changed through electronic means.

Enlargement: Expansion of any use or structure into or onto any portion of a structure or lot not previously occupied by said use or structure, or increase in any physical dimension of a structure. Also, expansion of a use into any structure floor area not previously occupied by said use. Enlargement includes expansion of a principal use into floor area previously used as an accessory use, such as expansion of residential living area into a basement, attic or garage not previously used as living area.

EPA: United States Environmental Protection Agency.

Definitions: E

Equipment Rental, Outdoor: An establishment engaged in the temporary leasing of tools, materials, or construction equipment. “*Equipment Rental, Outdoor*” permits outdoor display of items for rent and incidental maintenance and servicing of items, but does not include “*Heavy Equipment Rental*.”

Equipment, Party or Event Rental (Indoor): An establishment engaged in the temporary leasing of tools, materials, lawn and garden equipment, party supplies and similar goods and equipment. “*Equipment, Party or Event Rental (Indoor)*” permits incidental maintenance and servicing of items, but outdoor storage or display of items for rent is prohibited.

Erosion: The general process by which soils are removed by flowing surface or subsurface water, or by wind, ice or gravity.

Event Rental: See “*Equipment, Party, or Event Rental*.”

Expansion: See “*Enlargement*.”

Exterior Finish Material, Primary: An exterior finish material that covers more than twenty percent (20%) of a building façade. Windows, doors, building trim, cornices, and similar architectural features shall not count toward calculation of the square footage of the building façade.

Exterior Finish Material, Secondary: An exterior finishing material that covers twenty percent (20%) or less of a building façade. Windows, doors, building trim, cornices, and similar architectural features shall not count toward calculation of the square footage of the building façade.

Eyebrow: A semicircular extension of a curb on one (1) side of a street designed to provide more street frontage for a small number of lots.

Definitions: F

FAA: The United States Federal Aviation Administration.

Façade: That portion of any exterior elevation on a building extending from grade to the top of the roof or parapet covering the entire width of the structure. The façade shall include the entire walls, including wall faces, parapets, fascia, windows, doors, canopies, and roof structures. Also, in the case of attached buildings, a portion of the exterior of a building that gives the appearance of a unitary module shall constitute a façade regardless of whether that portion coincides with the sides of individual buildings. (For example, a single building may have more than one façade, and a façade may cross building lines, provided there is unitary ownership or control of both buildings.)

Façade Open Area: Areas within a building façade that provide voids or relief, such as windows or balconies.

Façade, Primary: Those portions of a façade which are adjacent to or front on a private or public street, park or plaza.

Family: Means a family consisting of an individual or a group of people all of whom are related to each other by blood, marriage, or legal adoption, and any other dependent children of the household. In the RE, RS, and RC zoning districts, and in single-family residential portions of Planned Unit Developments, “*Family*” also includes a group of no more than three (3) adults, and their dependent children, living together as a single housekeeping unit in a dwelling unit. In all other districts, “*Family*” also includes a group of no more than five (5) adults and their dependent children, living together as a single housekeeping unit in a dwelling unit.

FCC: United States Federal Communications Commission.

FEMA: United States Federal Emergency Management Agency.

FHA: Fair Housing Act.

Final Plan, PUD: The detailed construction drawings for all or part of a Planned Unit Development.

Findings of Fact: The written findings of an approving body as required by IC 36-7-4-707 for subdivisions of land, IC 36-7-4-915 for actions of the Board of Zoning Appeals, and IC 36-7-4-1406 for Site Plans.

Fire Station: See “*Police, Fire, or Rescue Station.*”

Fitness Center/Gym: A facility where members or nonmembers use equipment or space for the purpose of physical exercise, improved circulation or flexibility, and/or weight control. Facilities and activities can include running, jogging, aerobics, weight lifting, court sports, whirlpools, saunas, massage rooms, and swimming, as well as locker rooms, showers, and lockers.

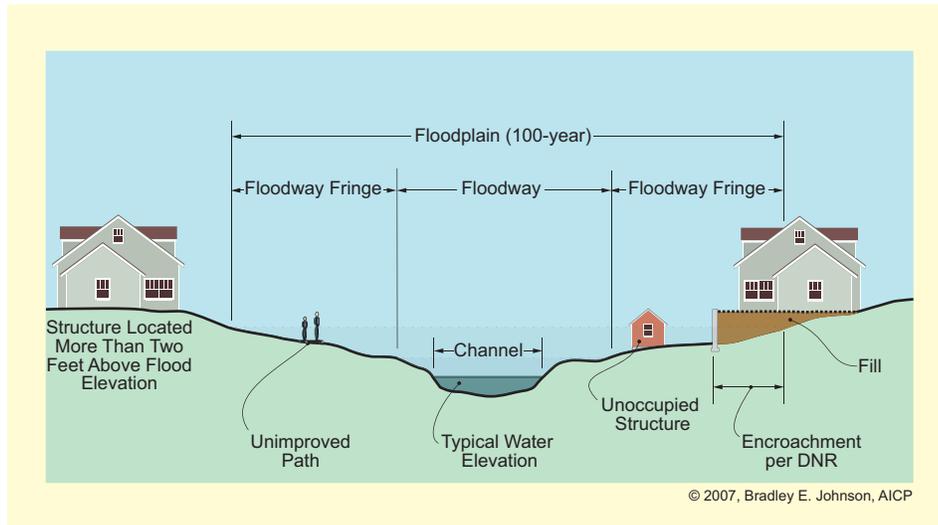
Fitness/Training Studio: A facility where members or nonmembers use equipment or space for the purpose of physical exercise, including, but not limited to, yoga, karate, and dance.

Flood Insurance Rate Map (FIRM): Means the official map of the community, on which the Federal Emergency Management Agency (FEMA) has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

Flood Insurance Study (FIS): Means the official hydraulic and hydrologic report provided by the Federal Emergency Management Agency (FEMA). The report contains flood profiles, as well as the Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, and the water surface elevation of the base flood.

Definitions: F

Floodplain: The channel proper and the areas adjoining wetlands, lakes or watercourses which have been or hereafter may be covered by the regulatory flood. The floodplain includes the floodway and the floodway fringe features. The floodplain is also known as the Special Flood Hazard Area (SFHA).



Floodway: That portion of the floodplain area required to store, convey, and discharge the peak flood flow of the regulatory flood. The floodway shall include the floodway as shown on the Flood Insurance Rate Map (FIRM) prepared under the National Flood Insurance Program by FEMA.

Floodway Fringe: Those portions of the floodplain outside the floodway.

Florist: A retail establishment whose principal activity is the selling of plants which are not grown on the site. Business activity is conducted entirely within an enclosed building and the incidental sales of non-plant material such as cards and gifts are also permitted.

Food Production or Processing: A facility that produces or processes food for human consumption and certain related products. Examples includes commercial bakeries; dairy products processing; fats and oil product processing; fruit and vegetable canning, preserving, and related processing; grain mill products and by-products; meat, poultry, and seafood canning, curing, and by-product processing; and miscellaneous food preparation from raw products, including catering services that are independent from food stores or restaurants.

Footprint: The area of a lot or site included within the surrounding exterior walls of a building or portion of a building, exclusive of courtyards. In the absence of surrounding exterior walls, the building footprint shall be the area under the horizontal projection of the roof.

Forestry: The growing or harvesting of forest tree species trees used for commercial or related purposes.

Foundation: The supporting substructure of a building or other structure, including but not limited to basements, slabs, sills, posts, or frost walls.

Fraternal Organization: See "Lodge."

Fraternity/Sorority House: A building or portion thereof used for sleeping accommodations, with or without accessory common rooms and cooking and eating facilities, for groups of unmarried students who meet the following requirements: all students living in the building are enrolled at the Indiana University Bloomington campus; and Indiana University has sanctioned or recognized the students living in the building as being members of a fraternity or sorority through whatever procedures Indiana University uses to render such a sanction or recognition. Shall also include a building or portion thereof in which individual rooms or apartments are leased to individuals, but occupancy is limited to members of a specific fraternity or sorority, regardless of the ownership of the building or the means by which occupancy is so limited, provided the two requirements noted in the first sentence of this definition are also met.

Definitions: F

Front Building Wall: The building elevation which fronts on a public street, public parking lot, private parking lot available to the general public, or pedestrian walk where customer access to a structure is available.

Frontage, Building: Those building elevations that face upon either a road or parking area between the building and the road.

Frontage, Lot: The horizontal distance between the side lot lines measured at the point where the side lot lines intersect the street right-of-way. All sides of a lot that abut a street shall be considered frontage. On curvilinear streets, the arc between the side lot lines shall be considered the lot frontage.

Funeral Home: See “*Mortuary.*”

Furniture Store: A business establishment that specializes in the sale of furnishings, predominantly, but not limited to, interior or exterior home or office use.

Definitions: G

Garage: A building or structure, or part thereof, used or designed to be used for the parking and storage of vehicles.

Garage, Detached: A detached accessory building in which the sole use is the storage of vehicles and other incidental personal possessions of the premises.

Garage Sale: The sale of miscellaneous used items commonly associated with residential use. Garage sales shall not be for the sale of primarily a single commodity. A garage sale shall be limited to a period of no more than three (3) consecutive days. The term “*Garage Sale*” includes “*sidewalk sale*,” “*yard sale*,” “*basement sale*,” and “*estate sale*.”

Garden Shop: An establishment where retail and wholesale plants and produce are sold to the consumer. This use imports most of the items sold from another location, and may include plants, nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm variety tools and utensils.

Gas Station: A facility limited to retail sales to the public of gasoline, motor oil, lubricants, motor fuels, travel aides, and minor automobile accessories.

Geographic Information System (GIS): A computer system that stores and links non-graphic attributes or geographically referenced data with graphic map features to allow a wide range of information processing and display operations, as well as map production, analysis, and modeling.

Gift Shop/Boutique: A retail store offering a variety of small gift items, as opposed to stores offering primarily specific lines of merchandise such as toys, clothing, or sporting goods.

Glare: The effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

Golf Course: An area of terrain on which the game of golf is played during daylight hours. A “*Golf Course*” includes greens, fairways, and natural areas. A “*Golf Course*” may also include a driving range, snack bar or pro shop, when integrated with the golf course operations and hours. The term “*Golf Course*” does not include miniature golf courses.

Golf Driving Range, Outdoor: A facility equipped with distance markers, clubs, balls, and tees for practicing golf drives and putting, and which may include a snack-bar and pro shop, but excludes miniature golf courses, “*Golf Course*,” and “*Country Club*.”

Government Office: A facility owned, operated, or occupied by any level of government to provide general governmental office services open to the public. The term “*Government Office*” shall not include accessory offices associated with another use defined separately by this Unified Development Ordinance.

Government Operations (Non-Office): A facility owned, operated, or occupied by any level of government to provide a governmental service, other than offices open to the public. The term “*Government Operations (Non-Office)*” shall not include any government operation separately defined by this Unified Development Ordinance.

Grade, Finished: The final grade of a plan that conforms to the approved plan.

