ORDINANCE 95-21

TO REPEAL AND REPLACE
TITLE 20 OF THE BLOOMINGTON MUNICIPAL CODE
ENTITLED, "ZONING", INCLUDING THE INCORPORATED ZONING MAPS,
AND TITLE 21, ENTITLED "LAND USE AND DEVELOPMENT"

WHEREAS, on May 15, 1991, the Common Council adopted Resolution 91-15, which approved the Comprehensive Plan for the City of Bloomington; and

WHEREAS, the Plan Commission has initiated and prepared a proposal to repeal and replace Title 20 of the Bloomington Municipal Code, entitled "Zoning", including the incorporated zone maps; and

WHEREAS, this proposal includes provisions on site planning that are intended to repeal and replace the existing Title 21, entitled "Land Use and Development"; and

WHEREAS, after having provided notice, having held public hearings, and having given a favorable recommendation on the proposed zoning ordinance, the Plan Commission certified the proposal to the Common Council on February 28, 1995; and

WHEREAS, in preparing and considering this proposal, the Plan Commission and Council have paid reasonable regard to:

1) the Comprehensive Plan;
2) Current conditions and character of current structures and uses in each district;
3) the most desirable use for which land in each district is adapted;
4) conservation of property values throughout the jurisdiction; and
5) responsible development and growth;

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

SECTION I. Title 21, entitled "Land Use and Development" is repealed.

SECTION II. Title 20, entitled "Zoning", including the incorporated zone maps, is repealed.

SECTION III. A replacement zoning ordinance, entitled "Title 20, Zoning", including the zone maps and other material that are incorporated therein by reference, is adopted as follows:

SECTION IV. Incorporation by Reference. Two copies of the zone maps and other material that are incorporated into Title 20 by reference are on file in the office of the City Clerk for public inspection.

SECTION V. Severability. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

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

SECTION VII. The Clerk of the City is directed to enter the effective date of the ordinance wherever it appears in the body of the ordinance.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 6 day of APRIL, 1995.

Iris Kiesling

IRIS KIESLING, President
Bloomington Common Council

ATTEST:

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 11 day of April, 1995.

Patricia Williams

PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 11 day of April, 1995.

Tomilea Allison

TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance repeals Title 20 of the Bloomington Municipal Code, containing the existing zoning ordinance and its incorporated zone maps, and Title 21, containing the related site planning regulations, and adopts a replacement zoning ordinance, which includes the zone maps and other material that have been incorporated into the ordinance by reference.

Signed copies to:
HT Legal

Printed copies to:
Legal - 5
BMC File
Clerk

CA/CA

CITY OF BLOOMINGTON

ZONING ORDINANCE

As adopted and effective
MAY 1, 1995

TABLE OF CONTENTS

CHAPTER 20.01:

TITLE, PURPOSE, APPLICABILITY AND INTERPRETATION 1
20.01.01.00 TITLE 1
20.01.02.00 AUTHORITY AND PURPOSE 1
20.01.02.01 Authority 1
20.01.02.02 Purpose 1
20.01.03.00 SCOPE OF AUTHORITY 2
20.01.03.01 Jurisdiction 2
20.01.03.02 General Applicability 2
20.01.04.00 REPEAL OF PREEXISTING CODE 2
20.01.05.00 RULES OF INTERPRETATION 2
20.01.06.00 TRANSITION RULES 3
20.01.06.01 Existing Permitted Uses Rendered Conditional Uses 3
20.01.06.02 Uses Rendered Nonconforming 3
20.01.06.03 Buildings, Structures and Lots Rendered Nonconforming 3
20.01.06.04 Previous Building Permit Applications 3
20.01.06.05 Previously Granted Variances 3
20.01.06.06 Previously Granted Conditional Use Permits 4
20.01.06.07 Previously Granted Special Exceptions 4
20.01.06.08 Previously Granted Certificates of Appropriateness for Properties Designated Historic 4
20.01.06.09 Previously Approved Planned Developments 4
20.01.06.10 Site Plans 4
20.01.06.11 Subdivisions 5
20.01.07.00 SEVERABILITY 5
20.01.08.00 EFFECTIVE DATE 5

CHAPTER 20.02:

DEFINITIONS AND RULES OF WORD USAGE 6
20.02.01.00 DEFINITIONS 6
20.02.02.00 DEFINITIONS SPECIFIC TO INDUSTRIAL PERFORMANCE STANDARDS 26
20.02.04.00 RULES OF CONSTRUCTION 31

CHAPTER 20.03:

ADMINISTRATIVE AND DECISIONMAKING BODIES AND OFFICIALS 32
20.03.01.00 SUMMARY OF AUTHORITY 32
20.03.02.00 COMMON COUNCIL 32
20.03.02.01 32
20.03.02.02 32
20.03.02.03 32
20.03.02.04 32
20.03.03.00 PLAN COMMISSION 32
20.03.03.01 Jurisdiction and Authority 32
20.03.03.02 Membership, Term, and Organization 33
20.03.03.03 Quorum and Official Action 34
20.03.03.04 Meetings; Hearings; Procedures 34
20.03.03.05 Record 34
20.03.03.06 Decisions 34
20.03.03.07 Conflicts 34
20.03.04.00 BOARD OF ZONING APPEALS 35
20.03.04.01 Jurisdiction and Authority 35
20.03.04.02 Membership, Term and Organization 35
20.03.04.03 Meetings and Procedures 35

20.03.04.04 Quorum and Official Action 36
20.03.04.05 Record 36
20.03.04.06 Decisions 36
20.03.04.07 Conflicts 36
20.03.05.00 PLANNING DEPARTMENT 36
20.03.05.01 Authority 36
20.03.05.02 Staff Assistance to the Board of Zoning Appeals and Plan Commission 37
20.03.05.03 Building Permits and Certificates of Zoning Compliance 37
20.03.05.04 Records 37
20.03.05.05 Zoning Text and Map 38
20.03.05.06 Receipt, Processing, and Referral of Applications 38
20.03.05.07 Investigation of Application 38
20.03.05.08 Inspection and Enforcement 38
20.03.05.09 New Technologies 39
20.03.06.00 HISTORIC PRESERVATION COMMISSION 39
20.03.07.00 HEARING OFFICER 39
20.03.07.01 Authority 39
20.03.07.02 Procedures 39
20.03.08.00 PLAT COMMITTEE 39
20.03.08.01 Authority 39
20.03.08.02 Procedures 40

CHAPTER 20.04:
PLANNING DOCUMENTS 41
20.04.01.00 COMPREHENSIVE PLAN, KNOWN AS THE GROWTH POLICIES PLAN, ALONG WITH ANY SUBSEQUENT AMENDMENTS 41
20.04.01.01 Purpose 41
20.04.01.02 Relationship Between Comprehensive Plan and Zoning Ordinance 41
20.04.01.03 Amendments to the Comprehensive Plan 41
20.04.02.00 SUBAREA PLANS 41
20.04.02.01 Relationship of Subarea Plans to the Comprehensive Plan 41
20.04.02.02 Neighborhood Subarea Plans 42
20.04.02.03 Adoption and Amendments to Subarea Plans 42
20.04.03.00 THOROUGHFARE PLAN 42
20.04.03.01 42
20.04.03.02 42
20.04.03.03 42
20.04.03.04 42
20.04.03.05 42

CHAPTER 20.05:
STANDARDS AND PROCEDURES FOR ADMINISTRATIVE AND PUBLIC HEARING REVIEW 43
20.05.01.00 APPLICATIONS 43
20.05.01.01 Application Requirements 43
20.05.01.02 Completeness of Applications 43
20.05.01.03 Joint Submission and Consideration of Different Requests for Development 44
20.05.01.04 Review of Application by Planning Department 44
20.05.02.00 NOTICE AND GENERAL RULES OF PROCEDURE 44
20.05.02.01 Notice Requirements 44
20.05.02.02 Public Hearing Procedures 45
20.05.03.00 PERMITTED USES 46
20.05.03.01 Purpose 46
20.05.04.00 CONDITIONAL USES 46
20.05.04.01 Authority 46

20.05.04.02 Purpose 46
20.05.04.03 Parties Entitled To Seek Conditional Use Permits 46
20.05.04.04 Procedure 47
20.05.04.05 Standards For Conditional Use Permits 47
20.05.04.06 Additional Criteria for Certain Categories of Conditional Use 48
20.05.04.07 Conditions On Conditional Use Permits 55
20.05.04.08 Compliance With Conditions 55
20.05.04.09 Effect Of Issuance Of A Conditional Use Permit 55
20.05.04.10 Expiration of Conditional Use 56
20.05.04.11 Amendments To Conditional Use Permits 56
20.05.04.12 Enforcement 56
20.05.05.00 VARIANCES 57
20.05.05.01 Authority And Purpose 57
20.05.05.02 Eligible Petitioners 57
20.05.05.03 Variance Procedures 57
20.05.05.04 Variance Expiration 58
20.05.05.05 Enforcement 59
20.05.06.00 APPEALS 59
20.05.06.01 Authority 59
20.05.06.02 Initiation 59
20.05.06.03 Processing 59
20.05.06.04 Public Hearing 59
20.05.06.05 Decisions 60
20.05.07.00 AMENDMENTS TO ORDINANCE TEXT AND MAP 60
20.05.07.01 Authority and Procedures 60
20.05.07.02 Standards For Amendments 60
20.05.07.03 Effect Of Approval Of Amendment 60
20.05.08.00 SITE PLAN REVIEW 60
20.05.08.01 Purpose of Site Plan Review 60
20.05.08.02 Scope of Review and Standards 61
20.05.08.03 Site Plan Review Process 62
20.05.09.00 PLANNED UNIT DEVELOPMENT REVIEW 64
20.05.09.01 Purpose of the Planned Unit Development 64
20.05.09.02 Definition of Planned Unit Development 65
20.05.09.03 Requirements for Planned Unit Development 65
20.05.09.04 Procedure for Approval of Planned Unit Development 71
20.05.09.05 Changes in the Planned Unit Development 74
20.05.09.06 Designation of Permanent Open Space 75
20.05.09.07 Specific Content of Plans 75
20.05.09.08 Review Considerations 78
20.05.10.00 TEMPORARY USES 80
20.05.10.01 General Provisions 80
20.05.10.02 Exemption For Garage Sales on Private Property 80
20.05.10.03 Certificate Of Occupancy Required For Human Occupancy 80
20.05.11.00 HOME OCCUPATIONS 80
20.05.11.01 Permit Required 80
20.05.11.02 Home Occupations in Non-residential zoning districts 80
20.05.11.03 Home Occupations in Residential Zoning Districts 81
20.05.11.04 Child Day Care Homes 81
20.05.11.05 Adult Day Care Homes 82
20.05.11.06 Enforcement 82
20.05.12.00 REVOCATION OF CERTIFICATES OF ZONING COMPLIANCE FOR HOME . . . 82
20.05.12.01 82
20.05.12.02 82
20.05.13.00 ADMINISTRATIVE INTERPRETATIONS 82
20.05.13.01 Authority 82
20.05.13.02 Purpose 83
20.05.13.03 Parties Entitled To Seek Interpretations 83

20.05.13.04 Procedure 83
20.05.13.05 Standards For Use Interpretations 83
20.05.13.06 Effect Of Favorable Use Interpretations 84
20.05.13.07 Limitations On Favorable Use Interpretations 84
20.05.13.08 Appeals From Planning Director Decisions 84
20.05.14.00 Proposals to Extend Sanitary Sewer Service 84
20.05.14.01 Purpose and Authority 84
20.05.14.02 Criteria 84
20.05.14.03 Additional Factors 85
20.05.14.04 Findings 85

CHAPTER 20.06:
DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY 86
20.06.01.00 USE OF LAND AND BUILDINGS AND BULK REGULATIONS 86
20.06.01.01 Activities Conducted Within an Enclosed Building 86
20.06.01.02 Conformity with Development Regulations 86
20.06.01.03 Obstructions of Public Rights-of-Way and Sight Lines 86
20.06.02.00 OFF-STREET PARKING 86
20.06.02.01 Purpose and Scope 86
20.06.02.02 Required Number of Off-Street Parking Spaces 87
20.06.02.03 Shared Parking 90
20.06.02.04 Parking Accessible for the Disabled 90
20.06.02.05 Location of Parking Spaces 91
20.06.02.06 Use of Required Parking Spaces 91
20.06.02.07 Size of Required Parking Spaces and Aisles 91
20.06.02.08 Design and Maintenance 92
20.06.02.09 Ingress and Egress 93
20.06.02.10 Bicycle Parking Facilities 94
20.06.02.11 Parking Lot Landscaping and Buffering Requirements 94
20.06.03.00 OFF-STREET LOADING 94
20.06.03.01 Location and Screening 94
20.06.03.02 Access 94
20.06.03.03 Surfacing 94
20.06.03.04 Utilization 94
20.06.03.05 Plan Required 94
20.06.04.00 ENVIRONMENTAL AND URBAN DESIGN STANDARDS 94
20.06.04.01 This section reserved for future use 94
20.06.04.02 Landscaping Requirements 94
20.06.04.03 Transit, Bicycle, and Pedestrian Access 106
20.06.04.04 Public Art 107
20.06.04.05 Residential Architectural Guidelines 107
20.06.04.06 Miscellaneous Site Development Standards 108
20.06.05.00 ENVIRONMENTAL PERFORMANCE STANDARDS 108
20.06.05.01 Industrial Performance Standards 108
20.06.05.02 Standards for Sites Having Environmental Constraints: Karst Terrain, Wetlands, Steep Slopes, Water Resources 113
20.06.05.03 Siltation and Erosion 117
20.06.05.04 Stormwater Management 123
20.06.06.00 SIGN REGULATIONS 124
20.06.06.01 Purpose and Intent 124
20.06.06.03 Placement Prohibitions 124
20.06.06.04 General Sign Regulations 125
20.06.06.05 Off-Premise Signs 128
20.06.06.06 Permits 129
20.06.06.07 Exemptions 129
20.06.06.08 Lawful Nonconforming Signs 129
20.06.07.00 TEMPORARY USES 130
20.06.07.01 Purpose and Scope 130

20.06.07.02 Permit Required 130

CHAPTER 20.07:
ZONING DISTRICTS 132
20.07.01.00 ESTABLISHMENT OF ZONING DISTRICTS AND MAP 132
20.07.01.01 Zoning Districts Established 132
20.07.01.02 Zoning Map Established 133
20.07.01.03 Interpreting the Zoning Map 133
20.07.02.00 ESTATE RESIDENTIAL 2.5 134
20.07.02.01 Purpose 134
20.07.02.02 Permitted Uses 134
20.07.02.03 Conditional Uses 134
20.07.02.04 Accessory Uses and Structures 135
20.07.02.05 Bulk Controls 135
20.07.02.06 Planned Unit Development Limitations 135
20.07.03.00 ESTATE RESIDENTIAL 1 136
20.07.03.01 Purpose 136
20.07.03.02 Permitted Uses 136
20.07.03.03 Conditional Uses 136
20.07.03.04 Accessory Uses and Structures 137
20.07.03.05 Bulk Controls 137
20.07.04.00 SINGLE DWELLING RESIDENTIAL 138
20.07.04.01 Purpose 138
20.07.04.02 Permitted Uses 138
20.07.04.03 Conditional Uses 138
20.07.04.04 Accessory Uses and Structures 139
20.07.04.05 Bulk Controls 139
20.07.05.00 TOWNHOUSE RESIDENTIAL 140
20.07.05.01 Purpose 140
20.07.05.02. Permitted Uses 140
20.07.05.03 Conditional Uses 140
20.07.05.04 Accessory Uses 141
20.07.05.05 Bulk Controls 141
20.07.06.00 MULTI DWELLING RESIDENTIAL 142
20.07.06.01 Purpose 142
20.07.06.02 Permitted Uses 142
20.07.06.03 Conditional Uses 142
20.07.06.04 Accessory Uses 143
20.07.06.05 Bulk Controls 143
20.07.07.00 LIMITED COMMERCIAL 148
20.07.07.01 Purpose 148
20.07.07.02 Permitted Uses 148
20.07.07.03 Conditional Uses 149
20.07.07.04 Accessory Uses 149
20.07.07.05. Bulk Controls 149
20.07.07.06. Ground Floor Retail 150
20.07.08.00 GENERAL COMMERCIAL 151
20.07.08.01 Purpose 151
20.07.08.02 Permitted Uses 151
20.07.08.03 Conditional Uses 152
20.07.08.04 Accessory Uses 152
20.07.08.05 Bulk Controls 152
20.07.09.00 ARTERIAL COMMERCIAL 154
20.07.09.01 Purpose 154
20.07.09.02 Permitted Uses 154
20.07.09.03 Conditional Uses 155
20.07.09.04 Accessory Uses 155
20.07.09.05 Bulk Controls 155

20.07.10.00 DOWNTOWN COMMERCIAL 157
20.07.10.01 Purpose 157
20.07.10.02 Permitted Uses 157
20.07.10.03 Conditional Uses 158
20.07.10.04 Accessory Uses 158
20.07.10.05 Bulk Controls 158
20.07.10.06 Performance Controls 159
20.07.11.00 LIMITED INDUSTRIAL 160
20.07.11.01 Purpose and Intent 160
20.07.11.02 Permitted Uses 160
20.07.11.03 Conditional Uses 160
20.07.11.04 Accessory Uses 161
20.07.11.05 Bulk Controls 161
20.07.11.06 Performance Controls 162
20.07.12.00 GENERAL INDUSTRIAL 163
20.07.12.01 Purpose and Intent 163
20.07.12.02. Permitted Uses 163
20.07.12.03 Conditional Uses 163
20.07.12.04 Accessory Uses 164
20.07.12.05 Bulk Controls 164
20.07.12.06 Performance Controls 165
20.07.13.00 BUSINESS PARK 166
20.07.13.01 Purpose and Intent 166
20.07.13.02 Permitted Uses 166
20.07.13.03 Conditional Uses 166
20.07.13.04 Accessory Uses 167
20.07.13.05 Bulk Controls 167
20.07.13.06 Performance Controls 167
20.07.14.00 SPECIAL DISTRICTS 168
20.07.14.01 Institutional Uses District 168
20.07.14.02 Medical District 170
20.07.14.03 Airport District 172
20.07.14.04 Quarries District 174
20.07.15.00 OVERLAY DISTRICTS 176
20.07.15.01 Planned Residential Overlays 176
20.07.15.02 Special Industrial Overlay 180
20.07.15.03 Lake Watershed Areas 181
20.07.15.04 Special Flood Hazard Areas 182
20.07.15.05 Downtown Development Opportunity 186
20.07.16.00 SUMMARY OF DISTRICT USES AND REGULATIONS 189
20.07.16.01 Summary of District Uses 189
20.07.16.02 Summary of District Regulations 189
20.07.16.03 Special Bulk, Height, Area, and Aesthetic Requirements 189
20.07.16.03 Bulk, Density, Height, Area, and Aesthetic Requirements 199

CHAPTER 20.08:
NONCONFORMITIES 201
20.08.01.00 NON-CONFORMING STRUCTURES AND USES 201
20.08.01.01 General 201
20.08.01.02 Residential Occupancy 201
20.08.01.03 Certificate Of Nonconforming Use 202
20.08.02.00 CHANGES IN A NONCONFORMING USE OR STRUCTUR 202
20.08.02.01 Changes in Use Restricted 202
20.08.02.02 Changes to a Nonconforming Structure 202
20.08.02.03 Changes to Nonconforming Structures in Flood Hazard Areas 202
20.08.03.00 ABANDONMENT OF NONCONFORMING USES 203
20.08.03.01 Reestablishment Prohibited 203
20.08.03.02 Abandonment of a Nonconforming Use 203

20.08.04.00 RESTORATIONS AND REPAIRS 203
20.08.04.01 Structure Damaged or Destroyed 203
20.08.04.02 Repair 203
20.08.04.03 Replacement in a Flood Hazard Area 204

CHAPTER 20.09:
ENFORCEMENT 205
20.09.01.00 AUTHORITY 205
20.09.02.00 PENALTIES AND REMEDIES FOR VIOLATIONS 205
20.09.02.01 205
20.09.02.02 205
20.09.02.03 205
20.09.03.00 ADMINISTRATION 205

CHAPTER 20.10:
APPENDIX 206
20.10.01.00 206
20.10.01.01 Indiana University Campus Boundaries 206
20.10.01.02 Historic Properties and Districts 206

CHAPTER 20.01: TITLE, PURPOSE, APPLICABILITY AND INTERPRETATION

20.01.01.00 Title
20.01.02.00 Authority and Purpose
20.01.03.00 Scope of Authority
20.01.04.00 Transition Rules
20.01.05.00 Severability
20.01.06.00 Effective Date

20.01.01.00 TITLE

The ordinance codified in this title shall be known, cited and referred to as the "Zoning Title of the Bloomington Municipal Code", or the "Zoning Ordinance".