Grade, Street: The top of the curb, or the top of the edge of the pavement where no curb exists.

Grade, Unfinished: The stage at which the grade approximately conforms to the approved plan.

Gravel/Cement/Sand Production: A facility for the sorting, grading, storage, manufacture or mixing of aggregate construction materials such as concrete, cement, gravel, crushed stone, sand or similar products, or products made of these materials.

Green Building Worksheet: Means a worksheet or form developed by the Planning and Transportation Department that specifies information to be submitted prior to consideration of any Subdivision or Site Plan application that is utilizing the incentives provided for Green or Sustainable Development Practices as specified in the Unified Development Ordinance.

Greenhouse: See “*Plant Nursery or Greenhouse*.”

Definitions: G

Grocery/Supermarket: A retail establishment where most of the floor area is devoted to the sale of food products, both perishable and dry goods, for home preparation and consumption, as other convenience and household goods.

Gross Floor Area: All of the area contained in a building or buildings without exception, including utilities, stairwells, chimneys and other appurtenant features.

Ground Floor: The level of a building which is situated at or most nearly at street grade.

Group Care Home for Developmentally Disabled: A facility as described by IC 12-28-4-8 that houses not more than eight (8) persons who are developmentally disabled. A “*Group Care Home for Developmentally Disabled*” is not subject to covenants, deeds, or other instruments pertaining to the transfer, sale, lease, or use of property that would permit the residential use of property, but prohibit the use of that property as a group home, as a matter of State public policy reasons. A “*Group Care Home for Developmentally Disabled*” is not subject to the definition of “*Family*.” A “*Group Care Home for Developmentally Disabled*” must abide by IC 12-11-1.1 and must be a licensed facility with the State, meeting fire codes, building codes, and specific group home regulations.

Group Care Home for Mentally Ill: A facility as described by IC 12-28-4-7 that houses not more than fifteen (15) persons who are mentally ill. “*Group Care Homes for Mentally Ill*” are not subject to covenants, deeds, or other instruments pertaining to the transfer, sale, lease, or use of property that would permit the residential use of property, but prohibit the use of that property as a group home, as a matter of State public policy reasons. A “*Group Care Home for Mentally Ill*” is not subject to the definition of “*Family*.” A “*Group Care Home for Mentally Ill*” must abide by IC 12-22-2-3(2) through (6) and must be a licensed facility with the State, meeting fire codes, building codes, and specific group home regulations.

Group Home/Residential Care Home: A dwelling unit shared by unrelated individuals who require assistance and/or supervision and who reside together with supervisory staff in a family-type environment as a single housekeeping unit and which are licensed by the State. A “*Group Home/Residential Care Home*” is not subject to covenants, deeds or other instruments pertaining to the transfer, sale, lease, or use of property that would permit the residential use of property, but prohibit the use of that property as a group home, as a matter of State public policy reasons. A “*Group Home/Residential Care Home*” is not subject to the definition of “*Family*.”

Growth Policies Plan (GPP): The comprehensive plan for the City of Bloomington and its planning jurisdiction including the Master Thoroughfare Plan, Bicycle and Pedestrian Transportation and Greenways System Plan, and any subsequently adopted subarea plans and amendments thereto, prepared by the Plan Commission and legally adopted. The plan includes goals, objectives and strategies for land use, growth management, transportation/thoroughfares, community facilities and services, environment concerns, infrastructure, aesthetics and identity, economic development, and parks and recreation. The plan is developed and adopted by the Plan Commission pursuant to the IC 36-7-4-500 Series and includes any part and/or policies separately adopted and any amendment to such plan and/or policies, or parts thereof.

Gym: See “*Fitness Center/Gym*.”

Definitions: H

Habitable Space: Space in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.

HAND: The City of Bloomington Department of Housing and Neighborhood Development.

Hardware Store: A facility primarily engaged in the retail sale or rental of a diverse range of hardware and related materials generally used in the maintenance, repair, or construction of buildings or other structures, including lawn and garden supplies, tools, plumbing, heating and electrical supplies, paint and glass, housewares and household appliances, nursery products and garden supplies.

Health Club: See “Fitness Center/Gym.”

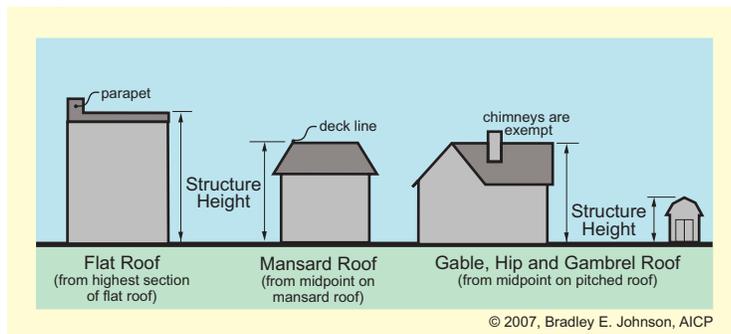
Health Spa: An establishment which employs professional, licensed therapists whose services includes massage and body or facial treatments. Treatments may include body packs and wraps, exfoliation, cellulite and heat treatments, electrolysis, body toning, waxing, aromatherapy, cleansing facials, nonsurgical face lifts, electrical toning, and electrolysis. Hydrotherapy and steam and sauna facilities, nutrition and weight management, spa cuisine, and exercise facilities and instruction may be provided in addition to the massage and therapeutic treatment services.

Hearing Officer: Means a member of the staff, appointed by the Plan Commission, who hears and makes final decisions on certain variances and certain Conditional Uses, as specified in the Plan Commission Rules of Procedure. The Hearing Officer is established pursuant to IC 36-7-4-923.

Heavy Equipment Sales/Rental: The sale or rental of a movable or transportable vehicle or other apparatus commonly used in commercial, industrial, or construction enterprises, such as, but not limited to, trucks, trailers, semi-tractor trailers, farm equipment, bulldozers, cranes, backhoes, rollers, loaders, or lifts.

Hedge: Several plants planted in a sequence or pattern so that the branches and stems of adjacent plants grow together in a manner that results in a meshing or intertwining of stems and branches with little or no passable space left between the plants, thus forming more or less a dense planting area.

Height, Building: The vertical dimension from the lowest point of the building, structure, or wall exposed above the ground surface to the highest point of the roof, parapet wall, or uppermost part. Chimneys, vents, mechanical equipment or utility service structures shall not be included in the measurement of vertical dimensions.



Highly Erodible Soils: Areas of incline, whether natural or man-made, lacking sufficient vegetation to prevent instability, erosion, or downstream siltation due to soils that are subject to severe erosion when disturbed.

Historic Adaptive Reuse: The adaptive use, protection, and restoration of a historic resource for a land use not specifically permitted within the zoning district.

Hobby Store: See “Arts/Crafts/Hobby Store.”

Home Electronics/Appliance Sales: Any business establishment that engages in the sale of electronic or appliance equipment primarily for use in the home, such as televisions, stereos, refrigerators, freezers, washers, dryers, stoves, microwaves, and the like.

Home Occupation: An accessory use of a single-family or multifamily dwelling unit which complies with the requirements of the Unified Development Ordinance.

Definitions: H - I

Homeless Shelter: A facility providing without charge temporary housing to indigent, homeless, or transient persons. A homeless shelter may also provide ancillary services such as meals, clothing, counseling, religious instruction or vocational training.

Homeowner's Association: An incorporated nonprofit organization operating under recorded land agreements through which:

- (1) Each lot owner is automatically a member; and
- (2) Each lot is automatically subject to a proportionate share of the expenses for the organization's activities, such as maintaining common property.

Hospital: An acute healthcare establishment providing accommodations, facilities and services on a continuous twenty four (24) hour basis with overnight (meaning between 12:00 midnight and 5:00 a.m.) beds and services for persons suffering from illness, injury or conditions requiring medical services. The term "*Hospital*" does not include "*Nursing or Convalescent Home*," "*Medical Clinic*," or "*Outpatient Care Facility*," except where separately permitted.

Hotel/Motel: An establishment in which lodging is provided and offered to the public for compensation, for periods of time not exceeding thirty (30) days and which is commonly known as a hotel or motel in the community in which it is located. A "*Hotel/Motel*" customarily provides services such as maid service, the furnishing and laundering of linen, telephone and secretarial or desk service, and the use and upkeep of furniture. A "*Hotel/Motel*" may provide ancillary uses such as conference and meeting rooms, restaurants, bars, gift shops, and recreational facilities. The term "*Hotel/Motel*" does not include "*Rooming House*," "*Bed and Breakfast*," or "*Homeless Shelter*," except where separately permitted.

HPC: The City of Bloomington Historic Preservation Commission.

IAC: Indiana Administrative Code.

IBC: Indiana Building Code.

IC: Indiana Code.

IDEM: Indiana Department of Environmental Management.

IESNA: Illuminating Engineering Society of North America.

Impervious Surface: Any surface artificially covered or hardened so as to prevent or impede the percolation or absorption of water into the ground, including but not limited to asphalt, concrete, roofing material, brick, plastic, gravel, or swimming pools.

Impervious Surface Coverage: The percentage of the area of a lot or parcel that is covered by an impervious surface.

Impound Vehicle Storage: A lot or part thereof used only for the temporary storage of damaged, abandoned or impounded motor vehicles, excluding salvage and sales. The term "Impound Vehicle Storage" does not include "Salvage/Scrap Yard," except where separately permitted.

Improvement Location Permit: See "*Certificate of Zoning Compliance*."

Indiana State Historic Architectural and Archaeological Research Database: Means the Indiana State Historic Architectural and Archaeological Research Database, as the same may be amended from time-to-time, created by and/or administered by the State of Indiana's Division of Historic Preservation and Archaeology.

INDOT: Indiana Department of Transportation.

Invasive Species: A nonnative or alien plant whose introduction does, or is likely to, cause economic or environmental harm, or harm to human health. A plant is regarded as invasive if it has been introduced by human action to a location, area, or region where it did not previously occur naturally, becomes capable of establishing a breeding population in the new location without further intervention by humans, and spreads widely throughout the new location.

IITE: Institute of Transportation Engineers.

IUPPS: Indiana Underground Plant Protection Service.

Definitions: J - K

Jail: A facility established by a law enforcement agency for the detention of adult or juvenile persons while being processed for arrest or detention.

Jewelry Shop: Any business establishment specializing in the sale of decorative items for adornment. This may or may not include the repair of such items.

Jurisdiction: See “Planning Jurisdiction.”

Juvenile Detention Facility: A public facility that holds children or minors (typically under eighteen (18) years of age) awaiting trial or for punishment and/or counseling as a result of sentencing by a court of jurisdiction for criminal or antisocial behavior.

Karst: A type of geology with distinctive characteristics of relief and drainage arising from the solution of soluble bedrock by natural waters, and in which the drainage is underground in solutionally enlarged fissures and conduits. Karst features may include but not be limited to sinkholes, springs, solution valleys, underground rivers, caverns, disappearing streams, towers, grikes, and conical hills.

Karst, Compound: Any two (2) or more karst features where the last closed contour of the features are located within one hundred (100) feet of each other. The outer boundary of the compound karst feature shall be drawn by connecting the last closed contour of each individual karst feature with a tangential line.

Karst, Subsurface: Karst features expressed under the ground surface.

Karst, Surface: Karst features expressed on the ground surface.

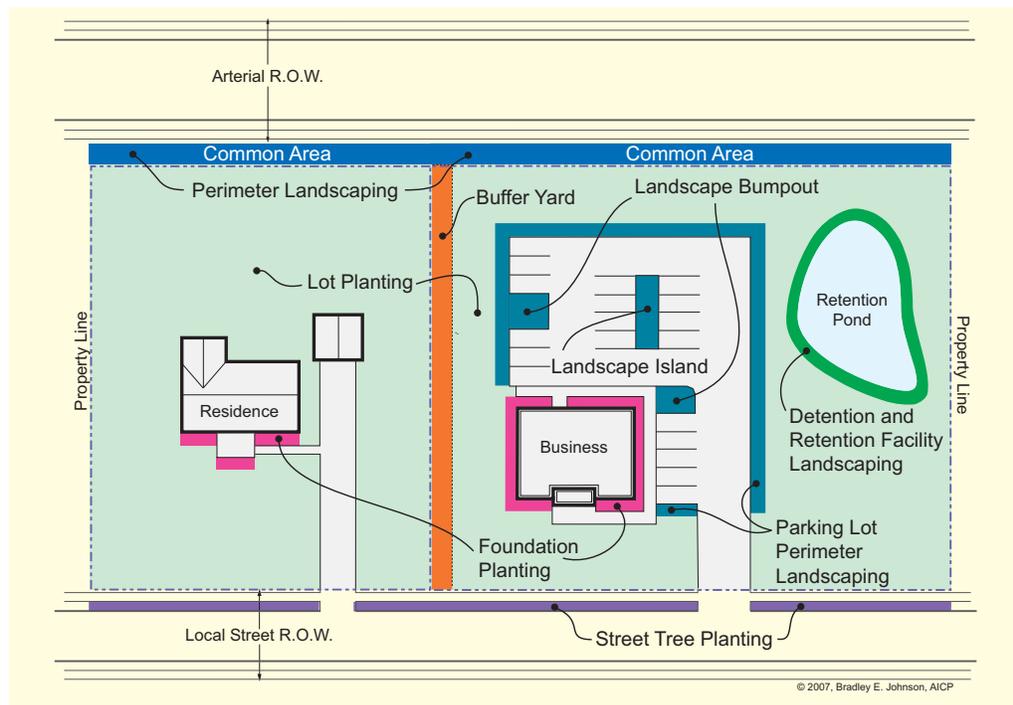
Kennel: An establishment wherein any person engages in a business involving boarding, breeding, buying, keeping, letting for hire, training for a fee, or selling dogs, cats or other domestic animals.

Definitions: L

Land Disturbing Activity: Any man-made change of the land surface including removing vegetative cover, removal of trees, excavating, filling and grading but not including agricultural land uses such as planting, growing, cultivating and harvesting of crops, growing and tending of gardens and landscaping modifications.

Landscape Material: Materials used to modify or ornament a portion of land. Materials include, but are not limited to, living vegetation, structures such as fences and arbors, and decorative items such as rocks.

Landscaping: The modification of the landscape for an aesthetic or functional purpose, and/or the finishing and adornment of unpaved yard areas. Landscaping includes, but is not limited to, planting vegetation such as trees, shrubs, and flowers, installation of minor structures, such as fences or arbors, and other appurtenances.



Laundromat: See “Coin Laundry.”

LEED Green Building Rating System: The most recent version of the Leadership in Energy and Environmental Design (LEED) Commercial Green Building Rating System, or other related LEED Rating System, approved by the U.S. Green Building Council.

Length, Block: The distance as measured along the street centerline between intersecting streets.

Length, Cul-de-sac: The distance as measured along the street centerline between the intersecting street and the center point of the cul-de-sac bulb.

Library: A public, nonprofit facility in which literary, musical, artistic, or reference materials such as but not limited to books, manuscripts, computers, recordings, or films are kept for use and loaned to patrons of the facility. A library shall also include accessory meeting rooms. Library shall not include “Music/Media Sales” except where separately permitted.

License Branch: A facility for the office and operation of the Indiana Bureau of Motor Vehicles.

Lighting: Any fixed source of light emanating from a man-made device, including but not limited to incandescent mercury vapor, metal halide, or sodium lamps, spotlights, street lights, or construction and security lights.

Lighting Fixture, Full-Cutoff: Lighting that is shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

Liquor/Tobacco Sales: A store that predominantly sells tobacco products or alcoholic beverages for off-premises consumption. This use shall not include “Grocery/Supermarket” or “Convenience Store” in which tobacco products or alcoholic beverages make up a minority of the sales of the store.

Definitions: L

Livestock: All cattle, bison, or animals of the bovine species; all horses, mules, burros, or animals of the equine species; all goats or animals of the caprine species; all swine or animals of the porcine species; llamas and all animals of the Lama genus; ostrich, chickens, and other domesticated poultry; deer, elk, moose, or animals of the Cervidae family; and all sheep or animals of the ovine species. Any animal defined as a “*Domestic Livestock*” by Chapter 07.01: *Definitions* of the Bloomington Municipal Code.

Lodge: A nonprofit membership organization that holds regular meetings, whose members pay annual dues, that is organized for a common interest, usually cultural, civic, religious, or social, and that has formal written membership requirements. A “*Lodge*” may, subject to other regulations controlling such uses, maintain dining facilities, serve alcohol, or engage professional entertainment for the enjoyment of members and their guests. There are no sleeping facilities. The term “*Lodge*” shall not include “*Fraternity or Sorority House*.”

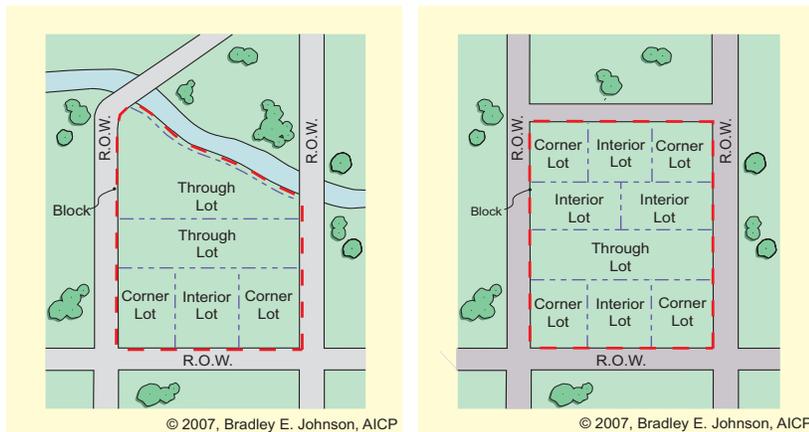
Lodge Hall: A building, or portion thereof, used by a nonprofit association of persons who are bona fide members paying dues, the use of such premises being restricted to members and their guests. The affairs and management of such “*Lodge Halls*” are conducted by a board of directors, executive committee, or similar body chosen by the members. It shall be permissible to serve food, meals and beverages on such premises.

Lodging House: See “*Rooming House*.”

LOMA: A Letter of Map Amendment issued by the Federal Emergency Management Agency (FEMA).

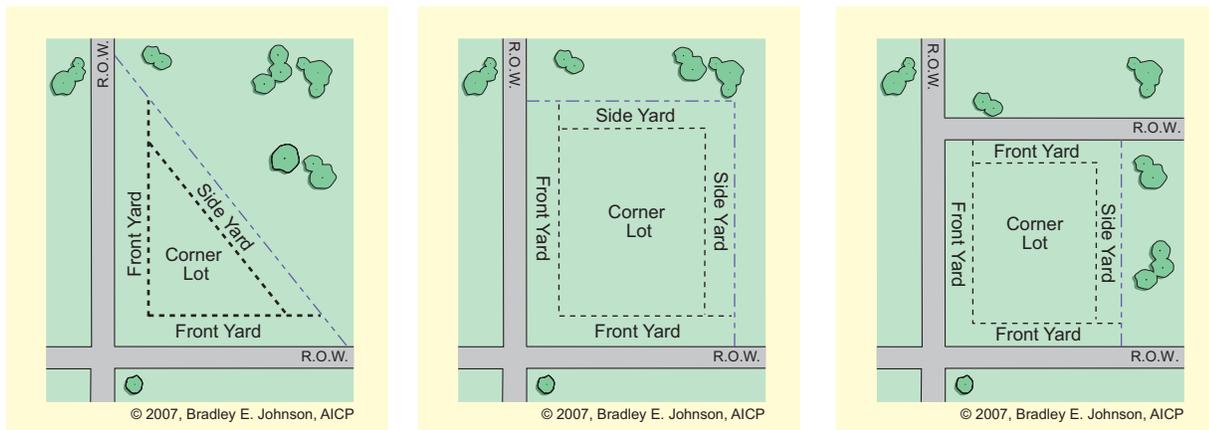
LOMR: A Letter of Map Revision issued by the Federal Emergency Management Agency.

Lot: A contiguous parcel of land in identical ownership throughout, bounded by other lots or streets, and used or set aside and available for use as the site of one or more buildings or other definite purpose. For the purpose of this title, a lot may or may not coincide with a lot of record and shall be duly recorded.



Lot Area: The computed area contained within the boundary of all perimeter lot lines.

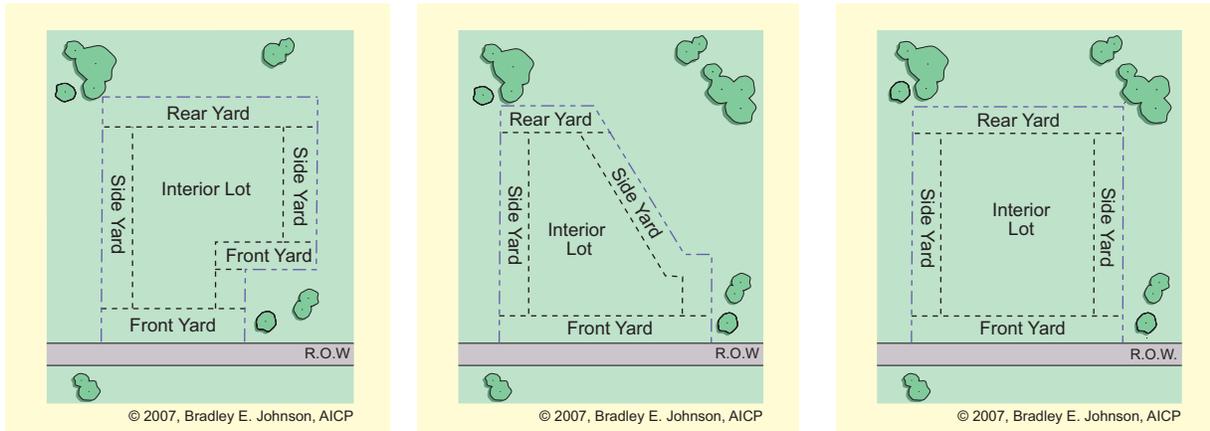
Lot, Corner: A lot having at least two (2) adjacent sides that abut for their full length along streets. Both such lot lines shall be considered front lot lines for the purposes of determining setbacks.