20.01.02.00 AUTHORITY AND PURPOSE

20.01.02.01 Authority

This Zoning Ordinance is adopted by the City pursuant to its authority under the laws of the State of Indiana, the Bloomington Municipal Code and all other applicable authorities and provisions of Indiana statutory and common law.

20.01.02.02 Purpose

The ordinance codified in this title is adopted:

A. To promote the orderly, responsible, and beneficial development and growth of the areas within the planning jurisdiction in accordance with City land use policy.

B. To promote the public health, safety, morals, comfort, convenience and general welfare;

C. To protect the character and stability of residential, institutional, business, industrial, and natural areas;

D. To minimize or avoid congestion in the public streets and to ensure safe, convenient, and efficient traffic circulation;

E. To secure adequate light, air, convenience of access, and safety from fire and other danger, which may include providing adequate open spaces for light, air, and outdoor uses;

F. To preserve and enhance the scenic beauty, aesthetics, and environmental integrity of the planning jurisdiction;

G. To encourage compatibility between different land uses and to protect the scale and character of existing development from the encroachment of incompatible uses;

H. To regulate and restrict the location and intensity of use of buildings, structures and land for trade, industry, residence, and other uses;

I. To define the powers and duties of administrative officers and bodies as provided herein, and to establish procedures for the implementation and enforcement of this Zoning Ordinance.

J. To further such other purposes as are stated hereinafter within specific provisions of this Zoning Ordinance.

20.01.03.00 SCOPE OF AUTHORITY

20.01.03.01 Jurisdiction

This Zoning Ordinance shall apply to all land, uses, buildings and structures within the incorporated City of Bloomington and any other area contiguous to the city over which the city exercises planning authority.

20.01.03.02 General Applicability

After the effective date of this Zoning Ordinance, no buildings, structures, or uses of land or structures existing or hereafter established, shall be altered, erected, constructed, moved, divided or maintained except in accordance with the provisions of this Zoning Ordinance except as otherwise hereinafter provided.

This title shall be read in terms of and shall be interpreted to include as an integral part thereof any and all other provisions of the Bloomington Municipal Code which are necessary for an understanding of this title and the attainment of its purpose.

In the event of conflict in the terminology of any section or part thereof or between different sections of this title, or wherever the requirements of another law or ordinance are applicable, the provisions of that law or ordinance which impose greater restrictions upon the use or bulk of buildings, or require larger yards, courts, or open spaces shall govern.

20.01.04.00 REPEAL OF PREEXISTING CODE

The Bloomington Zoning Ordinance adopted by the City of Bloomington as Ordinance No. 73-3 on June 21, 1973, and as subsequently amended, together with the Zoning Map which is a part of that Zoning Ordinance, as subsequently amended, is hereby repealed and this Zoning Ordinance, together with the Zoning Map which is a part of this Zoning Ordinance, adopted as of the effective date of this Zoning Ordinance.

20.01.05.00 RULES OF INTERPRETATION

The provisions of this Zoning Ordinance shall be construed to achieve the purposes for which they are adopted. In interpreting and applying the provisions of this Zoning Ordinance, these provisions shall be held to be the minimum requirements for the promotion of the public health, safety, morals, comfort, convenience, and general welfare.

It is not the intention of this Zoning Ordinance to interfere with or abrogate or annul any easements, covenants, building restrictions or other agreements between parties. However, where this Zoning Ordinance imposes a greater restriction upon the use of buildings or premises or upon the physical standards for development than are imposed or required by other laws, rules, regulations or permits, or by easements, covenants, building restrictions or agreements, the provisions of this Zoning Ordinance shall govern.

20.01.06.00 TRANSITION RULES

In determining the applicability of this Zoning Ordinance with respect to the previously applicable zoning regulations, the following rules shall apply.

20.01.06.01 Existing Permitted Uses Rendered Conditional Uses

When a use lawfully existing on the effective date of this Zoning Ordinance was classified as a permitted use prior to the effective date of this Zoning Ordinance, and such use is classified as a "Conditional Use" by this Zoning Ordinance, such use shall be deemed a lawful nonconforming use. Such use may be granted a conditional use permit pursuant to Section 20.05.04 if applicable criteria are met.

20.01.06.02 Uses Rendered Nonconforming

When a use was lawfully existing as a permitted use on the effective date of this Zoning Ordinance and this Zoning Ordinance, or any amendment thereto, no longer classifies such use as a permitted use in the zoning district in which it is located, such use shall be deemed a lawful nonconforming use and shall be subject to the provisions of Chapter 20.08, Nonconformities.

20.01.06.03 Buildings, Structures and Lots Rendered Nonconforming

Where any building, structure or lot lawfully existing on the effective date of this Zoning Ordinance does not meet all development standards set forth in this Zoning Ordinance, or any amendment thereto, such building, structure, or lot shall be deemed lawfully nonconforming and shall be subject to the provisions of Chapter 20.08, Nonconformities.

20.01.06.04 Previous Building Permit Applications

When, before the effective date of this ordinance, a complete application has been filed for a building permit for a building or structure which conforms to all applicable regulations in effect on the effective date of this Zoning Ordinance, the building or structure may be completed in accordance with the plans on the basis of which the application was submitted. Upon completion, said building or structure may be occupied for the use which was specified on the building permit application, provided said use at time of application was classified as permitted or, if classified as conditional, had been approved by the Board of Zoning Appeals. Provided, also, if the use originally intended no longer complies with all requirements of this zoning ordinance such use shall be a lawful nonconforming use subject to the provisions of Chapter 20.08, Nonconformities. However, in the event that said application or permit expires or is suspended or revoked as provided in Section 17.08.030 (7) of the Bloomington Municipal Code, any new permit application shall be subject to the regulations in this ordinance.

20.01.06.05 Previously Granted Variances

All variances granted prior to the effective date of this Zoning Ordinance shall remain in full force and effect subject to the expiration provision in effect at the time the variance was granted. However, such variance shall apply only to the specific variance(s) of use or development standard granted.

20.01.06.06 Previously Granted Conditional Use Permits

All conditional use permits granted prior to the effective date of this Zoning Ordinance shall remain in full force and effect subject to the expiration limitations established in Section 20.05.04.10 of this Zoning Ordinance. Expansion or change in use shall require compliance with this zoning ordinance.

20.01.06.07 Previously Granted Special Exceptions

All special exceptions granted prior to the effective date of this Zoning Ordinance shall remain in full force and effect subject to the expiration limitations set forth in the rules under which the special exception was established. Expansion or change in use shall require compliance with this zoning ordinance.

20.01.06.08 Previously Granted Certificates of Appropriateness for Properties Designated Historic

All Certificates of Appropriateness granted prior to the effective date of this Zoning Ordinance shall remain in full force and effect pursuant to the terms of approval set forth in the Plan Commission action.

20.01.06.09 Previously Approved Planned Developments

An outline plan approved under the previous ordinance and retained as a Planned Development on the zoning map adopted as part of this Zoning Ordinance shall constitute an approved preliminary plan. A development plan approved under the previous ordinance where the Planned Development is retained on the zoning map adopted as part of this zoning ordinance shall constitute an approved final plan subject to the expiration provisions in effect at the time of approval. Where an outline plan has been approved, but a development plan has not been approved, or has been approved but has expired, prior to the effective date of this zoning ordinance, final plans shall require Plan Commission review, unless the Plan Commission, at a public hearing, determines that the staff should review the final plans.

20.01.06.10 Site Plans

A site plan approved prior to the effective date of this zoning ordinance shall remain in full force and effect, such that building and occupancy permits may be issued in accordance with the approved site plan, subject to any conditions placed upon such approval and subject to the expiration provisions in effect at the time of approval. Provided, however, any change from the approved site plan, including but not limited to, changes in use or development standards shall require compliance with this zoning ordinance.

A full and complete application for site plan review conforming to all applicable regulations in effect at the time of application shall be entitled to review under the regulations in effect at the time of application with respect to development standards and the uses that were specified in the application for site plan review. Upon approval, building and occupancy permits may be issued in accordance with the approved site plan, subject to any conditions placed upon such approval and subject to the expiration provisions in effect at the time of application. Provided, however, any change from the approved site plan, including but not limited to, changes in use or development standards shall require compliance with this zoning ordinance.

Provided, further, the foregoing shall apply only to fully detailed site plans and shall not apply to any portion of a parcel or development not fully detailed and expressly approved, even if shown on such plans.

20.01.06.11 Subdivisions

A preliminary and/or final plat approved prior to the effective date of this zoning ordinance, whether or not yet recorded, shall remain in full force and effect, subject to applicable expiration provisions. Final plats may be recorded as approved; preliminary plats shall be entitled to approval of a final plat consistent with the preliminary approval; lots in such plats shall be established in their platted size and configuration as lots of record. Such lots shall be subject to use and development standards of this zoning ordinance, other than minimum lot dimensions.

A full and complete application for preliminary plat approval conforming to all applicable regulations in effect at the time of application shall be entitled to review under the regulations in effect at the time of application with respect to lot size and configuration. Upon approval, lots in such plats shall be established in their platted size and configuration as lots of record.

20.01.07.00 SEVERABILITY

If any of the provisions of this Zoning Ordinance are declared invalid, the other provisions shall remain in full force and effect.

20.01.08.00 EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor and promulgation according to law, this date being May 1, 1995.

CHAPTER 20.02: DEFINITIONS AND RULES OF WORD USAGE

20.02.01.00 General Definitions
20.02.02.00 Definitions specific to Industrial Performance Standards
20.02.03.00 Definitions specific to Special Flood Hazard Areas
20.02.04.00 Rules of Construction

20.02.01.00 DEFINITIONS

Accessory Building or Structure	A subsidiary or auxiliary building or structure located on the same lot with the principal building or structure but separated therefrom and which is customarily incidental to the principal building or structure or to the principal use of the land.
Accessory Use	See "Use, Accessory".
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.
Affordable Housing	Rental or for-sale housing which will be priced at or below U.S. Dept. of Housing and Urban Development (HUD) guidelines for the Bloomington area for income-qualified residents. Such pricing shall be assured by participation in a specific local, state, or federal housing program or otherwise be assured by a recorded, enforceable commitment, and such assurance shall also include a guarantee that affordable pricing will be maintained for a specified time period.
Agriculture	The use of land for agricultural purposes, including farming, pasturage, horticulture, viticulture, and the necessary accessory uses or parking, treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities. The term agriculture does not include feed lots, confinement of animals or other livestock, or chemical storage or manufacturing associated with agriculture. (See also Pasturage)
Amusement Machines	Any group of five or more machines or devices designed or modified to be operated by a coin, coin or tokens, or for the operation of which a charge is made for the purpose of providing amusement. Amusement machines include but are not limited to pinball machines, electronic games, pool tables, and coin operated movie booths. A machine or device used exclusively for the vending of merchandise of a tangible nature or laundry machines shall not be deemed amusement machines.
Amusement Establishment	Any establishment where the use of amusement devices for compensation exceed fifty percent (50%) of the establishment's activities.

Amusements, Outdoor	Outdoor commercial recreation activities, other than those defined as "Recreational Facilities, Outdoor". Such activities include, but are not limited to, miniature golf, bungee jumping, amusement parks. "Amusements, outdoor" does not include any activities offered by the public sector in a park or playground.
Apartment	One of the dwelling units in a building containing two or more dwelling units, other than a rooming/lodginghouse.
Arbor	See "Trellis".
Architectural Features	Ornamentation or decorative features attached to or protruding from an exterior wall.
Assignable Area	The sum of all areas on all floors of a building assigned to, or available for assignment to, an occupant or specific use, 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.
Automobile Repair	The general repair, including body repair, and/or painting of motor vehicles.
Automobile Service Station	A retail business providing automotive fuels and/or lubricants directly to customer vehicles. Incidental repair, replacement and servicing of customer vehicles shall be considered an accessory use. Removal and repair of major automotive components, the repair and painting of body parts and the machining of automotive parts shall not be considered as an accessory use.
Automobile Storage Yard	A lot or part thereof used only for the temporary storage of damaged, abandoned or impounded motor vehicles, excluding salvage and sales. (See also Junk Yard)
Awning	A roof-like cover which projects from the wall of a building.
Balcony	An architectural appurtenance providing usable floor area located above the first floor that is either entirely unenclosed or covered only by a roof or railing.
Basement	That portion of a building below the first or ground floor level and having less than four feet of clearance from its ceiling to the average finished grade of the building perimeter. A basement shall not be considered a story for the purposes of determining building height, except when it is used or suitable for habitation.
Bed and Breakfast	In any residential district, an operator-occupied single family detached dwelling where transient lodging and morning meals are provided for compensation and which complies with the requirements of Sections 20.05.04.00, or Tables 7-1 and 7-2, whichever is applicable. In other districts, a bed and breakfast need not be occupied by the operator.

Board	The Board of Zoning Appeals.
Boardinghouse	See "Roominghouse/Lodginghouse".
Building	Any structure having a roof supported by columns, walls or air pressure.
Building Coverage	The lot area covered by the principal building(s) 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.
Building, Enclosed	A building 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.
Building or Structure, Principal	A building or structure in which is conducted the principal use of the lot on which it is located.
Bulk	Any measure of the mass of a building or structure or its location on the lot, regulated by this zoning ordinance, including: 1. Height. 2. Floor Area. 3. Location of exterior walls in relation to lot lines, streets, or other buildings or structures. 4. Gross floor area of buildings or structures in relation to lot areas (floor area ratio).
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.
Car Wash	A building, or portion thereof, containing facilities for washing one or more automobiles at any one time, using production line methods such as a chain conveyor, blower, steam cleaning device, or other mechanical devices; or providing space, water, equipment, or soap for the complete or partial cleaning of such automobiles, whether by operator or by customer.
Cemetery	Land used for the interment of the dead and dedicated for cemetery purposes, including columbariums and mausoleums when operated in conjunction with and within the boundary of such cemetery, but not including "Mortuary" or "Crematorium."
Center Line	The mid-point in the width of a public right-of-way. This shall be determined by recorded subdivision plats, or by the historic center line 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 zoning ordinance.
Certificate Of Zoning Compliance	A written certification that a structure, use, or lot is or will be, in compliance with the requirements of this Zoning Ordinance.

Change in Use

Change in use shall include, for any portion of a building, structure or lot:

1. any change from a residential use to any non-residential use,
2. any change from one residential land use to another, any increase in number of units, and any increase in number of bedrooms for any unit,
3. any change from one use to another use having a higher requirement for off-street parking as specified in Section 20.06.02.00,
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 conditional use approval,
6. any change from one 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.

Classes of Use

Class A.
Antiques
Apparel
Appliance Stores, small
Arts and Crafts
Auto Parts/Supplies, New
Bicycle Shops
Books, Newsstands
Florists Shops
Gift Shop
Hardware
Jewelry
Offices
Pet Shops (Domestics)
Sporting Goods

Class B.
Bakery
Dairy Products
Drugstore, Sundry
Grocery and Meats
Liquor Store
Used Merchandise Sales
Variety Store
Video Rental

Class C.
Auto/Truck/Marine Sales and Rental
Farm Equipment
Mobile Home Sales

Class D.
Appliance Repair (Small)
Automobile Repair
Bed and Breakfast
Furniture Repair
Hotel/Motel

Class E.
Business Service
Laundry and Dry Cleaning
Personal Service
Printing (Job, Service)

Class F.
Amusement Arcades
Bars and Taverns
Eating, Drinking, Restaurant

Class G.
Apparel Manuf.
Beverage Bottling
Clocks and Scientific Equipment Manufacturing
Drugs, Pharmaceutical, and Medical Equip. Manuf.
Electronic Equip. Manuf.
Musical Instruments
Printing, Newspapers
Research Laboratories

Class H.
Bakery, Dairy Products, Confectionery
Furniture Manuf.
Grain Mills Manuf.
Machinery Tool and Die
Metal Fabrication
Millwork, Veneer, Sawmills

Church — Same as "Places of Worship".

Commitment — A recordable written agreement or pledge which may include a site plan, setting forth any binding limitations of use or development.

Community Center — A community center is 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.

Comprehensive Plan — The complete Comprehensive Plan of the City of Bloomington and its planning jurisdiction including the Growth Policies Plan, Subarea Plans, The Thoroughfare Plan, and any subsequent amendments thereto, prepared by the Plan Commission and legally adopted.

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

Conditional Use	See "Use, Conditional".
Co-operative Housing	A legal-economic entity wherein residents own shares of a non-profit corporation, which owns the buildings and/or land in which the residents live. Co-operatives have in common the democratic ownership, control, and full participation by their members in all decisions which affect the corporation. Co-operatives are subject to the occupancy limits of the zoning district in which the property is located.
Crematorium	See "Mortuary or Crematorium"
Conservation Easement	An easement which restricts the use and/or guarantees preservation and/or maintenance of existing vegetation and/or other natural features within environmentally sensitive portions of a site.
Convalescent Home	See "Nursing Home".
Cultural Facilities	Not-for-profit facilities, accessible to the public, which serve to enhance the appreciation among community residents of their cultural heritage. Such uses may include but are not restricted to museums and art galleries.
Day Care Center	Any building or place, other than a 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 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" herein. The term day care center shall also include facilities defined as "child care centers" under state law and facilities defined as "child care homes" under state law other than those child care homes which are used as the primary residence of the provider. Where required by state law, day care centers shall be and remain licensed by the state and shall operate in accordance with their license and all applicable state laws. Day care centers exempt from state licensing requirements shall provide proof of exemption.
Day Care Home	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 hours per day; however, 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 time. The maximum of sixteen (16) children does not include children at least 7 years of age for whom the provider is a parent, stepparent, guardian, custodian, or other relative. The term day care home includes those facilities where fewer than six 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, 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. Day care homes 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 hours per day, subject to the provisions of Section 20.05.11.05.
Day Care Provider	A person over 21 years of age who operates, holds the license, if the facility is licensed, and may also be responsible for the direct care, protection, and supervision of children in a day care center or day care home. Day care providers are subject to all licensing and other applicable requirements of the City and State.
Deck	An accessory structure which is on the ground or is elevated from ground level and is open to the sky.
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 ordinance may regulate this 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.
Density, Gross	Density determined by acreage measured by including any public easements or rights-of-way existing or proposed within the site.
Density, Net	Density determined by acreage measured by excluding any public easements or rights-of-way existing or proposed within the site.
Density Value	A measure of landscaping intensity based on mature size of plant material. Density value of individual plantings is established in the tables in Section 20.06.04.02.I. The density value of a portion of a development site is the aggregate of the density values of individual plantings in that portion of the site.
Development Standards	Include height, bulk, density, environmental performance standards, and other standards for development as set forth in this zoning ordinance, including landscaping, parking, and other required improvements, excluding those provisions which specifically regulate the use, *per se*, of property.
District, Residential	Any of the RE, RS, RT, and RM districts including such districts when they are subject to an overlay district, and any component of a Planned Unit Development in which residential use has been approved.
District, Non-Residential	Any district other than the Residential Districts as defined herein.
Dormitory	A building or portion thereof that contains living quarters for students, staff or members of an accredited College, University, boarding school, theological school, hospital, religious order or comparable organization; provided that said building is owned or leased and is managed by said organization.
Drive	A vehicular access to a development site other than one which has or shall be dedicated to the public, including private streets or roads.

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.

Drive-Through Establishment

A place of business, being operated for the sale and purchase at retail of food and other goods, services or entertainment, which is laid out and equipped so as to allow its patrons to be served or accommodated while remaining in their automobiles.

Duplex

A dwelling type consisting of two dwelling units attached side by side under one roof.