Definitions: L

Lot Depth: The horizontal distance between the front and rear lot lines.

Lot, Interior: Any lot, the side property line of which abuts the rear property line of one (1) or more lots, and which is not separated by an alley or any other public way.



Lot, Lawful Nonconforming: Any lot of record that does not conform with one or more provisions of this Unified Development Ordinance, but which lawfully existed upon the effective date of the provisions of this Unified Development Ordinance with which the lot does not conform.

Lot Line, Corner: The point at which two (2) lot lines meet.

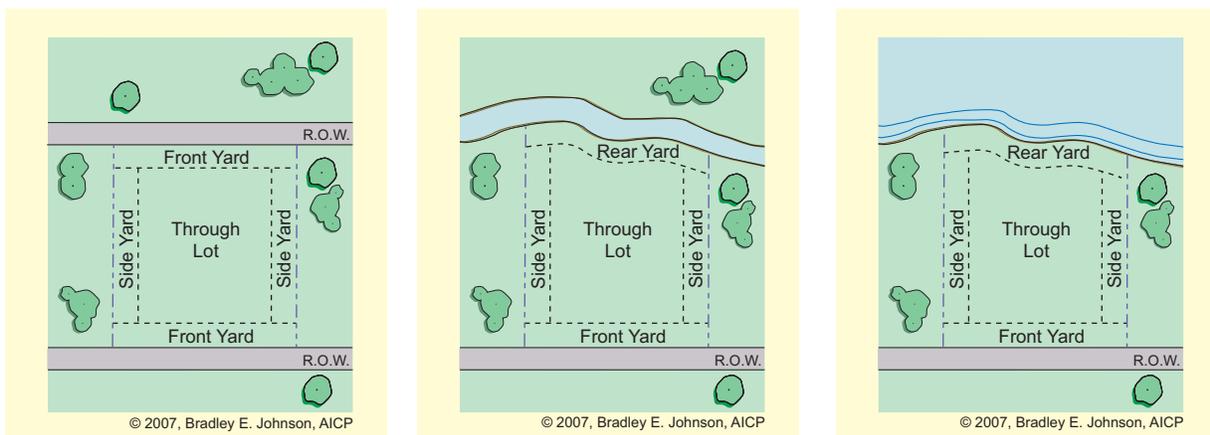
Lot Line, Front: That portion of a lot which abuts and runs parallel to a street. For corner lots, both sides that abut a street are front lot lines.

Lot Line, Rear: The line dividing one (1) lot from another and on the opposite side of the lot from the front lot line; and in the case of an irregular or triangular shaped lot, a line ten (10) feet inside the lot boundary, parallel to and at the maximum distance from the front lot line.

Lot Line, Side: Any lot line that is not a front lot line or a rear lot line.

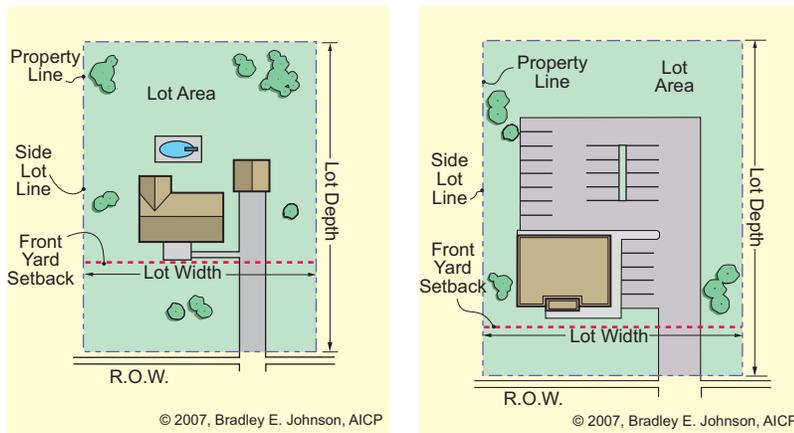
Lot of Record: A lot which was created by subdivision, the plat of which has been approved as required by applicable City and State law and recorded in the Office of the Monroe County Recorder; or a parcel of land, the bounds of which have been legally established by a separate deed and duly recorded in the Office of the Monroe County Recorder. “*Legally established*” means not in violation of any City or State subdivision regulations existing at the time the lot was established by deed. Also, a parcel described by a single deed containing more than one (1) metes and bounds description shall be one (1) lot of record unless the parcels described by such separate descriptions have, in the past, been lawfully established parcels of record with separate deeds.

Lot, Through: A lot having a pair of opposite lot lines along two (2) more or less parallel public streets and which is not a corner lot. On a through lot, both street lines shall be deemed front lot lines.



Definitions: L

Lot Width: The horizontal distance between side lines measured along a line that is parallel to the front lot line. For lots with existing buildings, the lot width shall be measured at the front building wall of the primary building. For newly created lots, the lot width shall be measured at the minimum required setback distance from the front lot line.



Lot, Zoning: A single tract of land located within a single block, which is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. A zoning lot may or may not coincide with a lot of record.

Luces: Plural of “Lux.”

Lumen: A unit which measures the quantity of light that shines on an area of one (1) square foot, every point of which is one (1) foot away from a light source equal to one (1) foot candle.

Lux: A unit of illumination equal to the direct illumination on a surface that is one (1) meter from a uniform point source of one (1) candle intensity, or equal to one (1) lumen per square meter.

Definitions: M

Manufactured Home Sales: The selling of manufactured homes that are not intended to be used on the same lot on which they are sold.

Manufactured or Mobile Home Park: A parcel of land containing two (2) or more dwelling sites, with required improvements and utilities, that are leased for the long term placement of “*Mobile Home Dwellings*” and/or “*Manufactured Home Dwellings*.” A “*Manufactured Home Park*” does not involve the sale of mobile home dwellings or manufactured home dwellings in which unoccupied units are parked for inspection or sale.

Manufacturing, Heavy: The assembly, fabrication, or processing of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, visual impact, odors, glare, or health and safety hazards, or that otherwise do not constitute “*Light Manufacturing*,” and which may include open uses and outdoor storage. Heavy manufacturing generally includes processing and fabrication of products made from extracted or raw materials or products involving flammable or explosive materials and processes. “*Heavy Manufacturing*” shall not include any use that is otherwise listed specifically in a zoning district as a permitted or conditional use.

Manufacturing, Light: The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, where such processes are housed entirely within an enclosed building, except as may be authorized in this Unified Development Ordinance. Light manufacturing generally includes processing and fabrication of finished products predominantly from previously prepared materials and includes processes not involving flammable or explosive materials. The term “*Light Manufacturing*” shall not include any use that is otherwise listed specifically in any zoning district as a permitted or Conditional Use.

Master Plan: See “*Growth Policies Plan*.”

Master Thoroughfare Plan: Means the official thoroughfare plan for Bloomington, Indiana entitled “*Master Thoroughfare Plan*” adopted as a part of the Growth Policies Plan, and on file in the office of City Clerk, or Planning and Transportation Department, which are by this reference made a part of this code, showing location, alignment, functional classification, width of roadway, and minimum developed cross sections of existing and proposed thoroughfares.

Mausoleum: See “*Cemetery/Mausoleum*.”

Mayor: Refers to the Mayor of the City of Bloomington, Indiana.

Media Sales: See “*Music/Media Sales*.”

Medical Care Clinic, Immediate: A walk-in medical facility providing care for minor illnesses and injuries for people requiring immediate but not emergency-level care, where no appointments are necessary and stay is less than twenty-four (24) hours.

Medical Clinic: A facility for examining and treating patients with medical problems on an outpatient basis, providing medical services, usually by appointment only, that generally require a stay of less than twenty-four (24) hours.

Miniature Golf: A novelty version of golf played with a putter and a golf ball on a miniature course, typically with artificial playing surfaces, and including obstacles such as bridges and tunnels.

Mini-warehouse Facility: A structure or group of structures containing individual storage units of two hundred (200) square feet or less with access to each unit only for the storage and warehousing of personal property. Mini-warehouses do not include activities of any kind including wholesaling, retailing, servicing or repair of household or commercial goods in conjunction with storage.

Mixed-tenant Center: a structure that contains more than one (1) use or more than one (1) tenant.

Mobile Home Park: See “*Manufactured or Mobile Home Park*.”

Monopole: A single, self-supporting vertical pole used to support telecommunications equipment, with no guy wire anchors or lattice, usually consisting of a galvanized or other unpainted metal or a wooden pole with below grade foundations.

Mortuary: Establishments where the deceased are physically prepared for final interment.

Motel: See “*Hotel/Motel*.”

Definitions: M

Motor Vehicle: Any self-propelled vehicle that requires State license plate registration to be used on public roads and highways, including any non-motorized attachments, such as, but not limited to, trailers or other conveyances which are connected to or propelled by the actual motorized portion of the vehicle.

Multi-tenant Center: A group of separate buildings with multiple tenants, operating under a common name or management; a single building containing multiple uses where there are specific exterior entrance ways for individual uses; or a group of uses on separate but adjoining properties that request treatment as a multiuse complex.

Multi-tenant Nonresidential Center, Large-scale: A group of two or more retail establishments, managed as a unit, sharing a common site, parking area and entrances, and having a gross floor area of 100,000 square feet or greater.

Multi-use Trail: A hard-surface, off-road pathway used by bicyclists, pedestrians, and other non-motorized traffic typically located within or along a greenway.

Mural: A painting on the side of a building, wall, or structure; or a painting on the ground or the ceiling of a building or structure. A mural that does not function as a sign is not regulated by the Unified Development Ordinance. Murals that function as a sign are regulated in the Unified Development Ordinance as a wall sign.

Museum: A building having public significance by reason of its architecture or former use; or occupancy of a building serving as a repository for a collection of natural, scientific, or literary curiosities or objects of interest, or works of art, and arranged, intended and designed to be used by members of the public for viewing, with or without an admission charge.

Music/Media Sales: The selling of any items printed or written, or any picture, drawing, photograph, motion picture, film, videotape or videotape production, or pictorial representation, or any electrical or electronic reproduction of anything that is or may be used as a means of communication. “*Media*” includes but shall not necessarily be limited to books, newspapers, magazines, movies, videos, sound recordings, CD-ROMs, other magnetic media, and undeveloped pictures. “*Musical*” includes but shall not necessarily be limited to instruments, instrumental equipment and parts for instruments.

Musical Instrument Sales: An establishment that specializes in the sale of musical instruments, as well as equipment and parts for musical instruments.

MUTCD: Manual on Uniform Traffic Control Devices.

Definitions: N - O

Native Species: Naturally occurring, indigenous plants within the Bloomington Planning Jurisdiction. Native species are adapted to the soil and climate in which they live, and have evolved defenses to many diseases and pests.

Nature Preserve: Areas with environmental resources intended to remain in a predominately natural or undeveloped state to provide resource protection or passive recreation.

NFIP: The National Flood Insurance Program.

Night Club: See “*Bar or Dance Club.*”

Nonconforming Building or Structure, Lawful: See “*Building or Structure, Lawful Nonconforming.*”

Nonconforming Sign, Lawful: See “*Sign, Lawful Nonconforming.*”

Nonconforming Use, Lawful: See “*Use or Structure, Lawful Nonconforming.*”

Nursing/Convalescent Home: An establishment for the long term, residential care of the aged or infirm, or a place of rest for those suffering bodily disorders. Such home does not contain equipment for surgical care or for the treatment of injury. The term includes “*Rest Home.*”

Office, Business/Professional: See “*Business/Professional Office.*”

Office Supply Sales: A retail establishment that specializes in the sale of goods and supplies intended for use in office environments.

Official Zoning Map: Means a map of the City of Bloomington, Indiana, that legally delineates the boundaries of zoning districts as they apply to the properties within the planning jurisdiction. There is only one Official Zoning Map, and it is kept up to date by the Plan Commission and the Planning and Transportation Director.

Oil Change Facility: Operations that provided lubrication and/or checking, changing, or additions of those fluids and filters necessary for the maintenance of a vehicle.

Open Space: An area of land not covered by buildings, parking structures, or accessory uses except for recreational structures. Open space may include nature areas; streams and floodplains; meadows or open fields containing baseball, football, and soccer fields, golf courses, swimming pools, bicycle paths, etc. Open space does not include street rights-of-way, platted lot area, private yards, patio areas, or land scheduled for future development.

Orchard: A group of fruit or nut trees grown for either home or commercial use.

OSHA: Occupational Safety and Health Administration; a division of the United States Department of Labor.

Outdoor Storage: The storage of any material outside of an enclosed building for a period greater than twenty-four (24) hours. Such storage includes items for sale, lease, processing and repair.

Outline Plan: The name for PUD District Ordinance text and PUD Preliminary Plans under the Bloomington Zoning Ordinance effective 1973-1995. See “*Preliminary Plan, PUD*” or “*PUD District Ordinance.*”

Outlot: A lot of record in a subdivision, nonresidential center or Planned Unit Development which is adjacent to a (public or private) street, roadway or frontage road, and is intended for an additional and separate building or buildings within the development.

Outpatient Care Facility: A facility licensed as an ambulatory outpatient surgery center by the State of Indiana, as defined by Indiana Code 16-18-2-14, that does not provide for patient stays of longer than 24 hours.

Owner: Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be developed under these regulations, or their legal representative.

Definitions: P

Pager Services: See “*Cellular Phone/Pager Services.*”

Parapet: That portion of a wall which extends above the roof line.

Parcel: See “*Lot.*”

Park: A parcel of land available to the public for passive and/or active recreation and is maintained and governed by the Bloomington Parks Board.

Parking Garage/Structure: A structure or portion thereof composed of one (1) or more levels or floors used exclusively for the parking or storage of motor vehicles. A parking structure may be totally below grade (as in an underground parking garage) or either partially or totally above grade, with those levels being either open or enclosed.

Parking Space: Space within a public or private parking area for the storage of one (1) passenger automobile or commercial vehicle under a one and one-half (1.5) ton capacity.

Parking, Landbank: The reserving of land for development of parking spaces at a future date.

Parking, Required: The minimum number of off-street parking spaces specified for a particular use or uses by this Unified Development Ordinance.

Parking, Stacked: The parking of cars in a parallel line, one (1) in back of the other.

Parks and Recreation Open Space: Land owned by the City of Bloomington Parks and Recreation Department or the Bloomington Parks and Recreation Foundation.

Partial Demolition: Means the complete or substantial removal or destruction of any exterior portion of a structure, which shall include but not be limited to:

- (1) Complete or substantial removal or destruction of a porch, wing, cupola, addition, or similar feature; or
- (2) Partial demolition of a roof shall include work that results in any change to the pitch of any portion of the roof, or; covering or otherwise obscuring an existing roof with a new roof of different pitch or material, or; adding any gable, dormer or other similar feature to an existing roof; or
- (3) Any work resulting in the obscuring from view of forty percent or more of the exterior of any façade on the structure; or, removal or destruction of the exterior surface of forty percent or more of the area of any exterior façade on the structure; or
- (4) Construction or attachment of any addition to a structure;
- (5) Replacement of any window or door where the window or door opening is enlarged or obscured from view; or
- (6) Creation of any new window or door opening.

Pasturage: See “*Crops and Livestock Pasturage.*”

Patio: A level-surfaced area, which may or may not be directly adjacent to a principal building, which has an average elevation of not more than thirty (30) inches above finished grade, and without walls or a roof, usually constructed of concrete, brick, or other masonry material.

Pavement: A durable surface permanently and completely covered with asphalt, concrete, brick, paving blocks, or other surface approved by the City. Crushed gravel, stone, rock, dirt, sand, and grass are not permitted as a paved surface. Permeable parking pavers do not fall under this definition and must meet separate criteria. See “*Permeable Parking Pavers.*”

Pawn Shop: An establishment that engages, in whole or in part, in the business of loaning money on the security of pledges of personal property, or deposits or conditional sales of personal property, or the purchase or sale of personal property.

Permanent Display Cabinet: Means a cabinet that is attached to a building that is constructed of durable materials and intended to display signage within.

Pedestrian Entrance, Primary: The principal ingress and egress to and from a building for pedestrian traffic.

Permanent Foundation: A structural system for transposing loads from a structure to the earth at a depth below the established frost line without exceeding the safe bearing capacity of the supporting soil.

Definitions: P

Permeable Parking Pavers: A pavement system with traditional strength characteristics, but which allows rainfall to percolate through it rather than running off. A permeable pavement system utilizes either porous asphalt, pervious concrete, or plastic pavers interlaid in a running bond pattern and either pinned or interlocked in place. Porous asphalt consists of an open graded coarse aggregate held together by asphalt with sufficient interconnected voids to provide a high rate of permeability. Pervious concrete is a discontinuous mixture of Portland cement, coarse aggregate, admixtures, and water which allow for passage of runoff and air. Gravel or crushed stone is not considered a “*Permeable Parking Paver.*”

Pet Grooming: Any place or establishment where animals are bathed, clipped, or combed for the purpose of enhancing their aesthetic value or health and for which a fee is charged.

Pet Store: Any business establishment or premises or part thereof maintained for the purpose of a pet animal dealership, but shall not include the Humane Society, animal shelters, animal research facilities, zoos, veterinarians duly licensed under the law, breeders, and commercial breeding kennels.

Petitioner: The property owner or a person legally empowered in writing by the property owner to act on the property owner’s behalf, and who thereby has the property owner’s authority to make representations and decisions before City officials regarding the use and/or development of the subject real property. The term includes the petitioner’s representative.

Petitioner’s Representative: A person legally empowered in writing by the petitioner to act on the petitioner’s behalf, and who thereby has the petitioner’s authority to make representations and decisions before City officials regarding the use and/or development of the subject real property.

Pharmacy: See “*Drugstore.*”

Photographic Studio: A facility engaged in the retail sale, lease, and service of photography equipment and supplies, portrait services, and limited on-site processing or development.

Place of Worship: Structures and outdoor or indoor facilities used for public worship and accessory educational, cultural and social activities.

Plan Commission: The City of Bloomington Advisory Plan Commission or any division thereof. The City of Bloomington Plan Commission is an Advisory Plan Commission serving the City of Bloomington Planning Jurisdiction as defined under IC 36-7-1-2, as amended.

Planned Unit Development (PUD): A large-scale unified development approved under the provisions of Chapter 20.04: Planned Unit Development Districts of the Unified Development Ordinance. Generally a Planned Unit Development consists of a parcel or parcels of land, controlled by a single landowner, to be developed as a single entity which does not correspond in size of lots, bulk or type of buildings, density, lot coverage, and/or required open space to the regulations established in any district of the Unified Development Ordinance. A planned development requires approval through a zoning map amendment. The uses and standards expressed in the PUD District Ordinance constitute the use and development regulations for the Planned Unit Development site in lieu of the regulations for a standard zoning district.

Planning and Transportation Director: The officer appointed by and/or delegated the responsibility for the administration of this Ordinance’s regulations by the Plan Commission, as well as administration of the Planning and Transportation Department for the City of Bloomington, Indiana. The term includes the Planning and Transportation Director’s authorized representatives.

Planning Jurisdiction: The City of Bloomington, Indiana and the contiguous unincorporated area over which the City exercises planning and zoning authority.

Plant Nursery or Greenhouse: An establishment for the growth, display, and/or wholesale of plants, shrubs, trees, and materials used in indoor or outdoor planting, conducted within or without an enclosed building.

Plat: A map or chart indicating the subdivision or re-subdivision of land, either recorded or in a form suitable to be recorded.

Plat, Final: The Final Plat, pursuant to IC 36-7-4-700 Series for secondary plats, is the plat document in recordable form. A Final Plat shall substantially conform to the preceding Preliminary Plat, or section thereof.

Plat, Preliminary: The Preliminary Plat, pursuant to the IC 36-7-4-700 Series for primary plats, is the plat and plans upon which the approval of a proposed subdivision is based.

Definitions: P

Plat, Primary: See “*Plat, Preliminary.*”

Plat, Secondary: See “*Plat, Final.*”

Plat Committee: A committee authorized in the Plan Commission rules which has authority to approve or deny Preliminary Plats, Final Plats, and requests for vacation of plats or parts of plats.

Police/Fire/Rescue Station: Protection centers operated by a government agency, including administrative offices, storage of equipment, temporary detention facilities, and the open or enclosed parking of patrol vehicles; excluding, however, correctional institutions.

Pool Hall: See “*Billiard/Arcade Room.*”

Porch: An uncovered, unenclosed, accessory structure projecting from the main wall of a primary building.

Post Office: A facility that contains service windows for mailing packages and letters, post office boxes, offices, vehicle storage areas, and sorting and distribution facilities for mail.

Preliminary Plan, PUD: A drawing or map made to measurable scale upon which is presented a description and definition of the way in which the design requirements of the Planned Unit Development are to be met.

Premises: See “*Property.*”

Preschool: See “*School, Preschool.*”

Preservation Area: Sites with environmental resources intended to be preserved in their natural state.

Primary School: See “*School, Primary/Secondary.*”

Print Shop: A facility for the custom reproduction of written or graphic materials on a custom order basis for individuals or businesses. Typical processes include, but are not limited to, photocopying, blueprint, and facsimile sending and receiving, and offset printing.

Prison: Publicly or privately operated facilities housing both persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense.

Professional Office: See “*Business/Professional Office.*”

Property: A lot, parcel, tract, or plot of land and the improvements thereon.

Proposal: Any new construction, including accessory structures of at least 840 square feet, or any building addition larger than ten percent (10%) of the gross floor area of a structure.