Dwelling Unit

One or more rooms containing cooking, living, sanitary, and sleeping facilities, occupied by not more than one 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 "family" (see definition) shall be construed and regulated as a "Rooming/Lodging House" (see definition)

Dwelling Unit Equivalent (D.U.E.)

Establishes a density value for dwelling units based upon the number of bedrooms in the unit. This value may be applied to the units per acre measurement in order to meet the dwelling unit requirement. Where specifically allowed in this ordinance, the following proportions shall be used in calculating the dwelling unit maximums:

3 or more bedroom unit = 1 unit
2 Bedroom unit with less than 750 square feet = .66 of a unit
1 Bedroom unit with less than 500 square feet = .50 of a unit
Efficiency unit with less than 400 square feet = .33 of a unit
Boarding room unit with less than 250 square feet = .25 of a unit

Dwelling, Multiple Family

Any building or portion thereof containing two or more individual dwelling units where each unit is provided with an individual entrance to the outdoors or to a common hallway.

Dwelling, Single Family Detached

A building containing only one dwelling unit which is completely separate from any other building, excluding mobile home.

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. Also, expansion of a use into any structure floor area not previously occupied by said use. Enlargement includes expansion of a principle 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.

Expansion

Same as "Enlargement".

Family	A family consists of an individual or people related by blood, marriage, or legal adoption, and any other dependent children of the household. In the RE and RS districts and in the RT7 district except where overlaid by a PRO 15 district, "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.
Floor Area, Gross	All of the area contained within a building or buildings, without exception, including utilities, stairwells, chimneys and other appurtenant features.
Floor Area Ratio	A ratio determined by dividing the gross floor area of a building by the area of the lot upon which the building is located.
Fraternity or Sorority	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 in attendance at an educational institution. Shall also include any 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.
Frontage	The entire length of the subject property which abuts and is parallel to a street as measured along the front lot line.
Garage, Private	A detached accessory building or portion of a principal building in which the sole use is storage of the vehicles and other incidental personal possessions of the premises.
Garage, Parking	Any building, except a private garage, used exclusively for parking of self-propelled vehicles.
Geographic Information System (GIS)	A computer system that stores and links nongraphic 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. The City of Bloomington uses the Genamap system.
Geo-technical Consultant	An expert in a specific area of environmental concern pertinent to a specific site, having appropriate specific education and/or experience in the judgment of the approving authority.
Gift Shop	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.
Grade, Finished	The average elevation of the finished surface of the ground within ten (10) feet of the building or structure after final grading.
Grade, Natural	The elevation of the undisturbed natural surface of the ground prior to any excavation or fill.

Grade, Established Street	The elevation established by the City at the street centerline in front of a lot.
Ground Floor	That level of a building which is situated at or most nearly at street grade.
Habitable Space	Any space in a structure suitable for living, sleeping, eating or cooking purposes, excluding such enclosed places as closets, pantries, bath or toilet rooms, hallways, laundries, storage spaces, utility rooms and similar spaces.
Hedge	A row of trees and/or shrubs planted to create a visual screen.
Height, Building	The vertical distance measured from the average elevation of the finished grade at the front of the building to the highest point of the roof of the top story, in the case of a flat roof; to the deck line of a mansard roof; and, to the mean height level between the eaves and ridge of a gable, hip or gambrel roof. See Table 7-4, §20.07.16.03 (B) for building features which are exempt from height limitations.
Height, Structure	The vertical distance to the highest point of the structure measured from the finished grade at the base of the structure, except buildings, for which height is defined above. See also, "Height, Building".
Home Occupation	A business activity conducted completely within a dwelling unit, carried on by any lawful resident of the property, clearly incidental and secondary to the use of the dwelling for residential purposes, and which conforms to the specifications of Sections 20.05.04.00, 20.05.11.00 of this zoning ordinance.
Hospital	An establishment providing accommodations, facilities and services on a continuous twenty-four-hour basis for persons suffering from illness, injury or conditions requiring medical services. Hospitals shall not include convalescent, nursing, or rest homes.
Hotel or Motel	An establishment which is open to transient guests for remuneration and for periods of time not exceeding 30 days, as opposed to a boarding, rooming or lodging house, and which is commonly known as a hotel or motel in the community in which it is located; and which provides customary hotel services such as maid service, the furnishing and laundering of linen, telephone and secretarial or desk service, and the use and upkeep of furniture, excluding Bed and Breakfast establishments.
Improvement Location Permit	Buildings, grading, excavation, foundation and other permits as set out in Title 17 of the Bloomington Municipal Code.
Intermittent Stream	A surface watercourse which flows typically only after significant precipitation events or during a particular season; and which evidences a discernable stream bed. Intermittent stream does not include man-made drainage ways or natural swales lacking a discernable stream bed.
Junk or Wrecking Yard	An open area where waste or scrap materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled, including, but not limited to, motor vehicles or parts thereof, scrap iron and other metals, paper, rags, rubber tires, and bottles, but does not include uses which are conducted entirely within enclosed buildings.

Karst	Limestone terrain characterized by sinkholes, caves, swallowholes, springs, and vertical shafts.
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.
Laboratory	A place devoted to experimental study such as testing and analyzing. Manufacturing or processing of products is not to be permitted within this definition.
Land Disturbing Activity	Any manmade 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.
Landscaping	Preservation of existing vegetation or green space and/or the aesthetic or functional improvement of property through the installation of plant materials, berming, walls and fences, and other decorative elements on the open space portions of a site.
Landscape Area	That portion of a lot devoted exclusively to landscaping, except that streets, drives and sidewalks may be located within such area to provide reasonable access.
Landscape Buffer	A continuous landscaped area designed, maintained and used for screening and separation of uses, lots, or buildings.
Line Of Sight	A clear line of vision at an intersection of streets, drives, or driveways.
Loading Space	An off-street space for temporary parking of delivery and pick-up vehicles.
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.
Lodginghouse	See Rooming/Lodginghouse.
Lot	A parcel of land intended for use as a unit in terms of its ownership or development. May be either a "lot of record" or a "zoning lot".
Lot, Zoning	A single tract of land which (at the time of filing for a building permit or other approval) is designated by its owner or developer for purposes of compliance with this zoning ordinance as a tract to be used, developed, or built upon. A "zoning lot or lots" may coincide with one or more lots of record.
Lot Area	The area of a horizontal plane bounded by the front, side, and rear lot lines, excepting any easement or right-of-way for public streets.

Lot Line, Front — That boundary of a lot which is along an existing or dedicated public street or, where no public street exists, is along a public right-of-way.

Lot Line, Side — Any lot boundary between the front and rear lot lines.

Lot Line, Rear — That boundary of a lot which is most distant from, and is most nearly parallel to the front 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 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 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 metes and bounds description shall be one 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 Width — The distance parallel to the front lot line through a building erected or to be erected, measured between side lot lines through the part of the building where the lot is narrowest.

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 U.S.C. 5401 et seq.) and which was constructed after January 1, 1981, and which exceeds nine hundred fifty (950) square feet of occupied space.

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 pursuant to Section 20.05.04.06.I. Light manufacturing generally includes processing and fabrication of finished products predominantly from previously prepared materials and includes processes. "Light manufacturing" shall not include any use that is otherwise listed specifically in any zoning district as a permitted or conditional use.

Marquee	A fixed hood or canopy supported solely by the building to which it is attached extending over part of the public right-of-way, and having a clearance of not less than ten feet above the level of the sidewalk or other public right-of-way over which it projects, and projecting no further into the right-of-way than a line parallel to and one foot back of the back line of the curb fronting such property, and having a width equal to or less than that of the building or buildings to which it is attached.
Medical Office	Facility from which an individual or group of doctors or other health care practitioners offers outpatient services.
Mini-Warehouse	See "Warehouse, Mini".
Mobile Home	Any factory fabricated portable structure, residential or non-residential, 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 "Manufactured Home" as defined by this chapter. "Mobile Home" shall include double-wide mobile homes of two 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 subelements, nor any other dwelling unit which is defined as a "Manufactured Home" by this chapter.
Mobile Home Park	A tract of land under single, joint or common ownership designed in such a manner as to provide sites for one or more mobile homes in a residential environment.
Mobile Home Subdivisions	A tract of land divided into individual lots for the purpose of setting mobile homes on lots generally owned by the occupant of the mobile home and arranged in such a manner as to provide a residential community environment.
Mortuary or Crematorium	Establishments where the deceased are physically prepared for final interment.
Motel	See "Hotel".
Nonconforming Use, Lawful	See "Use or Structure, Lawful Nonconforming."
Nonconforming Structure, Lawful	See "Use or Structure, Lawful Nonconforming."
Non-residential District	See "District, Non-Residential."
Nursing 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. This term includes "Convalescent Homes" and "Rest Homes."
Office	A place in which business, professional, and/or clerical activities are conducted. Offices shall include medical offices, government offices and office functions which serve other off-site land uses.

Open Area	That area of a zoning lot that is not covered by a building.
Open Space, Usable	That portion of a zoning lot which is not covered by buildings or paved areas. For the purposes of this title, outdoor roof gardens, patios and decks may be counted, providing a maximum of one hundred square feet per dwelling unit may be included as usable open space. Pools and other recreational facilities may be included in the usable open space provided that a minimum of thirty percent of the usable open space must be devoted to landscaping.
Open Sales Lot	A principal or accessory use involving the selling of merchandise not contained within an enclosed building or structure.
Ordinance, Zoning	This title of the Bloomington Municipal Code and its accompanying zoning map, including any amendments thereto.
Owner	Any person having legal or equitable title to real estate.
Parking, Off-Street	A parking space or spaces located entirely off of public right-of-way.
Parking Lot	Off-street parking including spaces and the aisle which serves as direct access to a row of spaces, but not including the driveway which provides access between street and parking lot.
Parking, Required	The minimum number of off-street parking spaces specified for a particular use or uses by this zoning ordinance.
Pasturage	The keeping of livestock with routine access to open pasture land for feeding at densities not to exceed those specified in Section 20.07.16.01, Table 7-2. Pasturage shall be characterized by a nexus between the livestock and the land and shall not include various business uses in which livestock which are in the stream of commerce are quartered in confined storage and feeding situations.
Person	Any individual, corporation, partnership, groups of persons, associations, or agent, so that where the word "person" is used it is clear that any entity subject to this Zoning Ordinance would be defined as a person.
Personal Service	An establishment, other than an office, in which services other than health care are rendered to consumers on an individual basis, such as barber shops and beauty parlors.
Places Of Worship	Structures and outdoor or indoor facilities used for public worship and accessory educational, cultural, and social activities.
Planned Unit Development	A planned unit development is an area under single ownership or control to be developed in conformance with an approved development plan, consisting of a map showing the development area and all improvements to the development area, a text which sets forth the uses and the development standards to be met, and exhibits setting forth any aspects of the development plan not fully described in the map and text. The map, exhibits and text constitute a development plan. The uses and standards expressed in the development plan constitute the use and development regulations for the Planned Unit Development site in lieu of the regulations for the underlying zone.

Planning Jurisdiction	The City of Bloomington, Indiana and the contiguous unincorporated area over which the City of Bloomington exercises planning and zoning authority.
Planning Staff	The Planning Director and all employees of the Planning Department of the City of Bloomington under the supervision of the Planning Director and subject to the authority of the Planning Director.
Plat	A map or chart indicating the subdivision or resubdivision of land, either recorded or in a form suitable to be recorded.
Pool, Swimming	A structure used for recreational swimming or bathing that is located either below ground level, above ground level or a combination thereof.
Property Line	The boundaries of a lot of record (see definition), excluding any right-of-way or easement to the public for street purposes.
Public Art	Permanent two-dimensional or three-dimensional works of art, not including property identification, commercial messages or logos, and located outdoors.
Recreation Center	A building or enclosed structure containing recreational facilities, such as a tennis court, swimming pool, and/or gymnasium. This shall not include outdoor amphitheaters, tennis courts or swimming pools.
Recreational Facility, Outdoor	A use of land for recreational purpose, either private or public, where such use requires no structure for the principal activity. Related functions such as changing rooms or rest rooms, and maintenance may be housed in buildings or structures. Uses so defined shall include but not be limited to golf courses, outdoor tennis courts and swimming pools, but shall not include uses such as miniature golf, bungee jumping, amusement parks or other similar commercial recreation uses which shall be defined as Amusements, Outdoor.
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 of Indiana. Residential care home shall include facilities for the developmentally disabled and/or the mentally ill, but not for persons who are currently addicted to alcohol or narcotic drugs or are criminal offenders serving on work release or probationary programs.
Residential District	See District, Residential.
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. "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. (See also "Drive Through Establishments")

Rest Home	See "Nursing Home".
Right-Of-Way	A separate parcel of land or an easement which provides the right of access to the public across such parcel or easement and which may include sidewalks, bicycle or pedestrian pathways, streets, alleys, or other public thoroughfares.
Roadway	The portion of the street right-of-way that is surfaced and available for vehicular movement. Roadway width shall be measured between the edges of the curbs which are furthest from the street pavement.
Roominghouse/Lodginghouse	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 family (as defined herein), but not a bed and breakfast, fraternity or sorority, residential care facility, or hotel or motel.
Salvage Yard	See "Junkyard".
School	A privately or publicly owned place of learning, excluding trade schools and including, but not limited to: elementary schools, middle-schools, junior high schools, or high schools, which do not provide lodging for students or faculty (See also, "College or University").
School, Trade or Business	A school, excluding secondary schools, with a curriculum which is focused upon certain skills required in business, trades or the arts, including secretarial skills, instrumental music, dancing, barbering, hairdressing or other technical trades which require knowledge of special machinery.
Setback, Street	The minimum horizontal distance between a street right-of-way and on-site structures or parking.
Shopping Center	A group of two or more retail establishments, with or without other consumer serving establishments, managed as a unit, sharing a common site, parking area, and entrances to public street(s), and having a gross floor area of at least 50,000 square feet. Free standing buildings having separate parking shall not be counted in such gross floor area.
Sign	Any display or device placed on a property in any fashion which is designed, intended, or used to convey any identification, message or information other than an address number.
Sign Area	The entire area within a single continuous perimeter enclosing the extreme limits of a sign, including all background area figures and letters. However, such perimeter shall not include any structural elements lying outside the limits of the sign which are not part of the information, visual attraction, or symbolism of the sign.
Sign, Construction	A sign directing attention to construction upon the property where the sign is displayed, and bearing the name, address, or other identifier of the contractor, sub-contractor, and/or architect.

Sign, Direction	A sign intending to direct the safe flow of vehicular and pedestrian traffic and includes "enter", "exit", and "arrow" signs.
Sign, Flashing	Any illuminated sign which exhibits changing light or color effects.
Sign, Ground	A sign permanently attached to the ground and whose supporting structure extends less than six feet in height from the finished grade to the bottom of the sign face.
Sign, Home Occupation	A sign that indicates a permitted home occupation.
Sign, Illuminated	A sign which has characters, letters, figures, designs, or outline illuminated by electric lights or luminous tubes as a part of the sign proper, or which is illuminated by reflectors.
Sign, Lawful Non-conforming	Any sign lawfully existing at the time of the enactment of any provision of this Zoning Ordinance, or any amendment thereto, with which the sign does not comply.
Sign, Off-premises	A sign directing attention to a specific business, product, service, entertainment, or any other activity offered, sold, or conducted elsewhere than upon the lot where the sign is displayed.
Sign, Pole	A sign which is supported by one or more poles, posts, or braces upon the ground, other than a ground sign (see definition), not attached to or supported by any building.
Sign, Public Information	A temporary sign upon which information about events or activities conducted by religious, civic, educational, community, governmental, or similar organizations is displayed.
Sign, Real Estate	A sign announcing the sale, rental, or lease of real property on the lot or within the development site on which the sign is displayed, and identifying the owner, realty agent, telephone numbers, or "open house" information.
Sign, Residential Complex or Subdivision	A sign containing the name of a residential complex or subdivision, with or without its accompanying address.
Sign, Wall	A sign attached to and/or integral with exterior wall or window surface of a building, the face of which is parallel to the surface and which does not project more than nine (9) inches from the surface.
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 Section 20.05.08.00 of this Zoning Ordinance.
Social Service Uses	Any community serving activity, other than those separately defined herein, conducted by a non-profit organization which provides a service to a segment of the community's population having particular needs as a result of specific circumstances, such as low income, illness, developmental disability, and the like.

Sorority	See Fraternity/Sorority
Story	That part of a building between the surface of any floor and the surface of the floor next above, and if there is no floor above, then the ceiling above. Any space, including a basement (see definition) which is used or suitable for habitation shall be deemed to be a story.
Street, Arterial, Principal	A public street so designated in the Thoroughfare Plan, and intended primarily for moving large volumes of traffic between origin and destination within a region.
Street, Arterial, Secondary	A public street so designated in the Thoroughfare Plan, and intended primarily for moving moderate volumes of traffic between origin and destination within a region.
Street, Collector, Principal	A public street so designated in the Thoroughfare Plan, and intended to collect traffic generated by local streets and carry it to arterials.
Street, Collector, Secondary	A public street so designated in the Thoroughfare Plan, and intended to collect smaller volumes of traffic generated by local streets and carry it to principal collectors or to arterials.
Street, Local	A street intended for access to abutting properties.
Street, Private	A paved area other than a driveway, located on private property for the purpose of providing vehicular or pedestrian access to and within that property. (See also, "Drive" and "Driveway")
Street, Public	A public way for purposes of vehicular or pedestrian travel, including the entire area within the right-of-way, including a street platted, dedicated or intended for dedication in any plan submitted for approval whether or not constructed.
Street Width	The shortest distance between the lines delineating the right-of-way of a street.
Structure	Anything constructed on or under the ground or attached or connected thereto or attached or connected to another structure, including but not limited to: antennae, buildings, barriers, bridges, bulkheads, bunkers, chimneys, fences, garages, outdoor seating facilities, pet shelters, platforms, playground equipment, pools, poles, tanks, tents, towers, sheds, signs and walls.
Structure, Nonconforming	See Use or Structure, Lawful Non-Conforming.
Temporary Use	See "Use, Temporary".
Thoroughfare	A street designated as an arterial or collector on the Thoroughfare Plan.
Thoroughfare Plan	The part of the Comprehensive Plan which sets forth the location, proposed general design, and classification of existing and proposed public streets and pedestrian and bicycle ways, to ensure effective movement, effective use of the land, and economic use of public funds.

Townhouse	A building having three or more dwelling units arranged side by side, each occupying an exclusive vertical space without another dwelling unit above or below, and each of which has at least one exterior entrance.
Use, Accessory	An activity which is: 1. Conducted or located on the same zoning lot as the principal building or use served, except as may be specifically provided elsewhere in this Zoning Ordinance; and 2. Clearly and customarily incidental to, subordinate in purpose to, and serving the principal use; and 3. Either in the same ownership as the principal use or is clearly operated and maintained solely for the comfort, convenience, necessity, or benefit of the occupants, employees, customers, or visitors of or to the principal use. Examples include on-site day care facilities or on-site medical clinics used solely by employees.
Use, Conditional	A use specifically designated as such in this zoning ordinance which, because of its unique characteristics, cannot be properly classified as a permitted use in a particular district or districts, and which may be conducted only pursuant to a conditional use permit granted by the Board of Zoning Appeals.
Use or Structure, Lawful Nonconforming	Any structure, or any use of land or structure, which does not conform with one or more provisions of this Zoning Ordinance, but which lawfully existed upon the effective date of the provisions of this Zoning Ordinance with which the structure or use does not conform.
Use, Permitted	A use which may be lawfully established in a particular district or districts provided it conforms with all applicable requirements, regulations, and standards.
Use, Principal	The main use of land or structures as distinguished from an accessory use. A "principal use" may be a "permitted" or "conditional" use, or a use approved by variance, or a lawful nonconforming use.
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 Zoning 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. "Temporary use" shall not include events sponsored by the public on park, right-of-way, or other public lands.
Variance	An exception to the provisions of this Zoning Ordinance granted by the Board of Zoning Appeals or Hearing Officer pursuant to Section 20.05.00.
Variance, Use	An exception to the land use regulations of this Zoning Ordinance as distinguished from development standards.
Warehouse, Mini	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.