Public Improvements: The erection, construction, alteration, operation, or maintenance of facilities serving the public interest which may include but is not limited to storm drainage facilities, streets, highways, parkways, sidewalks, pedestrian-ways, transportation corridors, trees, lawns, landscaping, parking areas, lot improvements, or utilities.

Public Place: Any area on public or private property that is easily accessible and clearly visible to the general public. If located on private property, the area must be open to the general public and clearly visible from adjacent public property such as a street or other public thoroughfare or sidewalk.

Public Way: Any street, alley, channel, tunnel, bridge, easement, right-of-way, or other way which is dedicated or granted for public use.

PUD District Ordinance: An ordinance adopted by the Common Council, the purpose of which is to designate a parcel of real property as a Planned Unit Development zoning district; to specify uses or a range of uses permitted in the Planned Unit Development zoning district; to specify development requirements in the Planned Unit Development zoning district; to specify the plan documentation and supporting documentation that may be required; to specify any limitation applicable to the Planned Unit Development zoning district; and to meet the requirements of IC 36-7-4-1500 et seq.

Definitions: Q - R

Quarry: A lot or land or part thereof used for the purpose of extracting stone, sand, gravel, fill, or topsoil for sale.

Quarry Adaptive Reuse: Redevelopment of a quarry whose operation is no longer feasible into another less intensive use upon completion of environmental mitigation.

Radio/TV Station: All uses related to the production of radio broadcasts, motion pictures, and television film and tape, including motion picture and television stages; exterior sets; laboratories; construction, repair, and storage facilities; all vehicles used to transport this equipment and other related commercial vehicles; and accessory fabrication activities. This use does not include telecommunication facilities or towers.

Recreation Center: An enclosed structure main purpose of which is to provide indoor recreational facilities including, but not limited to, skating rinks, swimming pools, water slides, tennis courts, or gymnasiums. The term “Recreation Center” does not include movie theatres, billiards/pool halls, or bowling alleys.

Recreational Equipment: Play apparatuses such as basketball courts, batting cages, swing sets, slides, sandboxes, poles for nets, picnic tables, lawn chairs, barbecue stands, and similar equipment or structures but not including tree houses, swimming pools, playhouses, basketball goals attached to primary or accessory structures, motorized vehicles, trailers, or storage sheds.

Regulatory Flood Elevation: The water-surface elevation of the base flood or the one hundred (100) year flood as defined by the Federal Emergency Management Agency.

Rehabilitation Clinic: A facility used for the purposes of temporary or long-term inpatient treatment of victims of alcohol or drug use addiction.

Rescue Station: See “*Police/Fire/Rescue Station.*”

Research Center: A structure or complex of structures designed or used primarily for research and development of scientific products, industrial products, high technology electronic products, medical or educational research and testing, or similar fields of endeavor.

Residential Care Home: See “*Group Home/Residential Care Home.*”

Residential District: See “*District, Residential.*”

Rest Home: See “*Nursing/Convalescent Home.*”

Restaurant: An establishment whose use is the selling of food in a ready-to-consume state, in individual servings, in which the customer consumes these foods while seated at tables or counters located in or immediately adjacent to the building in which the use is located, and which may include carry-out service. The term “*Restaurant*” shall include that portion of any establishment which sells prepared food, such as a bakery or a delicatessen, and which is used for seating for the consumption of food on the premises.

Restaurant, Limited Service: An establishment engaged in the preparation of food and beverages containing no more than 2,500 gross square feet and which is typically part of a larger development. These uses may include, but not be limited to, cafes, coffee shops, delis, and small restaurants.

Retail, High Intensity: An establishment of 15,000 gross square feet or greater that engages in retail sales of a commodity or commodities. Such establishments are typically established independent of a larger development, but may also occur as a tenant in a larger development.

Retail, Low Intensity: An establishment engaged in retail sales of a commodity or commodities containing no more than 2,500 gross square feet and which is typically part of a larger development. These uses may include, but not be limited to boutiques, galleries, jewelry stores, and clothing shops.

Retail, Outdoor: The placement of goods, equipment, or materials for sale, rental, or lease outside of a building or structure including but not limited to vehicles, burial monuments, garden supplies, gas, tires, and landscaping materials.

Retention Facilities: Facilities dedicated to the permanent on-site maintenance of storm water.

Definitions: R

Right-of-way: A strip of land reserved for, occupied, or intended to be occupied by transportation facilities, public utilities, or other special public uses which may include sidewalks, bicycle or pedestrian pathways, streets, alleys, or other public thoroughfares, or buffers adjacent to same. Right-of-way may be held in the form of easement or fee.

Riparian Buffer: Wooded or vegetated areas along creeks, streams, rivers, or designated regulated drains. The area on each bank designated as a riparian area shall be no wider than the average width of the creek, stream or river at normal flow elevation, but be no less than ten (10) feet in width from the top of banks.

Road: See “*Street.*”

Rooming House: A building, other than a dwelling unit or dormitory, where lodging, with or without meals, is provided for compensation; or a building designed as a single-family dwelling that is occupied by more than one (1) family (as defined herein), but not a bed and breakfast, fraternity or sorority house, residential care facility, hotel or motel.

Rules of Procedure: The rules which govern how a decision making body conducts meetings and reaches its conclusions.

Definitions: S

Salvage/Scrap Yard: A facility, usually outdoors, where waste or scrap materials are bought, sold, exchanged, collected, salvaged, stored, baled, packed, disassembled, or handled, including, but not limited to, motor vehicles or parts thereof, used lumber, household garbage, inoperable machinery or appliances, scrap iron and other metals, paper, plastics, glass, rags or tires. Where such materials are a by-product of a permitted use, such activity shall be considered “*Outdoor Storage*,” as defined and permitted separately in this Unified Development Ordinance.

Sand Production: See “*Gravel, Sand, or Cement Production*.”

School, College/University: An institution other than a trade school that provides full-time or part-time education beyond high school.

School, Preschool: A school for children primarily between the ages of three (3) and five (5), providing preparation for elementary school.

School, Primary/Secondary: A public or private institution which offers instruction in any of the branches of learning and study comparable to that taught in the public schools under the Indiana School Laws, including pre-kindergarten, kindergarten, elementary school, and junior and senior high schools, but excluding trade, business, or commercial schools.

School, Trade/Business: An educational facility with a curriculum focused upon certain skills required in business, trades, or the arts.

Searchlight: A powerful light equipped with a reflector to produce a bright beam intended to draw attention.

Secondary School: See “*School, Primary/Secondary*.”

Semi Tractor-Trailer Sales/Rental: The sale or rental of any motor vehicle designed and used primarily for drawing other vehicles, equipment, or implements of husbandry.

Setback: The minimum required distance between a structure or parking area and the lot lines of the lot on which they are located.

Setback, Block Face Average: The existing front setback of at least fifty percent (50%) of the primary structures along the same block face as the subject property. If the subject property is a corner lot, the average of the front setback of structures parallel to the subject property, along with the front setback of structures perpendicular the subject property may be used to determine this setback.

Setback, Building or Structure: The minimum distance by which any building or structure must be separated from a street right-of-way or lot line.

Setback, Front: The minimum distance between a street right-of-way and structures or parking areas.

Setback, Parking: The minimum distance which any area used for parking or to provide access to parking spaces must be separated from a street right-of-way or lot line.

Sexually Oriented Business: Any establishment, whether conducted permanently or intermittently, that primarily engages in the business of offering a service or product, for sale, display, exhibition, or viewing, which is distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas. This includes but is not limited to adult bookstores, adult cabarets, adult motion picture theaters, adult novelty stores, adult video arcades, bathhouses, and lingerie modeling studios.

Shoe Sales: See “*Apparel/Shoe Sales*.”

Shrub: A woody plant that is usually greater than three (3) feet but less than twenty (20) feet in height that generally exhibits spreading stems and a bushy appearance.

Sidepath: A hard-surface pathway physically separated from the street by a tree plot, located within the public right-of-way, and designed for bicyclists, pedestrians, and other non-motorized traffic.

Sidewalk: A hard-surface pathway within the street right-of-way that is designated for the exclusive use of pedestrian traffic.

Definitions: S

Sign: Any display or device placed on a property in any fashion that can be seen from a public place or a public right-of-way that is designed, intended, or used to convey any identification, message or information other than an address number.

Sign, Freestanding: A sign anchored directly to the ground or supported by one or more posts, columns, or other vertical structures or supports; and not attached to or dependent for support from any building.

Sign Height: The vertical distance measured from either the ground at the base of the sign or from the crown of an adjacent street to the highest point of the sign or sign structure, whichever is greater.

Sign, Lawful Nonconforming: Any sign lawfully existing at the time of the enactment of any provision of this Unified Development Ordinance, or any amendment thereto, with which the sign does not comply.

Sign, Multi-tenant: An identification sign for a commercial site with multiple tenants, displaying the names of each tenant on the site.

Sign, Permanent: A sign attached to a building or structure and which is made of materials intended for long-term use.

Sign, Portable: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported including, but not limited to, signs designed to be transported by means of wheels.

Sign, Projecting: A sign attached to and projecting out from a building face or wall, generally at right angles to the building. Projecting signs include signs that are totally in the right-of-way, partially in the right-of-way, or fully on private property.

Sign, Public: Means a sign erected by or on the order of a public officer in the performance of a public duty, such as signs to promote safety, no trespassing, or traffic signs; signs to indicate transit stops; memorial plaques; or signs of historic interest.

Sign, Sandwich Board: A movable sign not secured or attached to the ground or surface upon which it is located and constructed in such a manner as to form an “A” or a tent-like shape, hinged or not hinged at the top; each angular face held at an appropriate distance by a supporting member.

Sign, Temporary: Means any sign that is not permanently anchored or secured to a building and not having supports or braces permanently secured to the ground, including but not limited to: banners, pennants, or advertising displays including portable signs that are intended to be displayed for a limited period of time.

Sign, Tenant Panel: Individual panels on a multi-tenant sign advertising one (1) specific business within the center.

Sign, Wall: A sign attached to and/or integral with the exterior wall or window surface of a building, the face of which is parallel to the surface and does not project more than twelve (12) inches from the surface.

Sign, Window: Any sign or advertising device affixed to the interior or exterior of a window or placed immediately behind a window frame so as to be seen from persons outside the building.

Site, Lawful Nonconforming: A site used and/or developed such that the site does not conform with one or more development standards contained in this Unified Development Ordinance, but where such nonconformity and such use and/or development lawfully existed upon the effective date of the provisions of this Unified Development Ordinance with which the site does not conform.

Site Plan: A map of a site, drawn accurately to scale, showing existing and proposed features of the site including but not limited to buildings and other structures, circulation, grading, trees, and landscaping, sufficient for the review required in this Unified Development Ordinance. A “*Site Plan*” shall serve as the development plan regulated by the IC 36-7-4-1400 Series.

Skating Rink: An establishment that provides facilities for participant skating, ice or roller.