Wetlands

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. "Wetland" does not include lands having the following general diagnostic environmental characteristics:

1. Vegetation. The prevalent vegetation consists of plant species that are typically adapted for life only in aerobic soils. These mesophytic and/or xerophytic macrophytes cannot persist in predominantly anaerobic soil conditions.[1]

2. Soil. Soils, when present, are not classified as hydric, and possess characteristics associated with aerobic conditions.

3. Hydrology. Although the soil may be inundated or saturated by surface water or ground water periodically during the growing season of the prevalent vegetation, the average annual duration of inundation or soil saturation does not preclude the occurrence of plant species typically adapted for life in aerobic soil conditions.

Woodlot

A tree-covered area to be kept in an undeveloped state in the Planned Residential Overlay districts, having a minimum area of one-half (1/2) of an acre, and having predominantly complete tree crown coverage resulting from trees having a caliper of 5" or greater, and having a dimension at its narrowest point of at least one-fourth (1/4) of its largest dimension. Woodlot does not include a tree line of trees in a narrow row.

Yard

An area on the same zoning lot with a building or structure, unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted in this Zoning Ordinance, between a building or parking lot, and a side or rear lot line.

Yard, Parking Side

That portion of a yard located between a parking lot and the side lot line.

Yard, Parking Rear

That portion of a yard located between a parking lot and the rear lot line.

Yard, Side

A yard adjacent to the side lot line between the street setback and rear yard. "Sideyard" shall not include any street setback.

Yard, Rear

A yard adjacent to the rear lot line along the full width of the lot between the side lot lines, or for a corner lot, between street setback and side lot line.

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[1]Some species, due to their broad ecological tolerances, occur in both wetlands and nonwetlands (e.g. *Acer rubrum*).

Yard, Required	The minimum horizontal distance required between a lot line and a setback line by the applicable provisions of this Zoning Ordinance.
Zoning Ordinance	See "Ordinance, Zoning".

20.02.02.00 DEFINITIONS SPECIFIC TO INDUSTRIAL PERFORMANCE STANDARDS

ANSI	American National Standards Institute, Inc. or its successor bodies.
Amplitude	The maximum displacement of the earth from the normal rest position. Displacement is usually reported as inches per mils.
A-Weighted Sound Level (dB(A))	In decibels, a frequency-weighted sound pressure level, determined by the use of the metering characteristics and A weighted network specified in ANSI S1.4-1971 "Specifications for Sound Level Meters" and the latest revision thereof.
Construction	On-site erection, fabrication, installation, alteration, demolition or removal of any structure, facility, or addition thereto, including all related activities, including, but not restricted to, clearing of land, earth moving, blasting and landscaping.
Daytime Hours	7:00 a.m. to 7:00 p.m., local time.
Decibel (dB)	A unit of measure, on a logarithmic scale to the base 10, of the ratio of the magnitude of a particular sound pressure to a standard reference pressure, which, for purposes of this regulation, shall be twenty (20) micronewtons per square meter (μN/m2).
Discrete Impulses	A ground transmitted vibration stemming from a source where specific pulses do not exceed sixty (60) per minute (or one per second).
Faster Meter Response	The dynamic characteristics specified as "FAST" in ANSI S1.4-1971 "Specifications for Sound Level Meters" and the latest revision thereof.
Frequency	The number of times that a displacement completely repeats itself in one second of time. Frequency may be designated in cycles per second (cps) or Hertz (Hz).
Habitable Elevation	The height of the highest space in any existing or future building which is designed for use as a residence or working area of persons.
Impact	An earth borne vibration generally produced by two (2) or more objects striking each other so as to cause separate and distinct pulses.
Impulsive Sound	Either a single pressure peak or a single burst (multiple pressure peaks) for a duration less than one second.
Nighttime Hours	7:00 p.m. to 7:00 a.m., local time.

Octave Band Sound Pressure Level

The sound pressure level for the sound being measured contained within the specified octave band. The reference pressure is twenty (20) micronewtons per square meter.

Odor Concentration

The number of cubic feet that one cubic foot of sample will occupy when diluted to the odor threshold. It is measured in the number of odor units in one cubic foot of the sample and expressed in odor units per cubic foot.

Odor Unit

One cubic foot of air at the odor threshold.

Opacity

A condition which renders material partially or wholly impervious to transmittance of light and causes obstruction of an observer's view. For the purpose of these regulations, the following equivalence between opacity and Ringelmann shall be employed.

OPACITY PERCENT	RINGELMANN NO.
100.5	
201	
301.5	
402	
603	
804	
1005	

Particle Velocity

A characteristic of vibration that depends on both displacement and frequency. If not directly measured, it can be computed by the frequency by the amplitude times the factor 6.28. The particle velocity will be in inches per second, when the frequency is expressed in cycles per second and the amplitude in inches.

Particulate Matter

Any solid or liquid material, other than water, which exists in finely divided form.

Preferred Frequencies

Those frequencies in Hertz preferred for acoustical measurements which, for the purposes of this regulation, consist of the following set of values: 20, 25, 31.5, 40, 50, 63, 80, 100, 125, 160, 200, 250, 315, 400, 500, 630, 800, 1000, 1250, 1600, 2000, 2500, 3150, 4000, 5000, 6300, 8000, 10,000, 12,500.

Prominent Discrete Tone

Sound, having a one-third octave band sound pressure level which when measured in a one-third octave band at the preferred frequencies, exceeds the arithmetic average of the sound pressure levels of the two (2) adjacent one-third octave bands on either side of such one-third octave band by:

a. 5 dB for such one-third octave band with a center frequency from 500 hertz to 10,000 Hertz, inclusive. Provided, such one-third octave band sound pressure level exceeds the sound pressure level of each adjacent

one-third octave band or,
b. 8 dB for such one-third octave band with a center frequency from 160 Hertz to 400 Hertz, inclusive. Provided, such one- third octave band sound pressure level exceeds the sound pressure level of each adjacent one-third octave band, or;
c. 15 dB for such one-third octave band with a center frequency from 215 Hertz to 125 Hertz, inclusive. Provided, such one-third octave band sound pressure level exceeds the sound pressure level of each adjacent one-third octave band.

Ringelmann Chart — The chart published and described in the Bureau of Mines, U.S. Department of Interior, information Circular 8333.

Seismograph — An instrument which measures vibration characteristics simultaneously in three (3) mutually perpendicular planes. The seismograph may measure displacement and frequency, particle velocity, or acceleration.

Smoke — Small gas borne particles resulting from incomplete combustion, consisting predominantly but not exclusively of carbon, ash and other combustible material, that form a visible plume in the air.

Sound — An oscillation in pressure in air.

Sound Pressure Level — In decibels, twenty (20) times the logarithm to the base 10 of the ratio of the magnitude of a particular sound pressure to the standard reference pressure. The standard reference pressure is twenty (20) micronewtons per square meter.

Steady State Vibration — A vibration which is continuous, as from a fan, compressor, or motor.

Toxic Substance — Any gas, liquid, solid, semisolid substance or mixture of substances, which if discharged into the environment could, alone or in combination with other substances likely to be present in the environment, cause or threaten to cause bodily injury, illness, or death to members of the general public through ingestion, inhalation, or absorption through any body surface. In addition, substances which are corrosives, irritants, strong sensitizers, or radioactive substances shall be considered toxic substances for the purpose of this regulation.

Unregulated Safety Relief Valve — A safety relief valve used and designed to be actuated by high pressure in the pipe or vessel to which it is connected and which is used and designed to prevent explosion or other hazardous reaction from pressure buildup, rather than being used and designed as a process pressure blowdown.

Vibration — A reciprocating motion transmitted through the earth, both in horizontal and vertical planes.

20.02.03.00 DEFINITIONS SPECIFIC TO SPECIAL FLOOD HAZARD AREAS

Development	Any man-made change to improved or unimproved real estate including but not limited to: construction, reconstruction, or placement of a structure or any addition to a structure; installation of utilities, erection of walls and fences, construction of roads, bridges, or culverts; construction of flood control structures such as levees, dikes, dams, channel improvements; mining, dredging, filling, grading, excavation or drilling operations; storage of materials; and any other activity that might change the direction, height, or velocity of flood or surface waters. Development does not include maintenance activities such as painting, re-roofing, resurfacing of existing paved roads, or gardening, plowing, and similar agricultural practices that do not involve filling, grading, or excavation.
DNR	The Indiana Department of Natural Resources
FHBM	Flood Hazard Boundary Map
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
Flood	A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.
Flood Hazard Area, Storage Capacity	The volume of space upstream that can be occupied by the waters of the regulatory flood.
Floodplain	The channel proper and the areas adjoining any wetland, lake or watercourse which have been or hereafter may be covered by the regulatory flood. The floodplain includes both the floodway and the floodway fringe districts.
Floodproofed Building	A building designed to exclude floodwaters from the interior of that building or otherwise preclude the possibility of flood damage. All such floodproofing shall be adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with the regulatory flood, as certified by a registered professional engineer or an architect licensed to practice in Indiana.
Flood Protection Elevation	The elevation of the lowest floor including the basement floor of a structure that is not floodproofed or the water surface elevation if floodproofed as provided herein.
Flood Protection Grade	The elevation of the regulatory flood plus two feet at any given location in the Special Flood Hazard Area.
Flood, Regulatory	That flood having a peak discharge which has a one percent (1%) probability of being equaled or exceeded in any given year, as calculated by a method and procedure which is acceptable to and approved by DNR and FEMA. The regulatory flood shall include the "100 year flood" as shown on the Flood Insurance Rate Map prepared by FEMA.

Flood, Regulatory Profile	A longitudinal profile along the thread of a stream showing the maximum water surface elevation attained by the regulatory flood.
Floodway	That portion of the flood hazard 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 prepared under the National Flood Insurance Program by the Federal Emergency Management Agency.
Letter of Map Amendment (LOMA)	An amendment to the currently effective FIRM map that establishes that a property is not located in a Special Flood Hazard Area (SFHA). A LOMA may be issued only by FEMA.
Letter of Map Revision (LOMR)	An official revision to the currently effective FEMA map. It may be issued only by FEMA and changes flood zones, delineations, and elevations.
Lowest Floor	The lowest of the following: the top of the basement floor; the top of the garage floor, if the garage is the lowest level of the building; the top of the first floor of buildings elevated on pilings or constructed on a crawl space with permanent openings; or the top of the floor level of any enclosure below an elevated building where the walls of the enclosure provide any resistance to the flow of flood waters unless the walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, by providing a minimum of two openings (in addition to doorways and windows) having a total area of one (1) square foot for every two (2) square feet of enclosed area subject to flooding. The bottom of all such openings shall be no higher than one (1) foot above grade.
Mobile Home Tiedowns Schedule A	Sufficient anchorage to resist flotation, collapse or lateral movement of any mobile home. At a minimum, such anchorage shall comply with Indiana building code standards and manufacturer recommendations.
Natural Resources	The Indiana Natural Resources Commission.
Special Flood Hazard Area	Any area subject to inundation by the regulatory flood including the floodway, floodway fringe and floodplain districts. These areas are identified as such on the Flood Insurance Rate Maps, prepared by the Federal Emergency Management Agency.
Substantial Modification	In a floodway, floodway fringe, or floodplain district, substantial modification is an reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 40 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage" regardless of the actual repair work performed. The term does not include improvements of structures to correct existing violations of state or local health, sanitary, or safety code requirements or any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

20.02.04.00 RULES OF CONSTRUCTION

The following rules of word usage apply to the text of this Zoning Ordinance:

A. The particular shall control the general.

B. In case of any difference of meaning or implication between the text of this Zoning Ordinance and any caption, illustration, summary table, or illustrative table, the text shall control.

C. The word "shall" is always mandatory and not discretionary. The word "may" is permissive.

D. 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, unless the context clearly indicates the contrary; use of gender specific pronouns shall be interpreted to include both sexes.

E. A "Building" or "structure" includes any part thereof.

F. Unless the context clearly indicates the contrary, where a regulation involves two (2) or more items, conditions, provisions, or events connected by the conjunction "and", "or", or "either...or", the conjunction shall be interpreted as follows:

1. "And" indicates that all the connected items, conditions, provisions, or events shall apply.

2. "Or" indicates that the connected items, conditions, provision, or events may apply singly or in any combination.

3. "Either...or" indicates that the connected items, conditions, provision, or events shall apply singly but not in combination.

4. The word "includes" shall not limit a term to the specified examples, but is intended to extend its meaning to all other instances or circumstances of like kind or character.

~~G. Terms not defined herein shall have the meanings customarily assigned to them.~~

CHAPTER 20.03: ADMINISTRATIVE AND DECISIONMAKING BODIES AND OFFICIALS

20.03.01.00 Summary of Authority
20.03.02.00 Common Council
20.03.03.00 Plan Commission
20.03.04.00 Board of Zoning Appeals
20.03.05.00 Planning Department
20.03.06.00 Historic Preservation Review Board
20.03.07.00 Hearing Officer
20.03.08.00 Plat Committee

20.03.01.00 SUMMARY OF AUTHORITY

The administrative and decisionmaking bodies and officials listed below, without limitation upon such authority as each may possess by law, have responsibility for implementing and administering this Zoning Ordinance in the manner described in Chapters 20.03, 20.04, and 20.05.

20.03.01.01 Common Council
20.03.01.02 Plan Commission
20.03.01.03 Board of Zoning Appeals
20.03.01.04 Planning Department
20.03.01.05 Historic Preservation Review Board
20.03.01.06 Hearing Officer
20.03.01.07 Plat Committee

20.03.02.00 COMMON COUNCIL

The Common Council shall have the following jurisdiction and authority subject to the provisions of this Zoning Ordinance and the applicable provisions of the Indiana Code:

20.03.02.01 To initiate, approve, or disapprove any application for a Planned Unit Development or amendment to the text or map of this Zoning Ordinance;

20.03.02.02 To initiate, approve, or disapprove proposed amendments to the city's Comprehensive Plan and subarea plans;

20.03.02.03 To take such other action not delegated to other bodies that may be desirable and necessary to implement the provisions of this Zoning Ordinance.

20.03.02.04 To approve preliminary Planned Unit Developments.

20.03.03.00 PLAN COMMISSION

20.03.03.01 Jurisdiction and Authority

The Plan Commission shall have the following jurisdiction and authority subject to the provisions of this Zoning Ordinance and the applicable provisions of the Indiana Code.

A. To initiate, hear, review, and make recommendations to the Common Council on

applications for amendments to the text or map of this Zoning Ordinance.

B. To hear, review, and make recommendations to the Common Council on Preliminary Planned Unit Developments. When stipulated by the Plan Commission at the time of preliminary approval, to review and approve final Planned Unit Development Plans.

C. To hear, review, and offer its recommendations to the Board of Zoning Appeals on applications for proposed use variances pursuant to Section 20.05.05.03.D of this zoning ordinance.

D. To authorize a Hearing Officer pursuant to Indiana Code Section 36-7-4-923, and to establish rules prescribing and limiting the authority and procedures therefore pursuant to Indiana Code Sections 36-7-4-923 and 36-7-4-924.

E. To initiate, hear, review and offer its recommendations to the Common Council on applications for amendments to the Subdivision Ordinance.

F. To review and approve or disapprove site plans as required pursuant to Chapter 20.05.

G. To prepare and recommend to the Common Council for adoption a Comprehensive Plan for the City and related subarea plans, and to recommend to the Council such amendments as it may deem appropriate.

H. To aid and assist the Common Council in implementing the City's adopted Comprehensive Plan and in planning, developing, and completing specific projects.

I. To review and report on any matters referred to it by the Common Council.

J. Upon reasonable written request, to make its special knowledge and expertise available to any official, department, board, or commission of the City to aid them in the performance of their respective duties relating to the planning and development of the City.

K. To delegate responsibilities relating to ordinance administration to the Planning Staff.

L. To review and approve or disapprove subdivisions pursuant to Title 19.

M. To supervise and make rules for the administration of the affairs of the Commission.

N. To prescribe uniform rules pertaining to investigations and hearings.

O. To keep a complete record of all proceedings.

P. To record and file all bonds and contracts and assume responsibility for the custody and preservation of all papers and documents of the Commission.

Q. To prepare, publish and distribute reports, ordinances and other material relating to the activities authorized under this chapter.

R. To adopt a seal.

S. To certify to all official acts.

T. To make recommendations to the legislative body or other bodies concerning any other matter within the jurisdiction of the Commission, authorized by the advisory planning law.

U. To approve or delegate the assignment of street numbers to lots and structures and the naming of streets, including renumbering or renaming.

V. To review proposals to extend sanitary sewer service pursuant to Section 20.05.14.00.

W. To authorize a Plat Committee pursuant to Indiana Code 36-7-4-701(e).

20.03.03.02 Membership, Term, and Organization

The Plan Commission shall be composed as set forth in Section 2.13 of the Bloomington Municipal Code.

20.03.03.03 Quorum and Official Action

No official action shall be taken by the Plan Commission without a quorum being present. A quorum is defined by Indiana Code Section 36-7-4-301 as a majority of the entire membership of the Plan Commission, who are qualified by Indiana Code Chapter 36-7-3 to vote. Official action of the Plan Commission requires authorization by a majority of the entire membership of the Plan Commission at a regular or special meeting.

20.03.03.04 Meetings; Hearings; Procedures

A. Regular Meetings: Regular meetings of the Plan Commission shall be held as provided by rule of the Plan Commission.
   1. All meetings and hearings of the Plan Commission shall be open to the public except when closed pursuant to the provisions of applicable state law.
   2. The Plan Commission shall adopt its own rules of procedure, subject to the limitations of the Indiana Code. The adoption, amendment, or revision of such rules shall be by a majority vote of all members of the Plan Commission.

B. Special meetings of a Plan Commission may be called as provided by Indiana Code Section 36-7-8-307.

20.03.03.05 Record

The transcript of testimony, if any; minutes; all applications, exhibits, and papers filed in any proceeding before the Plan Commission; the staff report; and the decision of the Plan Commission shall constitute the record. The record shall be maintained for public inspection in the office of the Planning Department.

20.03.03.06 Decisions

Every recommendation or decision of the Plan Commission upon an application filed pursuant to this Zoning Ordinance shall be repeated in the summary minutes prepared by the planning staff. Where required by law, such decisions shall include written findings of fact upon criteria used in making the decision. The minutes shall expressly set forth any limitations, commitments or conditions recommended or imposed by the Plan Commission.

20.03.03.07 Conflicts

A. Pursuant to Indiana Code Section 36-7-4-223, a member of a Plan Commission or a legislative body may not participate in a hearing or decision of that Commission or body concerning a zoning matter in which he has a direct or indirect financial interest. The Commission or body shall enter in its records the fact that its member has such a disqualification. As used in this section, zoning matter does not include the preparation or adoption of a comprehensive plan.

B. A member of the Plan Commission or the Common Council may not directly or personally represent another person in a hearing before the Commission or Council concerning a zoning matter.

20.03.04.00 BOARD OF ZONING APPEALS

20.03.04.01 Jurisdiction and Authority

The Board of Zoning Appeals shall have the following jurisdiction and authority subject to the provisions of this Zoning Ordinance:

A. To hear and decide upon applications for variances from the development standards of this Zoning Ordinance.

B. To hear and decide upon applications for use variances, giving due consideration to the Plan Commission's recommendation in those cases where Plan Commission recommendation is required.

C. To hear and decide upon applications for Conditional Use Permits.

D. To establish or extend time limitations placed upon variances and conditional uses.

E. To require commitments under IC-36-7-4-921 as a condition of approval of a variance or conditional use.

F. To hear and determine appeals from:

1. any order, requirement, decision, or determination made by an administrative office, hearing officer, or staff member under the Zoning Ordinance.
2. any order, requirement, decision, or determination made by an administrative board or other body except a Plan Commission in relation to the enforcement of the Zoning Ordinance.
3. any order, requirement, decision, or determination made by an administrative board or other body except a Plan Commission in relation to the enforcement of this zoning ordinance requiring the procurement of an improvement location or occupancy permit.

G. Upon reasonable written request, to make its special knowledge and expertise available to any official, department, board, or commission of the City, to aid them in the performance of their respective duties relating to zoning and its administration.

20.03.04.02 Membership, Term and Organization

The Board of Zoning Appeals shall be composed as set out in Chapter 2.15 of the Bloomington Municipal Code.

20.03.04.03 Meetings and Procedures

A. Meetings of the Board of Zoning Appeals shall be conducted in accordance with the Rules established by the Board;

B. The Board of Zoning Appeals shall adopt rules, which may not conflict with the Zoning Ordinance, concerning:

The filing of appeals;
The application for variances of use, variances from development standards, and conditional uses;
The giving of notice;
The conduct of hearings; and
The determination of whether a variance application is for a variance of use or for a variance from the development standards (such as height, bulk or area).

C. The Board of Zoning Appeals may also adopt rules providing for:

1. Governing the creation, form, recording, modification, enforcement, and

termination of commitments.

2. Designating those specially affected persons and classes of specially affected persons who are entitled to enforce commitments.

D. Rules adopted by the Board of Zoning Appeals shall be printed and be made available to all applicants and other interested persons.

20.03.04.04 Quorum and Official Action

A. Three members shall constitute a quorum to conduct business.

B. Three votes of the board membership shall be required for rendering a final decision on any matter.

20.03.04.05 Record

The transcript of testimony, if any; minutes; all applications, exhibits, and papers filed in any proceeding before the Board of Zoning Appeals; the staff report and the decision of the Board of Zoning Appeals shall constitute the record. The record shall be maintained for public inspection in the office of the Planning Department.

20.03.04.06 Decisions

The Board of Zoning Appeals shall keep minutes of its proceedings and record the vote on all actions taken, which shall expressly set forth any limitations or conditions imposed. All minutes and records shall be filed in the office of the Board and are public records. The Board shall, in all cases heard by it, make written findings of fact.

20.03.04.07 Conflicts

A. A person shall not communicate with any member of the Board before hearings with intent to influence the member's action on a matter pending before the Board. A member who feels his or her impartiality has been compromised in this manner is allowed to disqualify him or herself. The planning staff may, however, file with the Board a written statement setting forth any facts or opinions relating to the matter no less than five days before the hearing.

B. A member of the Board shall not participate in a hearing or decision of the Board concerning a zoning matter in which he or she has a direct or indirect financial interest. The Board shall enter in its records the fact that a member has such a disqualification and the name of the alternate member, if such an alternate member is appointed under Section 2.15.030 of the Bloomington Municipal Code, who participates in the hearing or decision in place of the regular member.

20.03.05.00 PLANNING DEPARTMENT

20.03.05.01 Authority

Pursuant to Section 2.14 of the Bloomington Municipal Code, the Planning Director or his designee, hereinafter referred to as "planning staff", shall be charged with the administration of this Zoning Ordinance and, in particular, shall have the jurisdiction, authority, and duties described in this chapter:

A. To meet with and counsel those persons maintaining an interest in this Zoning Ordinance, other questions of land use, and related City ordinances, plans and

policies.

B. To conduct zoning compliance reviews regarding any permit pertaining to the use of land, buildings or structures, and to issue Certificates of Zoning Compliance.

C. To approve temporary uses requiring administrative approval.

D. To review any site plans submitted for such review, and to make decisions or recommendations, as appropriate, to the Plan Commission on such site plans.

F. To make written interpretations of permitted use and other specific provisions of this Zoning Ordinance pursuant to the provisions of Section 20.05.13.

20.03.05.02 Staff Assistance to the Board of Zoning Appeals and Plan Commission

The Planning Department shall make staff and consulting assistance available to the Board of Zoning Appeals and the Plan Commission, and to any Hearing Officer or Plat Committee as may be authorized by the Plan Commission in its rules, and shall in that capacity:

A. Attend the meetings of each such body;

B. Inform each such body of all facts and information at the planning department's disposal with respect to any matter brought before each such body;

C. Assist each such body by performing research and making recommendations on matters brought before each such body; and

D. Perform such other duties as may be assigned to the planning staff by this Zoning Ordinance.

20.03.05.03 Building Permits and Certificates of Zoning Compliance

Except as otherwise provided in this zoning ordinance, until a Certificate of Zoning Compliance has been issued by the planning staff upon its determination of compliance with this zoning ordinance, none of the following shall occur and no permit shall be issued for the following:

A. erection, construction, reconstruction, division, enlargement, or relocation of any building, structure, or mobile home;

B. establishment of a use or change in use to another use (see definition of "change in use");

C. enlargement in the area used for any use or relocation of a use to another portion of a lot, site, or building;

D. grading, improvement, or other alteration of land, including paving or the establishment of drives or parking areas.

Where a site plan review is required by Section 20.05.08, planning staff shall review the site plan prior to the issuance of the Certificate of Zoning Compliance.

Single family residences, including the establishment therein of a home occupation, day care home, or bed and breakfast, are exempt from site plan review; however, a plot plan showing the lot, structures, and yard and setback dimensions shall be submitted and reviewed prior to the issuance of a Certificate of Zoning Compliance for construction, enlargement, or alteration of a single family residence.

20.03.05.04 Records

The planning staff shall maintain permanent and current records of this Zoning Ordinance, including all maps, amendments, conditional use, variance and planned unit development approvals and denials, interpretations, and decisions rendered respectively by the Board of Zoning Appeals, the Hearing Officer, the Plan Commission, the Plat Committee, and the Planning Staff, together

with relevant background files and materials. The records shall be maintained for public inspection in the office of the Planning Department.

The City shall maintain a current geographic information system (GIS). All applicants shall have the affirmative duty to inform the Planning Department in writing of any errors in the GIS maps they receive or have access to as part of the application process.

In order to take advantage of new electronic communication technologies, the Planning Director, in conjunction with other city departments, shall develop a plan to make GIS maps available on electronic information storage and transfer media such as HoosierNet or by duplicating the maps and accompanying data onto a disk, tape, drum or any other medium of electronic data storage supplied by the requestor. This plan shall be approved by the Plan Commission and may include charging a reasonable access fee. Access shall not include the ability to alter the maps in any manner, but shall include the ability to print GIS maps, if possible.

20.03.05.05 Zoning Text and Map

The planning staff shall prepare and have available for examination in the Planning Department office:

A. The compiled text of this Zoning Ordinance, including all amendments thereto; and;

B. The official Zoning Map of this Zoning Ordinance, showing the zoning districts, divisions and classifications, including all amendments thereto.

20.03.05.06 Receipt, Processing, and Referral of Applications

The planning staff shall receive all applications required to be filed pursuant to this Zoning Ordinance. Upon receipt of any such application, the planning staff shall see to its processing, which may include its prompt referral to and retrieval from each official, department, board or commission of the city or any other governmental unit or agency with any interest or duty with respect to such application.

The Plan Commission shall adopt rules, within six months of the effective date of this ordinance, that establish reasonable guidelines for the timely processing and approval of all applications or parts thereof within the control of the planning staff and in conjunction with engineering, code enforcement and other city staff.

20.03.05.07 Investigation of Application

Whenever the Plan Commission, the Board of Zoning Appeals, or the Common Council shall so request, by general rule or specific direction, the planning staff may conduct or cause to be conducted such surveys, investigations, and field studies and may prepare or cause to be prepared such reports, maps, photographs, charts and exhibits as shall be necessary and appropriate to the processing of any application filed pursuant to this Zoning Ordinance.

20.03.05.08 Inspection and Enforcement

To ensure enforcement of this Zoning Ordinance, the planning staff may initiate investigations and inspections as warranted, and may take all actions necessary and appropriate to abate and redress such violations, pursuant to the provisions of Chapter 20.09.

20.03.05.09 New Technologies

The Planning Department shall be responsible for investigating and evaluating the feasibility of adopting new technologies, such as three-dimensional architectural computer modeling, that will enable it, other city departments, the Plan Commission, Board of Zoning Appeal, and Common Council to make better, more informed decisions about the visual impact proposed developments will have on surrounding structures.

20.03.06.00 HISTORIC PRESERVATION COMMISSION

The Historic Preservation Commission is established and empowered pursuant to Chapter 2.16 and Title 8 of the Bloomington Municipal Code.

A. To make recommendation for historic designation of a site or district to the Common Council.

B. To review and approve requests for Certificate of Appropriateness required for any development, redevelopment, rehabilitation, or preservation activities that affect the visual quality of the historic site or district.

20.03.07.00 HEARING OFFICER

20.03.07.01 Authority

The Hearing Officer, as may be authorized in the Plan Commission Rules, may have authority to act upon those matters, if any, delegated to him by the Plan Commission pursuant to Indiana Code Section 36-7-4-923, which may include:

A. To approve or deny a variance from the development standards of this Zoning Ordinance in accordance with Section 36-7-4-918.5 of the Indiana Code; and

B. To approve or deny a conditional use from the terms of this Zoning Ordinance in accordance with Section 36-7-4-918.2 of the Indiana Code

20.03.07.02 Procedures

The Hearing Officer shall review and hear applications pursuant to procedures adopted by the Plan Commission by rule in accordance with 36-7-4-923 and 36-77-4-924. Where feasible and permissible, those procedures shall allow for the consolidation and simultaneous review of approvals connected with applications relating to the same site.

20.03.07.03 Appeals

Any interested person may appeal a decision by the Hearing Officer to the Board of Zoning Appeals within fourteen (14) days after the decision is made.

20.03.08.00 PLAT COMMITTEE

20.03.08.01 Authority

The Plat Committee, as may be authorized in the Plan Commission Rules, may have authority to act upon those matters, if any, delegated to it by the Plan Commission pursuant to Indiana Code Section 36-7-4-701(e), which may include:

A. Approval or denial of preliminary plats or replats.

B. Approval or denial of final plats or replats.
C. Approval or denial of requests for vacation of plats or parts of plats.

20.03.08.02 Procedures

The Plat Committee shall review and hear applications pursuant to procedures adopted by the Plan Commission by rule.

CHAPTER 20.04: PLANNING DOCUMENTS

20.04.01.00 Comprehensive Plan
20.04.02.00 Subarea Plans
20.04.03.00 Thoroughfare Plan

20.04.01.00 COMPREHENSIVE PLAN, KNOWN AS THE GROWTH POLICIES PLAN, ALONG WITH ANY SUBSEQUENT AMENDMENTS

20.04.01.01 Purpose

The purpose of the Comprehensive Plan is to provide jurisdiction-wide policies to guide the major decisions of the City and other governmental entities within the planning jurisdiction, including zoning decisions and other land use related decisions. The comprehensive plan may include special focus components such as park, school, and public utility plans.

20.04.01.02 Relationship Between Comprehensive Plan and Zoning Ordinance

A. The Comprehensive Plan is the principal land use policy document in the City of Bloomington's planning jurisdiction. The zoning ordinance is the primary implementing document of the Comprehensive Plan. Together, the Comprehensive Plan and the zoning ordinance establish guidelines and regulate land use within the planning jurisdiction.

B. When considering amendments to the zoning ordinance text and/or maps, the Plan Commission and Common Council shall pay reasonable regard to the recommendations of the Comprehensive Plan and any subsequent amendments.

20.04.01.03 Amendments to the Comprehensive Plan

The following procedure is established for review and amendment of the Comprehensive Plan.

A. Frequency: The Plan Commission may recommend and the Common Council may determine the appropriate interval for a review, but such review shall be conducted a minimum of once every four (4) years, commencing not more than three (3) years from the effective date of this ordinance.

B. Procedure: Amendments to the Comprehensive Plan shall proceed pursuant to Indiana Code Chapter 36-7-4, Series 500.

20.04.02.00 SUBAREA PLANS

20.04.02.01 Relationship of Subarea Plans to the Comprehensive Plan

Another type of policy plan which guides the decisions of the city is the subarea plan. Subarea plans are amendments to the Comprehensive Plan, designed to more specifically address areas which are unique within the city and require a more deliberate approach to their proper development.

20.04.02.02 Neighborhood Subarea Plans

A. Subarea Identification. Planning staff will identify subareas, especially established neighborhoods which have some unifying characteristic(s) and generally acknowledged geographical boundaries. These can be identified as defined core neighborhoods, or areas that have importance to the entire city such as the downtown area and entryways. The boundaries of such subareas will be considered as an element of each subarea plan.

B. Notice. The planning staff shall make good faith efforts to inform residents and property owners within a subarea of the intent to prepare a subarea plan. These efforts should include issuing a news release with a map delineating the proposed boundaries of the subarea before holding any neighborhood meetings and may include other steps such as 1st class mail to owners, using GIS data, or other measures to assure broad dissemination of the information. This paragraph does not create a right to legal notice for residents or owners of property in any subarea.

C. Subarea Conditions. The subarea plan will identify, in a public participative process, special qualities and needs. In cases where a neighborhood association or associations exist in the subarea, representatives of that association shall be included in the participative process.

D. The subarea plan shall recommend measures, zoning and otherwise, to address the special qualities and needs of the subarea.

E. Subareas evidencing conditions that warrant preparation of subarea plans will be identified within one year of the effective date of this zoning ordinance and in each subsequent review of the plan. Subarea plans will be developed in a timely manner, giving priority to those recommended in the comprehensive plan.

20.04.02.03 Adoption and Amendments to Subarea Plans

Adoption of and amendments to subarea plans shall follow the procedures for Comprehensive Plan adoption and amendment.

20.04.03.00 ~~THOROUGHFARE PLAN~~

The Thoroughfare Plan is an adopted portion of the Comprehensive Plan which:

20.04.03.01 Establishes functional classification of public ways.

20.04.03.02 Determines lines for new, extended, widened, or narrowed public ways.

20.04.03.03 Is a criterion used by the Board of Zoning Appeals in the consideration of certain Conditional Use Permits.

20.04.03.04 Provides the Planning Department guidance for site plan reviews of projects near mass transit or alternative transportation facilities, including bike paths; and

20.04.03.05 Establishes conceptual road and bicycle/pedestrian networks for the purpose of right-of-way dedication and construction standards.

CHAPTER 20.05: STANDARDS AND PROCEDURES FOR ADMINISTRATIVE AND PUBLIC HEARING REVIEW

20.05.01.00 Applications
20.05.02.00 Notice and General Rules of Procedure
20.05.03.00 Permitted Uses
20.05.04.00 Conditional Uses
20.05.05.00 Variances
20.05.06.00 Appeals
20.05.07.00 Amendments to Ordinance Text and Map
20.05.08.00 Site Plan and Environmental Review
20.05.09.00 Planned Development
20.05.10.00 Temporary Uses
20.05.11.00 Home Occupation Permits
20.05.12.00 Revocation of Home Occupation Permits
20.05.13.00 Interpretations
20.05.14.00 Proposals to Extend Sanitary Sewer Service

20.05.01.00 APPLICATIONS

20.05.01.01 Application Requirements

A. Application for any permit or approval under this zoning ordinance may be made by the owner or lessee of property within the City or its zoning jurisdiction; application must be signed by the owner or agent. The Plan Commission and/or Council may also initiate action as prescribed by Indiana Code and other applicable laws.

B. All applications for any hearing before the Plan Commission, Board of Zoning Appeals, a Hearing Officer, or Plat Committee, shall include the information listed below and any other information specifically required by this Zoning Ordinance or by rule of the Plan Commission or Board of Zoning Appeals. Submittals may be composed of one or more sheets and drawings.

1. Name and address of the applicant.
2. Written consent of owner if other than applicant.
3. Accurate street address of the subject property.
4. Accurately scaled map showing location of property and the existing uses of land within 200 feet of the subject property.
5. Narrative description of the proposal.

C. A G.I.S. map showing the required information, to the extent available, shall be provided by the Plan Department to applicants without additional charge over the application fee.

20.05.01.02 Completeness of Applications

The planning staff shall determine that an application is complete prior to accepting the application. If the application is incomplete, the planning staff shall inform the applicant as to what additional information must be supplied.

20.05.01.03 Joint Submission and Consideration of Different Requests for Development Approval

Whenever an application requires review under the provisions of more than one procedure, the planning staff may schedule the review procedures and hearings so that the review for each different procedure can be scheduled on the same agenda, to the extent possible.

20.05.01.04 Review of Application by Planning Department

All applications for permits or approvals required by this chapter shall be reviewed by the planning staff, which shall prepare a staff report for the use of the review body. The staff report and recommendation shall be available to the review body, the applicant and the public no later than the end of the last working day prior to the final scheduled hearing.

20.05.02.00 NOTICE AND GENERAL RULES OF PROCEDURE

20.05.02.01 Notice Requirements

This section shall apply to the Board of Zoning Appeals, the Plan Commission and to any Hearing Officer or Plat Committee appointed by the Plan Commission.

A. Whenever a public hearing is required by this zoning ordinance or by state law, notice of the hearing shall be given in the following manner:

1. Publication. Notice shall be published in a daily newspaper of general circulation in the planning jurisdiction at least ten (10) days prior to the public hearing, in accordance with Ind. Code 5-3-1. Provided, however, notice by publication shall not be required in any case where not required by state law, including but not limited to adoption of rules of procedure by the Plan Commission or Board of Zoning Appeals.

2. Notice to Interested Parties. Whenever required by state law, which shall include any hearing on an application to the Board of Zoning Appeals, and any application to the Plan Commission for approval of a planned development, an amendment to the zoning maps, or a site plan, notice shall be sent to interested parties in accordance with rules adopted by the Board of Zoning Appeals or Plan Commission respectively. Said rules shall specify who are interested parties in each case, how notice is to be given to them, and who is to give that notice. This section shall not be construed to require notice to interested parties in any situation where the Plan Commission, by rule, determines no such notice shall be required.

3. Dissemination in Electronic Form: In order to take advantage of new electronic communication technologies, notices and agendas shall be made available for distribution on Community Access TV, HoosierNet, and other electronic information storage and transfer media systems. This does not create a new legal right to notice in this format.

B. Contents of Notice. The notice for any public hearing required pursuant to this Zoning Ordinance shall state the substance of the application and the date, time and place of the public hearing, and the place where such application may be inspected by the public. The notice shall also advise that interested parties may appear at the public hearing and be heard with respect to the application, that written comments filed before the hearing will be considered, and that the hearing

may be continued from time to time as may be necessary. All notices shall also contain any other information required by state law or by rule of the Board or Commission.

C. Public meetings not required by state law to be conducted as public hearings with published and/or individual notice shall be held in compliance with the Indiana Open Door Law (Ind. Code 5-14-1.5).

20.05.02.02 Public Hearing Procedures

A public hearing required to be held by the Board of Zoning Appeals, the Plan Commission, the Plat Committee, or the Hearing Officer pursuant to the provisions of this Zoning Ordinance shall comply with the following procedures.

A. Setting the Hearing. When the planning staff determines that an application is complete and that a public hearing is required, the staff shall place the item on the next agenda with space available pursuant to the Rules of the Plan Commission or the Board of Zoning Appeals.

B. Examination of Application and Other Documents. Upon reasonable request, and during normal business hours, any person may examine an application and materials submitted in support of or in opposition to an application in the offices of the Planning Department.

C. Conduct of Public Hearing.

1. Rights of All Persons: Any person may appear at a public hearing and submit evidence, either individually or as a representative of an organization. Each person who appears at a public hearing may be required to identify himself, state an address, and if appearing on behalf of an organization, state the name of the organization.
2. Due Order of Proceedings: Hearings shall be conducted pursuant to rules adopted by the hearing authority pursuant to Indiana Code.
3. Continuance of Public Hearing or Meeting: The body or officer conducting the public hearing or meeting may continue the public hearing or meeting to a fixed date, time and place without additional publication or individual notice.

D. Withdrawal of Application. An applicant shall have the right to withdraw an application at any time prior to the action on the application by the decision-making body or officer.

E. Record of Public Hearing or Meeting. The transcript of testimony, if any; minutes; all applications, exhibits, and papers filed in any proceeding before the Plan Commission, the Board of Zoning Appeals, the Plat Committee, or the Hearing Officer; the staff report and the decision of the decision-making body shall constitute the record. The record shall be maintained for public inspection in the office of the Planning Department.

F. Actions by Decision-making Bodies and Officers. All decisions shall include a brief summary of the matter being acted upon, and a clear statement of approval, approval with conditions, or disapproval. Conditions of approval shall be clearly stated and enumerated.

G. Action by Board of Zoning Appeals. Action by the Board of Zoning Appeals shall be final.

H. Action by Plan Commission. In the instance where the Plan Commission has final authority, action by the Plan Commission shall be final. When the Plan Commission action is advisory to the Common Council, the Planning Director shall certify the Plan Commission recommendation to the Common Council pursuant to I.C.§ 36-7-4. When the Plan Commission action is advisory to any other body or agency, the planning staff shall forward such recommendation to that body or agency.