Social Services: Services operated by nonprofit organizations which provide advice or assistance on matters including career guidance, chemical or alcohol abuse, and health concerns, but not including inpatient, overnight, or custodial care facilities which provide living quarters for recipients of the service or staff. Counseling or training service shall not include medical examinations, dispensing of drugs or medication, or other treatments normally conducted in a hospital or clinic.

Definitions: S

Special Exception: A process under the Bloomington Zoning Ordinance effective 1973-1995 whereas a use that is so designated may be approved by the Board of Zoning Appeals if it meets special conditions.

Special Flood Hazard Area (SFHA): Means those lands subject to inundation by the regulatory flood. The SFHAs within the City of Bloomington Planning Jurisdiction are generally identified as such on the Monroe County and Incorporated Areas Flood Insurance Rate Map prepared by the Federal Emergency Management Agency, dated December 17, 2010. These area are shown on a FHBM or FIRM as Zone A, AE, A1-A30, AH, AR, A99, or AO.

Specified Anatomical Areas: Specified anatomical areas means and includes any of the following:

- (1) Less than completely and opaquely covered human genitals, pubic region, buttocks, anus or female breasts below a point immediately above the top of the areolae; or
- (2) Human male genitals in a discernible turgid state, even if completely and opaquely covered.

Specified Sexual Activities: Specified sexual activities means and includes any of the following:

- (1) Human genitals in a state of sexual stimulation or arousal;
- (2) Acts of or simulation of human masturbation, sexual intercourse or sodomy;
- (3) Fondling or other erotic touching of human genitals, pubic regions, buttocks or female breasts;
- (4) Flagellation or torture in the context of a sexual relationship;
- (5) Masochism, erotic or sexually oriented torture, beating or the infliction of pain;
- (6) Erotic touching, fondling or other such contact with an animal by a human being; or
- (7) Human excretion, urination, menstruation, vaginal or anal irrigation as part of or in connection with any of the activities set forth in *Division (1)* through *Division (6)* above.

Sporting Goods Sales: A retail establishment whose primary products are sporting goods.

Staff: The Planning and Transportation Director and all employees of the Planning and Transportation Department of the City under the supervision of the Planning and Transportation Director, and subject to the authority of the Planning and Transportation Director.

State: The State of Indiana.

Stone Processing: Manufacturing establishments primarily engaged in cutting, shaping, and finishing marble, granite, slate, and other stone for building and miscellaneous uses.

Storage Tanks: Any one (1) of a combination of tanks located either above or below ground, including underground pipes connected thereto, which is used to contain an accumulation of regulated substances designed for wholesale distribution or mass consumption.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it. Any portion of a story exceeding fourteen (14) feet in height shall be considered as an additional story for each fourteen (14) feet or fraction thereof.

Stream, Intermittent: A surface watercourse which flows typically only after significant precipitation events or during a particular season; and which evidences a discernible stream bed. The term "*Intermittent Stream*" does not include man-made drainage ways or natural swales lacking a discernible stream bed.

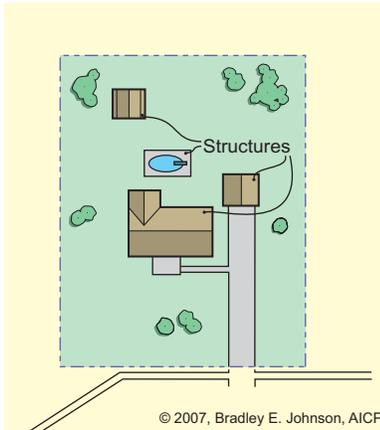
Street: A public thoroughfare, including road, highway, drive, lane, avenue, place, boulevard, and any other thoroughfare that has been constructed to public street standards.

Street, Stub: A street intended to be extended in conjunction with the subdivision and development of adjacent unplatted land.

Street Lighting Plan: A site plan showing the location and type of street lights to be installed including type of fixture and bulb type.

Structural Alterations: Any change in the supporting members of a building or structure such as bearing walls, partitions, columns, beams, or girders; or any change in the footprint or increase in the size of living space. Structural alterations also include substantial roofing and siding work when repairs are made to the structure beneath.

Structure: Anything constructed or erected which requires location on the ground or attachment to something having a location on the ground, including but not limited to buildings, sheds, detached garages, mobile homes, manufactured homes, above-ground storage tanks, freestanding signs, and other similar items.



Structure, Accessory: See “*Building or Structure, Accessory.*”

Structure, Attached: See “*Building or Structure, Attached.*”

Structure, Detached: See “*Building or Structure, Detached.*”

Structure, Enclosed: See “*Building or Structure, Enclosed.*”

Structure, Lawful Nonconforming: See “*Building or Structure, Lawful Nonconforming.*”

Structure, Nonconforming: See “*Building or Structure, Nonconforming.*”

Structure, Primary: See “*Building or Structure, Primary.*”

Structure, Temporary: See “*Building or Structure, Temporary.*”

Subdivision Control Ordinance: See “*Unified Development Ordinance.*”

Subdivision: The division of a parent tract or other piece of land into at least two (2) smaller lots or the combination of two (2) or more smaller lots into one (1) lot so that, either now or in the future, the subdivider can transfer ownership, construct buildings or establish a use, or create new building sites for leasehold, and as further defined in the Unified Development Ordinance.

Substantial Demolition: Means the moving or razing of a building including the removal or enclosure of fifty (50) percent or more of the structure.

Substantial Removal: "Substantial removal" as used in the definition of "partial demolition" means an alteration, pulling down, destruction or removal of a portion of a structure which jeopardizes a structure's individual eligibility for listing in the National Register of Historic Places, or its status as a contributing structure in a national, state or local register of historical places, which shall include, but not be limited to, the removal of a defining architectural feature or element which defines or contributes to the historic character of the structure.

Supermarket: See “*Grocery/Supermarket.*”

Swimming Pool: A self-contained body of water at least eighteen (18) inches deep and eight (8) feet in diameter or width and used for recreational purposes. It may be above or below ground level and shall be considered an accessory structure/use.

Definitions: T

Tailor/Seamstress Shop: A business specializing in the tailoring or alteration of clothing.

Tanning Salon: Any business that uses artificial lighting systems to produce a tan on an individual's body. This use specifically excludes spas, gymnasiums, athletic clubs, and health clubs.

Tattoo/Piercing Parlor: An establishment whose principal business activity is the practice of one (1) or more of the following:

- (1) The placement of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin;
- (2) Creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration.

Tavern: See "*Bar/Dance Club.*"

Television Station: See "*Radio/TV Station.*"

Testing Lab: A building or group of buildings in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

Theater, Drive-in: An outdoor theater where movies are shown on a large screen and viewed from automobiles.

Theater, Indoor: A building or part of a building devoted to showing motion pictures, or for dramatic, dance, musical, or other live performances, excluding adult motion picture theaters and adult entertainment businesses.

Thoroughfare Plan: See "*Master Thoroughfare Plan.*"

Tobacco Sales: See "*Liquor/Tobacco Sales.*"

Tool and Die Shop: An industrial business whose specialty is fabricating or assembling parts made from templates.

Tower Setback: The horizontal distance from the base of the tower to an abutting property line and/or proposed right-of-way.

Tract: See "*Lot.*"

Tract, Parent: A unit, or contiguous units, of land under single ownership which is being proposed for subdivision.

Trade School: See "*School, Business/Trade.*"

Trailer: See "*Dwelling, Mobile Home.*"

Training Studio: See "*Fitness/Training Studio.*"

Transportation Terminal: Any premises for the transient housing or parking of motor driven buses, and the loading and unloading of passengers.

Tree, Canopy: A deciduous tree that normally achieves an overall height at maturity of at least forty (40) feet, and whose mature height and branch structure provide foliage primarily on the upper half of the tree. The purpose of a canopy tree is to provide shade to adjacent ground areas.

Tree, Heritage: A tree that is unique and important to the community because of its species, age, size, location, or historic significance.

Tree, Interior: A tree used for the interior of a site rather than in the "*Tree Plot*" and that is not restricted by its characteristics. These trees include canopy, ornamental and evergreen trees.

Tree, Ornamental: A small to medium sized tree cultivated for its aesthetic characteristics rather than for its use.

Tree, Street: Trees suitable for planting along public streets and highways, and in locations where low-maintenance, hardy specimens with high canopies and little detritus are required.

Tree Farm: Any parcel of land used to raise or harvest trees for wood products such as lumber, posts and poles, fuel wood, and Christmas trees where forest products are sold on site or transported to market.

Tree Plot: The area within the right-of-way typically located between the street and the sidewalk/pedestrian path that is used for the planting of street trees.

Definitions: T

Tree Protection Fencing: Temporary fencing used to protect existing trees from damage or loss during project construction. The tree protection fencing shall surround the tree drip line and delineate the area where land disturbing activity may not occur.

TV Station: See “*Radio/TV Station*.”

Trellis: A structure of light bars of wood or metal crossing each other at intervals, having latticed open space in between, typically used as a framework for climbing vegetation.

Definitions: U

Unified Development Ordinance (UDO): Refers to this entire document as approved and with any subsequent amendments. The Unified Development Ordinance includes both the Zoning Ordinance, authorized by the IC 36-7-4-600 Series and the Subdivision Control Ordinance, authorized by the IC 36-7-4-700 Series.

University: See “*School, College/University.*”

Urban Agriculture: The growing of food crops through plant cultivation. Urban agriculture includes but is not limited to the following accessory activities : gardens, container gardens, edible landscapes, residential greenhouses, herb gardens, rooftop gardens, berry patches, vegetable gardens and other activities. Urban agriculture uses shall not include the raising of animals, except as permitted elsewhere in the Bloomington Municipal Code.

USC: The United States Code.

Use: The purposes for which land, a building, or structure thereon is designed, arranged, or intended, or for which it is occupied, maintained, let, or leased.

Use, Abandonment of: The relinquishment of property or a cessation of the use of property for a continuous period of six (6) months by the owner.

Use, Accessory: An activity that is conducted or located on the same zoning lot as the primary building or use served, except as may be specifically provided elsewhere in this Unified Development Ordinance; is clearly and customarily incidental to, subordinate in purpose to, and serving the primary use; and is either in the same ownership as the primary use or is clearly operated and maintained solely for the comfort, convenience, necessity, or benefit of the occupants, employees, customers, or visitors of the primary use.

Use, Change in: Includes, for any portion of a building, structure, or lot:

- (1) Any change from a residential use to a nonresidential use;
- (2) Any change from one (1) residential land use to another, any increase in number of dwelling units, and any increase in number of bedrooms for any unit;
- (3) Any change from one (1) use to another use having a higher requirement for off-street parking as specified in this Ordinance;
- (4) Any establishment of a use on a previously unused site, or the inclusion of a new use in addition to an existing use;
- (5) Any use which requires a Conditional Use approval;
- (6) Any change from one (1) class of use to another class of use or any change from a use listed in the Class of Use Table to any use not listed or any change from a use not listed in the Class of Use table to any other use not listed in the table.
- (7) Any establishment of a new use after a previous use has been abandoned, as defined by this Unified Development Ordinance.