I. Action by Common Council. The Common Council shall act on any petition forwarded by the Plan Commission within the time period specified and in the manner set forth in I.C. §36-7-4. Additionally, the mayor may exercise his or her authority to veto an action of the Common Council pursuant to Bloomington Municipal Code Section 2.04.350. The Common Council may override a Mayoral veto pursuant to Bloomington Municipal Code 2.04.350(d).

J. Decision. A written copy of the decision, as described in 20.05.02.02 F., of a decision-making body or officer shall be available in the Planning Department within five (5) working days of the decision. Staff shall explain what steps are available, including availability of judicial review, to any interested party upon request.

20.05.03.00 PERMITTED USES

20.05.03.01 Purpose

The purpose of classifying some uses as permitted uses is to allow the development of those uses and associated structures which are fundamentally appropriate to the location and zoning district in which they are proposed. Permitted uses are subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Any use not classified as permitted shall be prohibited unless approved as a conditional use or variance.

20.05.04.00 CONDITIONAL USES

20.05.04.01 Authority

The Board of Zoning Appeals, in accordance with the procedures and standards set out in this Chapter may grant conditional use permits authorizing the development of uses listed as conditional in the regulations applicable to the district in which the subject property is located.

20.05.04.02 Purpose

A conditional use is a use for which certain conditions must be met before it can be established at a given location. The use shall be permitted by the Board of Zoning Appeals if, the Board determines, the enumerated conditions are met.

20.05.04.03 Parties Entitled To Seek Conditional Use Permits

An application for a conditional use permit may be filed by the owner, his agent, or any person having a legal or equitable interest in the subject property, but the written authorization of any owner who is not an applicant shall be required.

20.05.04.04 Procedure

A. Application. An application for a conditional use shall be filed with the planning staff on a prescribed form. The application shall be accompanied by all data as set forth in Section 20.05.01.01, and also the following plans, data or information, unless certain documentation is deemed superfluous by the planning staff due to the specific circumstances of the proposal. Staff may request, and the Board may require, additional information where warranted to demonstrate compliance with criteria. Data and prints from the Geographic Information System maintained by the City of Bloomington are available and may be used to meet these requirements.

1. A statement in writing by the applicant showing how the proposed Conditional Use will conform to the general standards set forth in Section 20.05.04.05, below, as well as the specific standards for the particular conditional use requested.
2. An accurately scaled site plan of the proposed use identifying the location of all proposed and existing buildings and structures on the property; buildings, structures and pavement within 100 feet of the property line or within the adjacent property, whichever is less; open space; points of ingress/egress; the location of parking; property lines; easements; and scale, north arrow and date.
3. A landscape plan showing all proposed and existing landscaping.
4. Architectural elevations, photos, or other written or pictorial representation of the appearance of the structure.
5. An exterior lighting plan indicating the location, design, and effect on adjacent properties of all lighting fixtures.
6. Other information as may be required by the Rules of the Board of Zoning Appeals or as may be needed to demonstrate compliance with applicable criteria.

B. Such application shall be forwarded to the Board of Zoning Appeals for review.

C. Public Hearing. A public hearing shall be set, noticed, and conducted by the Board of Zoning Appeals in accordance with their Rules and with Sections 20.03.04.03 and 20.05.02 of this zoning ordinance.

D. Delegation of Authority. The Plan Commission may, by rule, establish procedures to be followed by a Hearing Officer. The Hearing Officer may hear such conditional uses as may be authorized by the Plan Commission Rules.

20.05.04.05 Standards For Conditional Use Permits

No conditional use permit shall be granted pursuant to this Chapter unless the applicant shall establish that the specific standards for the conditional use are met and that the following general standards are met.

A. The proposed use and development must be consistent with the Comprehensive Plan and may not interfere with the achievement of the goals and objectives of the Comprehensive Plan;

B. The proposed use and development will not create nuisance by reason of noise, smoke, odors, vibrations, or objectionable lights;

C. The proposed use and development will not have an undue adverse impact upon adjacent property, the character of the area, or the public health, safety and general welfare;

D. The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, stormwater management structures, and other services, or that the applicant will provide adequately for such services;

E. The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;

F. The proposed use and development will not result in the excessive destruction, loss or damage of any natural, scenic or historic feature of significant importance;

G. The hours of operation, outside lighting, and trash and waste collection must not pose a hazard, hardship, or nuisance to the neighborhood;

H. Signage shall be appropriate to both the property under consideration and to the surrounding area. Signage which is out of character, in the Board's determination, shall not be approved; and,

I. The proposed use and development complies with any additional standards imposed upon the particular use by Section 20.05.04.06.

20.05.04.06 Additional Criteria for Certain Categories of Conditional Use

All conditional uses are subject to the criteria established in 20.05.04.05 above. Additional criteria as specified in Section 20.05.04.06 must be met by the following categories of conditional use:

A. Bed and Breakfast Establishments
   1. The operator of the Bed and Breakfast establishment shall reside on the property.
   2. The establishment shall maintain a maximum of three (3) guest rooms.
   3. The establishment shall provide one (1) parking space per guest room plus the spaces required for the dwelling unit.
   4. The building and its parking facilities shall be designed for compatibility with the surrounding properties.

B. Day Care Centers
   1. Proof of licensing, when license is required by the State of Indiana, shall be presented with the application for the conditional use permit. Day care centers exempt from state licensing requirements shall provide proof of exemption.
   2. The day care center operator shall be responsible for compliance with all applicable city ordinances and state and federal statutes and regulations.
   3. The day care center shall be screened from adjacent properties with a fence or vegetative buffer, and an adequate fenced play area shall be provided..
   4. The minimum lot size for day care centers shall be fifteen thousand (15,000) square feet or the minimum lot size for the district, whichever is greater.
   5. Site design and supervision characteristics shall insure that the peace and

safety of the surrounding area shall not be impaired.

6. No day care center shall be approved within five hundred (500) feet of another day care center.

C. Drive-Through Uses

1. Drive-through structures shall be located so as to minimize impacts on adjacent property and the character of the streetscape.
2. A drive-through structure shall not be provided with additional driveways except as authorized by the City Engineer.
3. Design of maneuvering and stacking aisles for the drive-through shall not interfere with circulation or visibility for traffic either on or off site and shall be designed to minimize headlight glare to adjacent property and streets. Applicant shall provide reasonable estimates of peak stack needs and accommodate those needs on the site plan.
4. The radius and width of maneuvering areas shall be as required by the City Engineer.

D. Historic Adaptive Reuse

1. The property shall have been designated Historic or have filed a petition for Historic designation at the time of the application for a conditional use permit.
2. The proposed use shall not diminish the historic character of the property or, if it is located within an historic district, the historic character of said district
3. The proposed use shall enhance the ability to restore and/or preserve the property
4. The granting of the conditional use permit shall be contingent upon any required Certificate of Appropriateness and upon the granting of Historic designation.

E. Places of Worship

1. Design of the structure and site shall be compatible with the surrounding area.
2. Outdoor group activities shall not be allowed after ten o'clock p.m.
3. Facilities shall have adequate access to streets of classification collector or arterial and traffic shall not be required to travel through a residential neighborhood on local streets.

F. Rehabilitative Facilities

1. The design of the site and structure, and the intensity of use and population density shall be compatible with the surrounding area.
2. Adequate access is provided to a street classified as a collector or arterial.
3. The peace and safety of the surrounding area shall not be impaired.

G. Commercial Uses in Industrial Districts

1. The applicant shall demonstrate to the Board's satisfaction that the proposed use is a retail, restaurant, tavern, gasoline service station or business or consumer-oriented office/service use, and the proposed use will serve primarily the industries of the district in which they are located, and/or their employees.
2. A maximum of ten percent (10%) of the total area of an industrial property may be occupied by such uses. If the developer of an industrial subdivision has secured such conditional use approval to this limit, individual lots within the subdivision shall not be eligible for this conditional use, and the

developer shall notify purchasers of this limitation by deed provisions or other appropriate means. In the absence of such prior conditional use grant, each lot within the industrial subdivision shall be subject to this ten percent (10%) limit.

3. Individual retail enterprises shall be limited to a maximum floor area of three thousand (3,000) square feet.

H. Industrial uses with potentially adverse effects

1. The following uses may be approved as a conditional use:
   a. Petrochemical facilities
   b. The manufacture of chemicals and chemical products
   c. The processing of meat, poultry, or seafood and other agricultural products, solid waste disposal, or transfer facilities
   d. The manufacture of paper products from wood or pulp
   e. The manufacture of paving material or concrete block
   f. Motor or bus terminal
   g. The manufacture and processing of drugs and pharmaceuticals other than light manufacturing.
   h. Metal fabrication other than light manufacturing.
2. Plan Commission review. The Plan Commission shall hold a public hearing to review the compliance of the proposed use with the Comprehensive Plan and its impact upon the development objectives of the plan, and shall forward a recommendation and report to the Board of Zoning Appeals.
3. The proposed use shall not present undue risk of fire, explosion or release of harmful materials.
4. Impacts. The applicant shall submit data which details the environmental and other effects of the proposed use and which quantifies the potential risks in terms of noise, dust, odor, traffic, and discharges to the air, ground water, and surface water. This statement shall be certified by a Professional Engineer (PE) and such certification shall be presented to the Board at the time of the application for a conditional use permit. This certification shall not relieve the applicant of compliance with the requirements of Section 20.06.05.01. The cost for such certification shall be borne by the applicant.
5. Mitigation. The Board may require mitigation measures such as careful arrangement of buildings and uses on the site, a means of reducing noise and emissions, and may require screening or setbacks in excess of IG minimum.
6. Compliance. The Board may require post-construction testing or inspection at appropriate times and intervals to insure ongoing compliance with the applicant's representations of impact and any required mitigation measures.

I. Outdoor Storage Yards Which are Accessory to Permitted Principal Uses.

1. Such yards may be set back from side and rear lot lines not less than one-half (1/2) the setback required for buildings on the lot if such lot lines do not abut residential use or zoning. If adjacent to residential use or zoning, such yards must meet the required building setback.
2. Outdoor storage yards shall be screened so as to mitigate the appearance and impact of the proposed storage use and its level of activity, in a manner consistent with the purposes of the district.

J. Fire and police stations
   1. Facilities shall have adequate access to streets classified collector or arterial.
   2. Design of the structure and the site shall be compatible with the surrounding area.

K. Golf, swim, and tennis clubs
   1. Facilities shall have adequate access to streets classified collector or arterial and traffic shall not be required to travel through a residential neighborhood on local streets.
   2. The design and location of any structure and the design of the site shall be such that adjacent properties shall not be subjected to offensive noise, lights, odors, or flying objects.

L. Convalescent, Nursing and Rest Homes; Auditoriums; and Community and Recreation Centers
   1. The proposed facility shall be located on a site of a minimum size of fifteen thousand (15,000) square feet, or the minimum lot size for the zoning district, whichever is greater.
   2. Adequate access shall be provided to streets classified as Collector or Arterial and traffic shall not be required to travel through a residential neighborhood on local streets.
   3. The design of the structure and site, the hours of operation, and the intensity of use, shall be compatible with the surrounding area.

M. Cemeteries and Mausoleums
   1. Any new cemetery shall be located on a site not less than two (2) acres in size.
   2. Access to the proposed site shall be such that traffic and funeral processions to the site will create a minimum of interference with normal traffic operations in the area.
   3. The design of the site and any structures shall be compatible with the surrounding area.
   4. All structures shall be set back from any property line a minimum of thirty-five (35) feet and all graves or burial plots shall be set back a minimum of twenty-five (25) feet from any property line.

N. Mortuaries and Crematoriums
   1. The site of the proposed facility shall be a minimum of fifty thousand (50,000) square feet.
   2. Adequate access shall be provided to a street classified as collector or arterial and traffic shall not be required to travel through a residential neighborhood on local streets.
   3. The design of the site and the structure shall be compatible with the surrounding uses.
   4. Access to the proposed site shall be such that traffic and funeral processions will create a minimum of interference with normal traffic operations in the area.

O. Accessory Gasoline Sales
   1. Use shall be accessory to a grocery store having at least one thousand five hundred (1,500) square feet devoted to food sales. Use shall be limited to one dispensing nozzle for each grade of gasoline offered.
   2. Adequate access shall be provided to a street classified as a collector or

arterial.

3. The pump island shall not eliminate or interfere with required off-street parking spaces or access thereto.
4. Adequate stacking space should be available at the pump island and shall not interfere with traffic safety on the site or adjacent roadway.
5. The design of the site and the structure shall be compatible with the surrounding area.
6. The site shall conform to the Karst regulations found in Section 20.06.05.02 of this zoning ordinance.

P. Correctional Facilities

1. Adequate access is provided to a street classified as a collector or arterial.
2. The design of the site and structure, and the intensity of use and population density shall be compatible with the surrounding area.
3. Site design and supervision characteristics shall insure that the peace and safety of the surrounding area shall not be impaired.

Q. Junk, Wrecking, and Automobile Storage Yards

1. Processing of metal salvage shall be permitted only in the IG district. All other waste processing shall take place only within an enclosed building. No processing operation shall be permitted closer than three hundred (300) feet from any residential use or district.
2. All outdoor storage shall be conducted entirely within an enclosed opaque fence or wall designed to obscure the view from the road and from adjacent properties. Such fence or wall shall be constructed on or inside the front, side, and rear setback lines required within the zoning district and shall be constructed in such a manner that no outdoor storage or salvage operations shall be visible from an adjacent property, street, or highway. Storage, either temporary or permanent, between such fence or wall and any property line is expressly forbidden.
3. The front, side, and rear yards shall be landscaped to the Board's satisfaction with appropriate materials. At a minimum such landscaping shall include a D-value one and one-half (1½) that required in the zoning district.
4. A maximum of one access driveway shall be permitted on any single street frontage.

R. Shared Parking. The Board of Zoning Appeals may grant a conditional use permit authorizing a reduction in the total number of required parking spaces for two (2) or more uses jointly providing off-street parking. Reduction of joint use parking shall be subject to the following conditions:

1. No more than fifty percent (50%) of the parking spaces required for a building or use may be supplied by parking facilities required for any other building or use.
2. Total parking provided shall be sufficient, in the judgment of the Board, to meet the requirements of the greatest combined peak parking demands. The Board may require such evidence as it deems necessary to establish parking demands.
3. The Board of Zoning Appeals shall require the owners of the properties included in the conditional use request to make a written commitment, as stipulated in the Rules of the Board of Zoning Appeals, guaranteeing that the parking spaces shall be maintained as stipulated in the approval so long as parking is required for either of the properties or until the required parking is provided elsewhere in accordance with the provisions of this

Chapter. Such instrument shall be recorded by the property owners with the County Recorder, and a copy filed with the planning department.

4. The commitment required above may be modified or terminated only by order of the Board of Zoning Appeals.

S. Off-site Parking

1. The off-site parking facility is within a reasonable walking distance of said structure or use, in consideration of the use;
2. Such parking facility is located in a zoning district where such parking facilities are allowed as a permitted or conditional use;
3. The Board of Zoning Appeals shall require the owner(s) of the properties included in the conditional use request to make a written commitment, as stipulated in the Rules of the Board of Zoning Appeals, guaranteeing that the parking spaces shall be maintained as stipulated in the approval so long as parking is required for the property, or until the required parking is provided elsewhere in accordance with the provisions of this chapter, and prohibiting any other use of the lot which is used for off-site parking. Such instrument shall be recorded by the property owners with the County Recorder, and a copy filed with the planning department;
4. The commitment required above may be modified or terminated only by order of the Board of Zoning Appeals.

T. Drive-in Theaters

1. The site must have direct access to an arterial road as identified on the functional street classification map. In addition to the required setbacks from the streets and highways, all yards shall be planted and maintained as a landscaped strip.
2. The theater viewing screen shall not be visible from any public street within fifteen hundred (1500) feet of the screen. In addition, cars parked in the viewing area shall be screened on all sides by a wall, fence, or densely planted evergreen hedge not less than six (6) feet in height.
3. Loading space for patrons waiting for admission to the theater shall be equal to twenty percent (20%) of the capacity of the theater. All entrances and exits shall be separated, and internal circulation shall be laid out to provide one-way traffic.
4. Sale of refreshments shall be limited to patrons of the theater. Amusement parks or kiddylands shall be accessible only to patrons of the theater.
5. All parking areas and access ways shall be adequately lighted; provided, however, that such lighting shall be shielded to prevent any glare or reflection onto a public street or onto neighboring properties.
6. No central loudspeakers shall be permitted.

U. Light Manufacturing and Distribution Facilities

1. Architecture and site design shall be compatible with the surroundings and with the purposes of the BP district.
2. Truck parking, loading areas, and outdoor mechanicals of any kind shall be adequately screened in a manner compatible with the surroundings.
3. The design of the access route to the facility must be suitable for truck traffic.
4. Outdoor processes and/or storage are prohibited.

V. Commercial use as principal use in Medical and Airport districts.

1. The applicant shall demonstrate that the proposed retail, restaurant, or business or consumer-oriented uses will serve primarily the medical or airport uses in the zoning district and/or their employees.
2. Individual retail enterprises shall be limited to a maximum floor area of three thousand (3000) square feet.

W. Home Occupations

1. The operator(s) of the home occupation must reside in the dwelling unit. Only one employee who does not reside in the dwelling unit may be permitted, regardless of the number of home occupations in the dwelling unit.
2. The home occupation must be conducted entirely within the principal residence or attached garage. Outdoor display of materials, goods, supplies, or equipment shall be prohibited.
3. Direct sales and/or rentals of products is prohibited, except for the incidental sale of arts and crafts created on the premises in connection with the home occupation. Mail and/or telephone sales activities are permitted.
4. Not more than fifteen percent (15%) of the total interior floor area of the dwelling unit may be used in connection with the home occupation. However, no home occupation shall be limited to less than two hundred (200) square feet nor shall the area of a home occupation exceed five hundred (500) square feet.
5. There shall be no advertising, signs, display, or other indications of a home occupation in the yard, on the exterior of the dwelling unit, or visible from anywhere outside the dwelling unit, except for one sign, attached to the wall of the building, of a maximum size of two (2) square feet.
6. More than one home occupation may be permitted within an individual dwelling unit, provided all other standards and criteria applicable to home occupations are complied with. All home occupations within the same dwelling unit may cumulatively use no more than fifteen percent (15%) or five hundred (500) square feet of the dwelling unit.
7. An approved home occupation shall be treated as a single family dwelling unit for purposes of site plan review.

X. Downtown Development Opportunity Overlay.

Development opportunities authorized as a conditional use in the downtown development opportunity overlay shall meet the requirements of Section 20.07.15.05 in addition to the general criteria for conditional use.

Y. Hotel/Motel in Business Park District

1. Design of the structure and site shall be compatible with the purposes of the Business Park district.

Z. Off-premise sign re-location. The Board of Zoning Appeals may grant a conditional use permit authorizing a lawful non-conforming off-premise sign to be removed and relocated to another zoning lot or to another location on the same zoning lot provided:

1. The new location is within a CG, CA, IL, or IG district if the new location is on a different zoning lot. No sign shall be relocated so that a sign face is directed toward, or intended to be legible to, a motorist traveling along State Road 37.
2. The sign area at the new location shall not exceed the sign area at the

previous location, nor shall the height of the sign at the new location exceed thirty-five (35) feet, measured from the base of the sign or from the crown of the road directly in front of the sign, whichever is greater, to the top of the sign.

3. The off-premise sign as relocated shall be at least three hundred (300) feet from the nearest other off-premise sign, except on limited-access highways where the distance to the nearest sign shall be five hundred (500) feet. Such spacing shall apply to signs on the same side of the road, measured along the roadway between points on the roadway that are nearest to each sign. Spacing provisions shall not apply when signs are separated by obstructions in such a manner that only one sign within the spacing distances is visible from the street at any one time.
4. The relocated off-premise sign shall be subject to a street setback of one-half of the required building setback from the front property line. The relocated off-premise sign shall be subject to the side and rear building setback requirement of the district in which it is being relocated.
5. The relocation promotes the public welfare and tends on balance to preserve and enhance the scenic beauty and aesthetics of the planning jurisdiction, taking into account the location from which the sign is being moved as well as the character of the new location, including but not limited to any landscaping or other amenities proposed for the new location.
6. An application for conditional use to relocate a sign shall be accompanied by a commitment to the removal of the sign from its existing location by both the owner of the property and of the sign. Each such conditional use approval shall include, as a condition of approval, a stipulation that the previous lawful non-conforming use at the previous location shall be deemed abandoned immediately upon relocation.

20.05.04.07 Conditions On Conditional Use Permits

The Board of Zoning Appeals may impose such conditions and limitations as may be necessary to minimize adverse effects upon other property in the vicinity or upon public facilities and services or to satisfy applicable criteria. Such conditions shall be expressly set forth in the record of the grant of the conditional use, and the Board of Zoning Appeals may require the commitment of the applicant to such conditions. Violation of any such condition or limitation shall be a violation of this Zoning Ordinance.

20.05.04.08 Compliance With Conditions

Whenever any conditional use permit granted pursuant to this Chapter is made subject to conditions or limitations to be met by the applicant, the applicant shall meet such conditions as may be applicable, prior to the issuance of a permanent Certificate of Occupancy.

20.05.04.09 Effect Of Issuance Of A Conditional Use Permit

The grant of a conditional use authorizes the use and establishes the terms of use. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. All required permits must be obtained before any grading, construction, or use commences.

20.05.04.10 Expiration of Conditional Use

Any conditional use permit granted by the Board of Zoning Appeals shall expire:

A. In the case of new construction or modifications to an existing structure:

1. Two years after the date granted by the Board, unless a building permit has been obtained and construction of the structure or structures has commenced; or,
2. At the date of termination established by the Board of Zoning Appeals as a condition or commitment if different from (1) above.

B. In the case of occupancy of land which does not involve new construction

1. Two years after the date granted by the Board, unless an occupancy permit has been obtained and the use has commenced; or
2. At the date of termination established by the Board of Zoning Appeals as a condition or commitment if different from (1) above.

C. If an Appeal by writ of certiorari is taken from an order granting a conditional use, the time during which such Appeal is pending shall not be counted in determining whether the conditional use or order has expired under Subsections A or B of this Section.

D. The Board may provide by rule for the granting of extensions of conditional uses.

20.05.04.11 Amendments To Conditional Use Permits

Any modification or intensification of a conditional use that alters the essential character or operation of the use in a way not intended by the Board of Zoning Appeals at the time the conditional use was granted shall require a new conditional use permit. The property owner/operator or his authorized representative shall apply for such conditional use permit prior to any modification of the use or property.

The planning staff shall determine in writing whether the proposed modification or intensification represents an alteration in the essential character of the original conditional use as approved. The operator of the conditional use shall provide the planning staff with all the necessary information to render this determination.

The Hearing Officer may hear requests for amendments to a conditional use, if authorized by the Plan Commission.

No use classified as conditional may be conducted without first obtaining a conditional use permit under this chapter, and no such use shall be conducted except in compliance with all applicable provisions of this Zoning Ordinance and with any conditions upon such permit.

20.05.04.12 Enforcement

Failure to comply with any provision of this chapter, including but not limited to the terms and conditions of a conditional use approval, shall be a violation of this zoning ordinance and subject to the remedies and penalties in Chapter 20.09.

20.05.05.00 VARIANCES

20.05.05.01 Authority And Purpose

The Board of Zoning Appeals or the Hearing Officer, may, after a public hearing, vary the regulations of this Zoning Ordinance. Variances shall be granted only in accordance with the standards set forth in this Section.

20.05.05.02 Eligible Petitioners

An application for a variance may be filed by the owner, his agent, or any person having a legal or equitable interest in the subject property, but the written authorization of any owner who is not an applicant shall be required.

20.05.05.03 Variance Procedures

A. Applications. An application for a variance shall be filed with the planning staff on an official prescribed form. The application shall be accompanied by all data as set forth in Section 20.05.01.01, and also by the following plans, data, or information, unless certain documentation is deemed superfluous by the planning staff due to the specific circumstances of the particular proposal. Data and prints from the Geographic Information System maintained by the City of Bloomington are available and may be used to meet these requirements.

1. A statement in writing by the applicant describing the requested variance and how the proposed variance meets the standards as set forth in Section 20.05.05.03(E) below.
2. An accurately scaled site plan of the property identifying the location of all proposed and existing buildings and structures on the property; buildings, structures, and pavement within 100 feet of the property or within the adjacent property, whichever is less; open space; points of ingress/egress; the location of parking; property lines and easements; and which shall include scale, a north arrow, and the date. The site plan shall include other site planning features, including landscaping, as necessary to demonstrate compliance with criteria.
3. Other information as may be required by the rules of the Board of Zoning Appeals.

B. Delegation of Authority: The Plan Commission may, by rule, establish procedures to be followed by a Hearing Officer. The Hearing Officer may hear such variances from development standards as may be authorized by the Plan Commission Rules. The Plan Commission may not authorize the Hearing Officer to hear use variance requests.

C. Public Hearings. Public hearings conforming to Indiana Code shall be required for all variance applications. Notice of all public hearings shall be given in accordance to Section 20.05.02 and to the rules of the Board of Zoning Appeals.

D. Plan Commission Review of Use Variances. All use variance requests, except for those involving single family residences and those which involve a change in use of a non-residential use within an existing structure, shall require a public hearing by the Plan Commission pursuant to sections 20.05.01 and 20.05.02 of this ordinance. Following said public hearing, the Plan Commission shall make a recommendation on the proposed use variance which shall be forwarded to the

Board of Zoning Appeals by the planning staff. Such recommendation shall be limited to whether or not, in the Plan Commission's opinion, the proposed use variance would interfere substantially with the policies of the Comprehensive Plan.

E. Standards for Variances. The regulations of this Zoning Ordinance shall not be varied unless findings based on the evidence are made in each specific case that affirm each of the following criteria:

1. Standards for Granting Variances from Development Standards: A variance from development standards may be approved only upon a determination in writing that:
   a. The strict application of the terms of the zoning ordinance will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the variance will relieve the practical difficulties;
   b. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner; and
   c. The approval will not be injurious to the public health, safety, morals, and general welfare of the community.

2. Standards for Granting Variances of Use: A variance of use may be approved only upon a determination in writing that:
   a. The approval will not be injurious to the public health, safety, morals, and general welfare of the community;
   b. The use and value of the area adjacent to the property included in the variance will not be affected in a substantially adverse manner;
   c. The need for the variance arises from some condition peculiar to the property involved;
   d. The strict application of the terms of the zoning ordinance will constitute an unnecessary hardship if applied to the property for which the variance is sought; and
   e. The approval does not interfere substantially with the Comprehensive Plan.

   In the event that a request for a use variance involves adaptive re-use of a historic structure, the community's interest in preservation of historic sites may be used to determine conformance with the above criteria, but only in areas not eligible for the "Historic Adaptive Reuse" conditional use.

20.05.05.04 Variance Expiration

Unless otherwise specified by the Board at the time of approval, any order or variance granted by the Board of Zoning Appeals shall expire:

A. In the case of new construction or modifications to an existing structure:

1. Two years after the date granted by the Board, unless a building permit has been obtained and construction of the structure or structures has commenced; or,
2. At the date of termination established by the Board as a condition or commitment if different from (1) above.

B. In the case of occupancy of land which does not involve new construction:

1. Two years after the date granted by the Board, unless an occupancy permit has been obtained and the use has commenced; or
2. At the date of termination established by the Board as a condition or commitment if different from (1) above.

C. If an Appeal by writ of certiorari is taken from an order granting a variance, the time during which such Appeal is pending shall not be counted in determining whether the variance or order has expired under Subsections A and B of this Section.

D. The Board may provide by rule for the granting of extensions of variances.

20.05.05.05 Enforcement

Failure to comply with the conditions of a variance approval shall be a violation of this Zoning Ordinance and subject to the remedies and penalties in Chapter 20.09.

20.05.06.00 APPEALS

20.05.06.01 Authority

The Board of Zoning Appeals shall hear and determine appeals from and review any order, requirement, decision or determination made by an administrative official, Hearing Officer, or staff member under this Zoning Ordinance.

The Board shall also hear and determine appeals from and review any order, requirement, decision, or determination made by an administrative board or other body, except the Plan Commission, in relation to the enforcement of this Zoning Ordinance or to the enforcement of any other titles in the Bloomington Municipal Code requiring procurement of a building permit or occupancy permit.

20.05.06.02 Initiation

An appeal may be filed with the Board of Zoning Appeals by any person aggrieved by the order, requirement, decision or determination described in Section 20.05.06.01. An appeal filed with the Board must specify the grounds of the appeal and must be filed in the form and within the time limit established by rule of the Board, except that a decision of a Hearing Officer must be appealed within fourteen (14) days after the decision is made.

20.05.06.03 Processing

An appeal shall be filed with the planning staff, who shall forward such appeal to the Board of Zoning Appeals for processing in accordance with this Zoning Ordinance and applicable statutes of the State of Indiana.

20.05.06.04 Public Hearing

A public hearing shall be conducted by the Board of Zoning Appeals in conformance with the Indiana Code, Chapter 20.05.02 of this zoning ordinance, and the rules of the Board of Zoning Appeals.

20.05.06.05 Decisions

The Board of Zoning Appeals shall hear testimony and evidence concerning appeals, and prepare findings of fact and shall render a final decision on all appeals. A written copy of such decision, as described in Section 20.05.02.02 F., shall be available in the Planning Department within five (5) days.

20.05.07.00 AMENDMENTS TO ORDINANCE TEXT AND MAP

20.05.07.01 Authority and Procedures

This Zoning Ordinance and the Zoning Map may be amended from time to time by ordinance duly enacted by the Common Council in accordance with the procedures set out in Indiana Code Chapter 36-7-4, 600 Series - Zoning Ordinance.

20.05.07.02 Standards For Amendments

In preparing and considering proposals to amend the text or maps of this Zoning Ordinance, the Plan Commission and the Common Council shall pay reasonable regard to:

A. The Comprehensive Plan.
B. Current conditions and the character of current structures and uses in each district.
C. The most desirable use for which the land in each district is adapted:
D. The conservation of property values throughout the jurisdiction.
E. Responsible development and growth.

20.05.07.03 Effect Of Approval Of Amendment

A. When an amendment to the zoning map is approved, such amendment shall be incorporated into the official map in the Geographic Information System maintained by the City of Bloomington.
B. When an amendment is made to the text, such change shall be incorporated into the official document according to the numbering system established within the Ordinance.

20.05.08.00 SITE PLAN REVIEW

20.05.08.01 Purpose of Site Plan Review

A. To promote well planned and designed use of property;

B. To promote a high character of community development;

C. To review site plans relative to site layout, improvements and engineering in the interest of public health, safety, convenience and welfare;

D. To promote new development which has a positive impact on the community as a whole, does not negatively impact neighbors, protects sensitive natural resources, and is well designed to maximize efficient use of the land and surrounding transportation system and to provide adequate stormwater management.

E. To review site plans to determine compliance with development standards.

F. To protect environmental quality.

20.05.08.02 Scope of Review and Standards

The site plan review authority, when evaluating site plans, will review:

A. The relationship of the site plan to the Comprehensive Plan and the purposes of the zoning district.

B. Parking layout so as to:

1. minimize dangerous traffic movements;
2. achieve efficient traffic flow in accordance with standards in the Institute of Traffic Engineers' Transportation and Traffic Engineering Handbook and the Thoroughfare Plan; and
3. conform to the applicable parking requirements and provide for the optimum number of parking spaces, while maintaining design standards.

C. Landscaping, conforming to applicable landscape requirements in such a manner as to:

1. avoid interference with underground and overhead utilities through use of appropriate material and location;
2. maintain existing mature trees and shrubs to the maximum extent practicable;
3. buffer adjacent incompatible uses;
4. screen unsightly activities from public view;
5. minimize large expanses of pavement;
6. provide an aesthetically pleasing landscaping design which is suitable for the local climate and the site conditions;
7. promote maximum tree preservation towards the overall Comprehensive Plan goal of increasing tree crown coverage;
8. utilize landscaping to assist in the definition of the circulation system.

D. Location and engineering of principal structures, accessory structures, free-standing signs and other site improvements, so that the location of these do not impede safe and efficient traffic flow, nor endanger trees located on the site at the time of application, and relate appropriately to topographical or geological features of the site, in order to protect the public health, safety and welfare and conform to the environmental standards of Chapter 20.06.05. This shall include determining the adequacy of site condition and mitigation documentation required under 20.05.08.03.A(1)(f).

E. Design of site infrastructure to insure that the design:

1. conforms to the various provisions of this zoning ordinance;
2. conforms to Title 19 of the Bloomington Municipal Code, Subdivisions, where applicable;
3. conforms to accepted standards of engineering design, such as the American Association of State Highway and Transportation Officials (AASHTO) standards;
4. conforms to any applicable standards as may be established by the

Bloomington Utilities Department, the Bloomington Board of Public Works, the City or County Engineers, or the Plan Commission.

F. Site grading in relation to: preservation of site features; relation to adjacent properties; movements of surface water; conformance to accepted standards of slope for the soils on the site; and stabilization measures incorporated in the plan.

G. Compliance with the Zoning Ordinance and all other applicable provisions of the Bloomington Municipal Code.

20.05.08.03 Site Plan Review Process

A. Application and Requirement for Site Plan Review

1. Every application for a permit and/or certificate of zoning compliance for grading, establishment of a use or change in use, new construction, or any building addition shall also be an application for site plan approval, except as provided otherwise herein. Such applications shall include the following information, unless such information is deemed superfluous by the planning staff due to the specific circumstances of the particular site. Data and prints from the Geographic Information System maintained by the City of Bloomington are available and may be used to meet these requirements.
   a. An accurately scaled plot plan showing site dimensions, existing and proposed topography, and including a scale and north arrow.
   b. Precise location of all existing and proposed structures, and a designation of the specific use or range of uses for each building or part thereof.
   c. Design and precise location of all streets, drives and parking areas, including construction details, center line elevations, pavement type, curbs, gutters, and culverts.
   d. Location of all utility lines, easements, and rights-of-way.
   e. A detailed landscape plan, including size and species, installation specifications, identification of vegetation to be removed and to be preserved and the site measures to accomplish preservation.
   f. In addition to the submissions normally required for permit application or zoning compliance certification, the planning department may also require documentation, including the documentation required in Sections 20.06.05.02, 20.07.15.03, and 20.07.15.04, of existing site conditions including but not limited to, karst, potential wetlands, steep slopes, water features, archaeological features, flood plains, vegetative cover and other geological or topographic conditions, prior to undertaking site plan review. Such permits and/or Certificate of Zoning Compliance shall not be issued until site plan approval has been granted as provided in this zoning ordinance.
2. All site plans shall be reviewed by the Planning Department, the Engineering Department, and the Code Enforcement Division for compliance with the specific portions of the Bloomington Municipal Code and Indiana Code for which each department is responsible. Whenever sensitive environmental conditions exist, as in 20.05.08.03.A.1 above, the expertise of the Planning Department's Environmental Commission liaison staff member shall be utilized. The Planning Department shall also consult with other city, county, and public utility employees as necessary to ensure thorough and expeditious review of site plans.

3. If, in the judgement of the reviewing authority, the site plan does not contain sufficient information to enable the reviewing authority to evaluate compliance with applicable regulations, the reviewing authority may request additional information from the applicant.
4. The content and scope of review of a required site plan shall be limited as follows:
   a. The site plan for a single residence on a lot of record, including the establishment therein of a home occupation, day care home, or bed and breakfast, shall be limited to an accurately scaled drawing showing lot lines, easements, improvements, setbacks, and any other information needed to demonstrate compliance with regulations relating to flood hazards, karst, water features, or slopes, as determined by planning staff.
   b. The site plan for a building addition or expansion or change in use involving an established facility shall be limited to those features necessary to demonstrate compliance with those particular provisions of this zoning ordinance which apply to the expansion, addition, or change in use. The entire facility as it exists need not be rendered on the site plan, except where necessary to determine such compliance.

B. Decision by Planning Staff

1. After receiving an application requiring site plan review, the planning staff may take any of the following actions:
   a. request additional information,
   b. approve the site plan,
   c. recommend changes be made to the site plan,
   d. forward certain site plans to the Plan Commission for review and final action:
      1) The planning staff may forward plans involving:
         a) infill development of a more intensive land use in close proximity to less intensive established land uses,
         b) circumstances in which minimum development standards conflict with requirement for preservation of site features or standards for environmental constraints,
         c) the development will have traffic, noise, odor, or drainage impacts demonstrably greater than the impacts of other uses permitted in the district.
      2) The following site plans must be forwarded to the Plan Commission for review:
         a) Any development, other than a single family residence, in a residential district which utilizes an aggregation of platted lots of record,
         b) any non-residential development of more than two uses on a site of over two (2) acres,
         c) any development incorporating new public streets.
   e. deny site plan approval.
2. If the site plan is approved, no further approval shall be required with respect to site plan review.

3. If more information is requested, or if changes are recommended to the site plan, the applicant may request site plan review by the Plan Commission or the applicant may modify the application by providing the additional information requested or making the changes requested. Thereafter the modified application shall be reviewed as provided in this paragraph.
4. If the site plan is denied, the petitioner may request a hearing de novo by the Plan Commission.
5. Site plan review by the Plan Commission shall be a hearing de novo.

C. Site plan review by the Plan Commission

1. Upon receiving a request for information or documentation, a recommendation for modifications from the planning staff or a denial by the planning staff, an applicant may request a site plan review by the Plan Commission no later than fifteen (15) days after receipt by the applicant of the request of the staff for more information, documentation, changes, or the notice of staff denial. Failure by an applicant to file such request in accordance with the foregoing provisions shall be deemed to constitute a withdrawal of the application for site plan approval. The Commission decision shall be based on the evidence presented to the Plan Commission by the applicant, the planning staff, and other interested parties. The burden of proof shall be borne by the applicant.
2. The Plan Commission shall act as promptly as practicable on any site plan review.
3. The Plan Commission shall hold a public hearing in accordance with Section 20.05.02.00 of this ordinance and review the site plan according to the criteria established by this ordinance in Section 20.05.08.02.
4. The Plan Commission may approve or disapprove a site plan or may approve with conditions which eliminate the inadequacies.
5. Approval of a site plan shall be effective for a maximum period of one year unless, upon application of the developer, the approving authority grants an extension.

20.05.09.00 PLANNED UNIT DEVELOPMENT REVIEW

20.05.09.01 Purpose of the Planned Unit Development

The purpose of the planned unit development is to encourage flexibility in the development of land in order to promote its most appropriate use; to improve the design, character and quality of new developments; to encourage a harmonious and appropriate mixture of uses; to facilitate the adequate and economic provision of streets, utilities, and city services; to preserve the natural, environmental and scenic features of the site; to encourage and provide a mechanism for arranging improvements on sites so as to preserve desirable features; and to mitigate the problems which may be presented by specific site conditions. It is anticipated that Planned Unit Developments will offer one or more of the following advantages:

A. Reflect the policies of the Comprehensive Plan specific to the neighborhood in which the PUD is to be located,
B. Provide substantial buffers and transitions between areas of different land use and development densities,
C. Enhance the appearance of neighborhoods by conserving areas of natural beauty, and natural green spaces,
D. Counteract urban monotony and congestion on streets,

E. Promote architecture that is compatible with the surroundings,

F. Buffer differing types of land use and intensities of development from each other so as to minimize any adverse impact which new development may have on existing or zoned development,

G. Promote and protect the environmental integrity of the site and its surroundings and provide suitable design responses to the specific environmental constraints of the site and surrounding area, and

H. Effectuate implementation of the Comprehensive Plan.

20.05.09.02 Definition of Planned Unit Development

A planned unit development is an area under single ownership or control to be developed in conformance with an approved development plan, consisting of a map showing the development area and all improvements to the development area, a text which sets forth the uses and the development standards to be met, and exhibits setting forth any aspects of the development plan not fully described in the map and text. The map, exhibits and text constitute a development plan. The uses and standards expressed in the development plan constitute the use and development regulations for the Planned Unit Development site in lieu of the regulations for the underlying district.