Class of Use Table

1	2	3	4
antique sales	auto parts sales	business/professional office	assisted living facility
apparel and shoe sales	bookstore	government office	community center
artist studio	building supply store	license branch	country club
arts/craft/hobby store	convenience store (without gas pumps)	medical care clinic, immediate	day-care center, adult/child
barber/beauty shop	department store	medical clinic	fraternity house/sorority house
bicycle sales/repair	drive-through	outpatient care facility	government operations (non-office)
cellular phone/pager services	drugstore	post office	library
coin laundry	furniture store	radio/TV station	lodge
computer sales	grocery/supermarket	research center	mortuary
copy center	hardware store	social services	museum
dry-cleaning service	home electronics/appliance sales	testing lab	nursing/convalescent home
equipment/party/event rental (indoor)	hotel/motel	veterinary clinic	orchard/tree farm
florist	liquor and tobacco sales		park
garden shop	office supply sales		place of worship
gift shop/boutique	pet store		plant nursery/greenhouse
music/media sales	restaurant - 5,000 sq. ft. GFA or greater		police, fire or rescue station
musical instrument sales	sporting goods sales		post office
pawn shop	video rental		recreation center
pet grooming			rehabilitation clinic
photographic studio			school, business/trade
restaurant - under 5,000 sq. ft. GFA:			school, college/university
restaurant, limited service			school, preschool
retail, low intensity			school, primary/secondary
shoe repair			
tailor/seamstress shop			
tanning salon			
tattoo/piercing parlor			
5	6	7	
amusements, indoor	auto body shop	boat sales	
bank/credit union	car wash, full service	bottled gas storage/distribution	
banquet hall	car wash, self service	building trade shop	
bar/dance club	oil change facility	communication facility	
billiard/arcade room	vehicle accessory installation	distribution facility	
bowling alley	vehicle repair	equipment rental (outdoor)	
fitness center/gym	vehicle sales/rental	heavy equipment sales/rental	
fitness/training studio		impound vehicle storage	
golf course		manufactured home sales	
golf driving range, outdoor		manufacturing, light	
health spa		mini-warehouse facility	
miniature golf		outdoor storage	
skating rink		print shop	
theater, indoor		salvage/scrap yard	
		tool and die shop	
		transportation terminal	
		utility substation and transmission facility	
		warehouse	
		welding	

Definitions: U

Use, Conditional: See “*Conditional Use*.”

Use, Establishment of: The initiation of a new use on a property or the initiation of a use on a property where the previous use has been discontinued; or, reestablishment of a prior conforming use that has been discontinued for a period of twelve (12) months or more.

Use, Individual Nonresidential: A use and building that is located either on an outlot or not part of a larger commercial building that contains more than one (1) business.

Use, Lawful Nonconforming: Any use of land or structure, which does not conform with one or more provisions of this Unified Development Ordinance, but which lawfully existed upon the effective date of the provisions of this Unified Development Ordinance with which the use does not conform.

Use, Permitted: A use which may be lawfully established in a particular zoning district provided it conforms to all applicable requirements, regulations and standards.

Use, Temporary: Any use which is established only for a fixed period of time, which must be discontinued upon the expiration of the time limit provided in this Unified Development Ordinance, and which does not involve the construction or alteration of any permanent structure as distinguished from the same uses when permitted in full compliance with all applicable zoning, site plan, construction, and permit requirements. Temporary uses shall include uses conducted from tents, trailers, and other temporary structures not erected under the State and City permit processes for permanent buildings. The term “*Temporary Use*” shall not include events sponsored by the public on park, right-of-way, or other public lands.

Utility Substation and Transmission Facility: An assemblage of equipment for purposes other than generation or utilization, through which electric energy in bulk is passed for the purposes of switching or modifying its characteristics to meet the needs of the general public; provided that in residential districts an electric substation shall not include rotating equipment, storage of materials, trucks or repair facilities, housing of repair crews, or office or place of business.

Definitions: V

Variance, Development Standards: A specific approval to deviate from the development standards (such as height, bulk, area) that the Unified Development Ordinance otherwise prescribes, granted pursuant to IC 36-7-4-918.5.

Variance, Use: The approval of a land use other than that prescribed by the Unified Development Ordinance, granted pursuant to IC 36-7-4-918.4.

Vehicle: See “*Motor Vehicle.*”

Vehicle Accessory Installation: A facility which provides automobile-related services such as applying paint protectors, interior and exterior cleaning and polishing as well as installation of after market accessories such as tinting, auto alarms, spoilers, sunroofs, headlight covers, and similar items. However, engine degreasing or similar automobile cleaning services shall not be included under this definition.

Vehicle Repair: General repair, rebuilding, or reconditioning of engines, motor vehicles, trailers, including body work, frame work, welding, and major painting service.

Vehicle Sales/Rental: An establishment that specializes in the sale or rental of transportation vehicles, such as cars, trucks and the like.

Vehicle, Legally Inoperable: A vehicle from which the engine, transmission, or differential has been removed or that is otherwise partially dismantled or inoperable; or a vehicle that is at least three (3) model years old, is mechanically inoperable, and is left on private property continuously in a location visible from public property for more than twenty (20) days.

Veterinary Clinic: A place where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. Use as a kennel shall be limited to short-time boarding and shall be only incidental to such hospital use.

Video Rental: An establishment primarily engaged in the retail rental or lease of video tape, films, CD-ROMs, laser discs, electronic media. Sales of film, video tapes, laser discs, CD-ROMs, and electronic merchandise associated with VCRs, video cameras, and electronic games are permitted accessory uses.

Vision Clearance Triangle: An area of unobstructed vision at street intersections between two and one-half (2.5) and nine (9) feet above the gutter line and within a triangular area at the street corner, which area is bounded by the street property lines of the corner lot. The vision clearance triangle leg length shall be as specified in the most current edition of the Policy on Geometric Design of Highways and Streets published by the American Association of State Highway Transportation Officials (AASHTO).

Void-to-Solid Ratio: The ratio of façade open area relative to solid building wall.

Definitions: W

Waiver, Design Standards: An exception to a design standard that may be approved by either the Planning and Transportation Director or Plan Commission, as regulated by this Unified Development Ordinance.

Warehouse: A use which is engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, but not involved in manufacturing or production.

Welding: The process of joining two (2) members by the addition of heat and filler metal.

Wetland: Those areas inundated or saturated by surface or ground water at a frequency or duration sufficient to support, and under normal circumstances, do support, a prevalence of vegetation specifically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. For the purpose of this definition, a wetland must have one or more of the following attributes:

- (1) At least periodically, the land supports hydrophytes;
- (2) The substrate is predominately undrained hydric soil;
- (3) The substrate is non-soil and is saturated with water or covered by shallow water at least some time during the year.

Wetland, Jurisdictional: Any wetland under the jurisdiction of the State or federal government.

Window, Display: See “*Display Window.*”

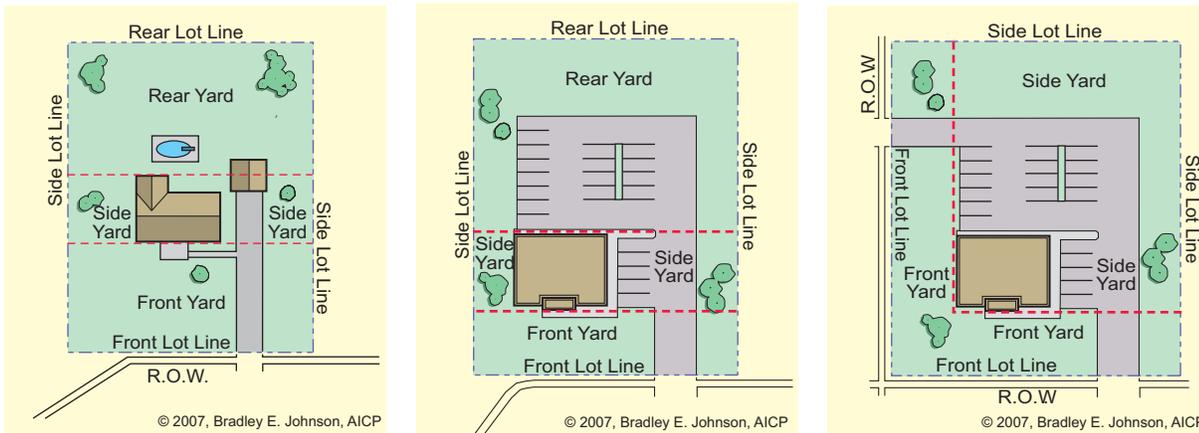
Window Frame: The fixed frame of a window, consisting of two (2) jambs, a head, and a sill.

Window Lintel: The window lintel is a horizontal structure member, such as a beam made of steel, stone or wood, over the window which carries the weight of the wall above.

Window Sill: The horizontal bottom member of a window frame. The sill can be made of brick, stone, wood, etc.

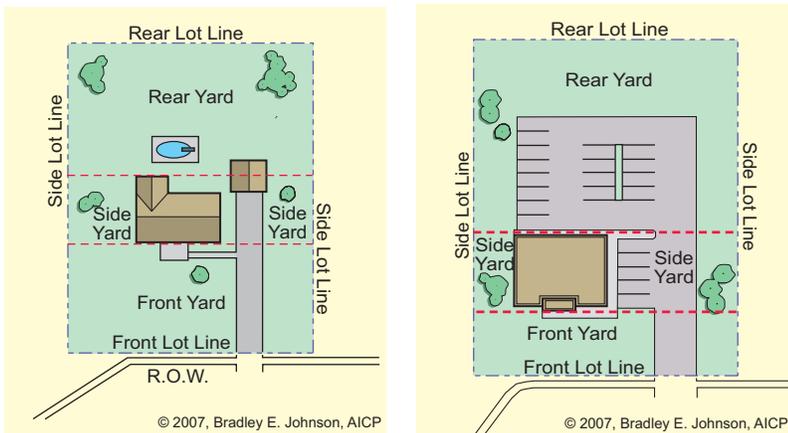
Wooded Area: A contiguous, vegetated area featuring a dense, closed canopy of trees whose branches interlock to provide nearly continuous shade.

Yard: A space on the same lot with a primary building that is open and unobstructed except as otherwise authorized by this Unified Development Ordinance.



Yard, Front: The horizontal space between the nearest foundation of a building or structural appurtenance, or roof eave (whichever is closer) to the front lot line, extending to the side lines of the lot, and measured as the shortest distance from that foundation to the front lot line.

Yard, Rear: The horizontal space between the nearest foundation or structural appurtenance of a building to a rear lot line, extending to the side lines of the lot, and measured as the shortest distance from the foundation to the rear lot line.



Yard, Side: The horizontal space between the nearest foundation or structural appurtenance of a building to the side lot line.

Zero Lot Line Development: A type of development that places a building on a lot in such a manner that one (1) or more of the building's sides rests directly on a lot line and complies with all fire code requirements for construction on a lot line.

Zoning District, Base: A zoning district as shown on the official zoning map that is used as a starting point for the regulations of a Planned Unit Development District Ordinance.

Zoning Ordinance: See "Unified Development Ordinance."