20.05.09.03 Requirements for Planned Unit Development

A. The area designated in the planned unit development map must be a tract of land under single ownership or control. Single control of property under multiple ownership may be accomplished through the use of enforceable covenants or commitments which run to the benefit of the Zoning Jurisdiction.

B. The minimum gross area required for a planned development is three (3) acres, except that no minimum area is required in the event the planned unit development site consists of an aggregation of platted lots in the Downtown Development Opportunity area.

C. The development plan shall indicate the land use, development standards, and other applicable specifications of the Bloomington Municipal Code which shall govern the planned unit development. If the development plan is silent on a particular land use, development standard, or other specification of the Bloomington Municipal Code, the standard of the underlying district or the applicable regulations shall apply.

D. The Planned Unit Development map shall show the location of all improvements. The location of Planned Unit Developments shall be designated on the Zoning Map adopted pursuant to this Ordinance.

E. The Planned Unit Development must comply with all required improvements, construction standards, design standards and all other engineering standards contained within the Bloomington Municipal Code and other pertinent regulations, except where specifically varied through the provisions of this Section of the ordinance.

F. Open Space shall either be:

1. Conveyed to a municipal or public corporation; or
2. Conveyed to a not-for-profit corporation or entity established for the purpose of benefiting the owners and tenants of the Planned Unit

Development or, where appropriate and where approved by the Plan Commission and the Common Council, adjoining property owners, or both. All conveyances hereunder shall be structured to insure that the grantee has the obligation and the right to effect maintenance and improvement of the common open space; and that such duty of maintenance and improvement is enforced by the owners and tenants of the Planned Unit Development and, where applicable, by adjoining property owners; or,

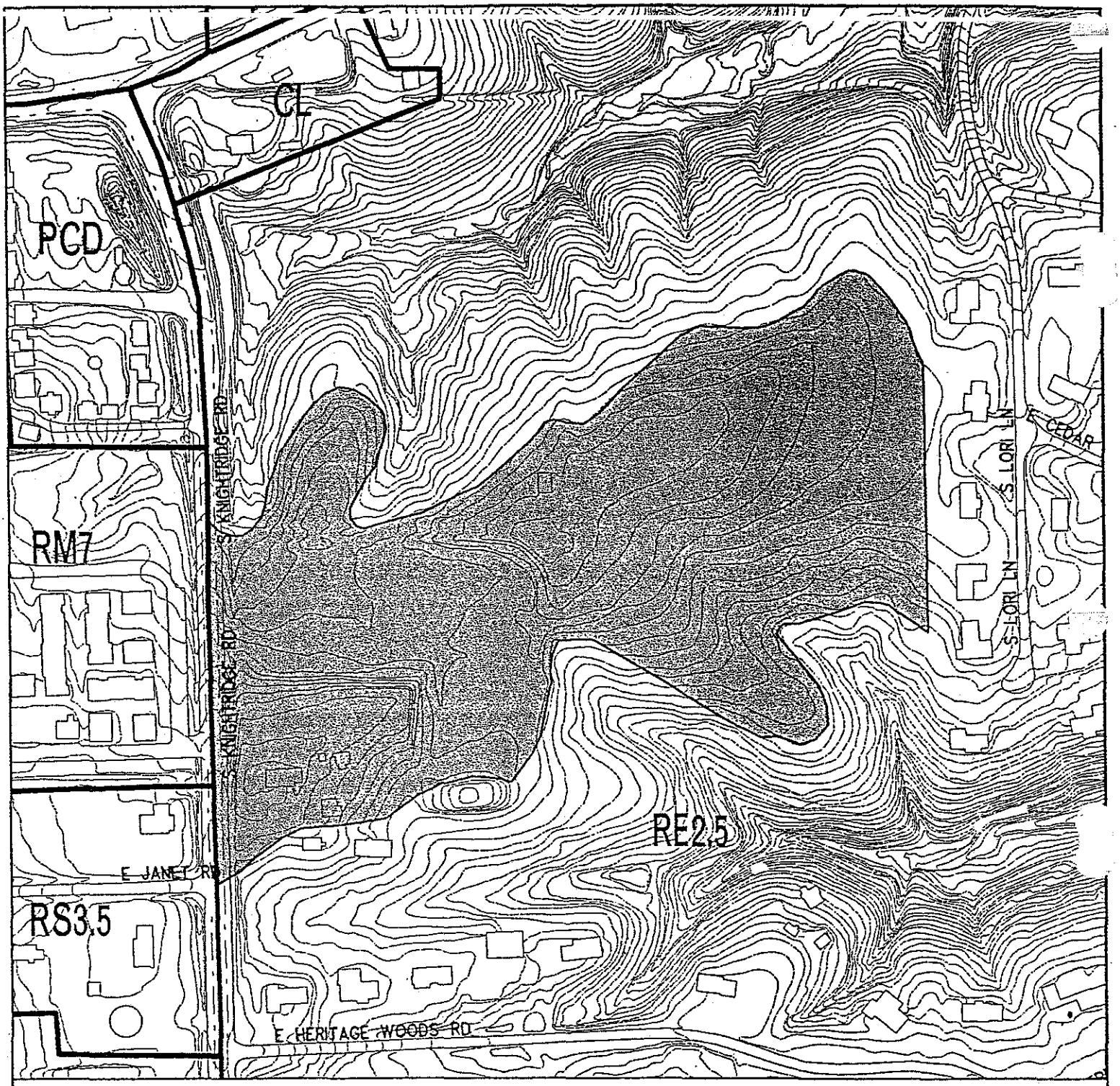
3. Conveyed to owners other than those specified in paragraphs 1 and 2 above, and subject to restrictive covenants describing and guaranteeing the open space and its maintenance and improvement, running with the land for the benefit of residents of the Planned Unit Development or adjoining property owners and/or both.
4. Included in single family residential lots under the control of individual owners.

G. Except in the RE 2.5 zoning district, uses permitted in a planned unit development may be of the following, provided that the building arrangement, site design and mixture of uses are appropriate to the area in which the planned unit development is located:

1. Mobile home parks or subdivisions of ten (10) acres or more and containing at least twenty-five (25) dwelling units
2. Any other residential use
3. Recreational uses
4. Commercial uses
5. Industrial uses
6. Community facilities

H. In the RE 2.5 district, certain areas are less vulnerable to the environmental constraints which prevail generally in the district; These areas could be developed at densities higher than the 2.5 acre per lot standard of the RE 2.5 district in a manner consistent with the goals of the comprehensive plan.

1. These areas are characterized by the following attributes:
   a. Contiguity with land identified for urban densities in the comprehensive plan;
   b. Direct access to an adequate thoroughfare;
   c. Development capability within the standards of Title 19 of the Bloomington Municipal Code, Subdivisions, particularly street grades that do not exceed eight percent (8%) without significant cut and fill and cul-de-sac lengths that do not exceed six hundred (600) feet;
   d. Grades not in excess of eighteen percent (18%);
   e. Relative lack of heavy tree cover;
   f. Lack of soils having "severe" limitations for development as rated by the *Soil Survey of Monroe County Indiana* prepared by the United States Department of Agriculture Soil Conservation Service in cooperation with Purdue University Agricultural Experiment Station and Indiana Department of Natural Resources Soil and Water Conservation Committee;
   g. Potential for wastewater service, including ownership and maintenance of lines, by Bloomington Utilities.
2. Such areas are delineated on the map in section 20.05.09.03 (H)(3) as RE 2.5 Planned Unit Development Opportunity Areas.



Watershed PUD Opportunity

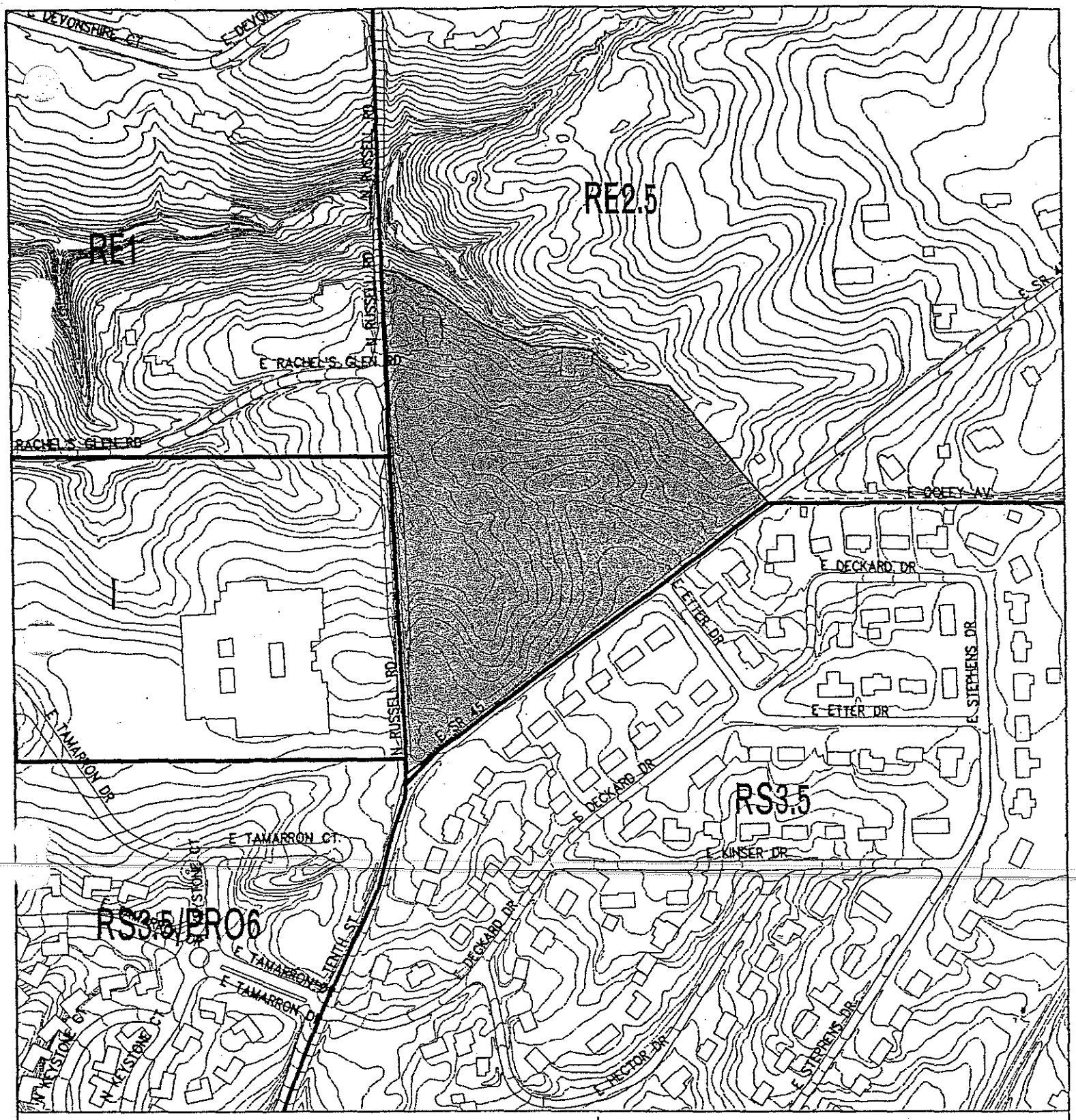
20.05.09.03.H.3

Scale: 1" = 250'

N

City of Bloomington
Planning Department

Geographic Information System



Watershed PUD Opportunity

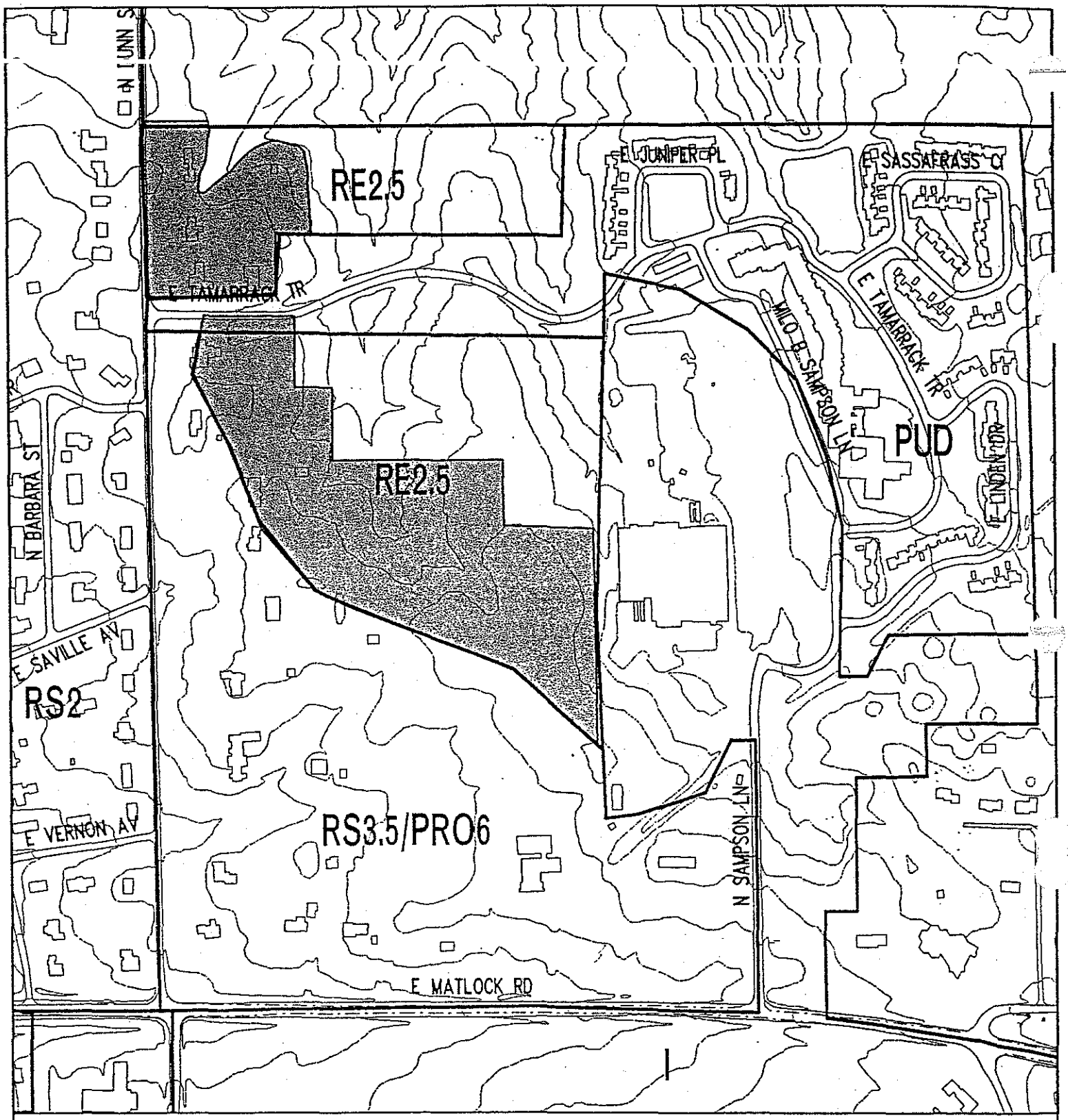
20.05.09.03.H.3

Scale: 1" = 300'

N

City of Bloomington
Planning Department

Geographic Information System



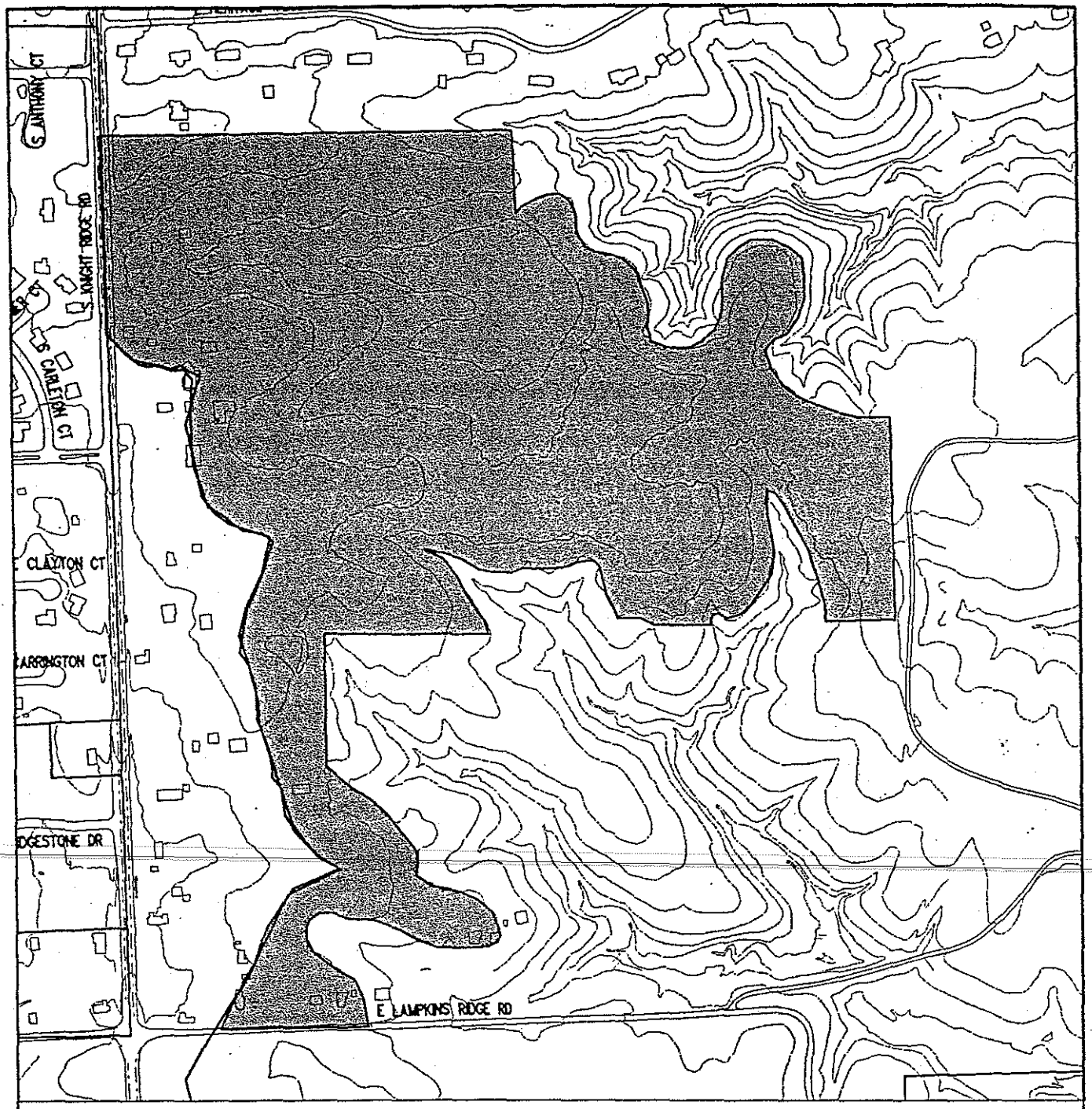
Watershed PUD Opportunity

20.05.09.03.H.3

Scale: 1" = 400'

City of Bloomington
Planning Department

Geographic Information System



Watershed PUD Opportunity

20.05.09.03.H.3

Scale: 1" = 500'

N

City of Bloomington
Planning Department

Geographic Information System

4. No Planned Unit Development shall be approved in the RE 2.5 District except those located in the RE 2.5 Planned Unit Development Opportunity Areas.
5. Planned Unit Development in said areas shall conform to the following requirements, in addition to the generally applicable requirements of Section 20.05.09.00:
   a. Such development shall consist of single family lots at a maximum gross density of 2.5 lots per acre.
   b. All of the requirements of the Lakes Watershed Overlay District, specified in section 20.07.15.03 of this zoning ordinance, shall apply and shall be fully detailed in the preliminary plan.
   c. The Plan Commission may recommend and the Council may require such additional investigation, data, and/or mitigation measures as are deemed necessary to ensure that the environmental objectives of this zoning ordinance and the Comprehensive Plan are satisfied. Such investigation, data, and/or mitigation measures may be required as part of the preliminary plan or may be specified in the preliminary plan as elements to be incorporated in the final plan.
   d. Cut and fill shall be avoided to the extent possible consistent with effective conveyance of storm drainage from yard and street areas. Cut and fill shall not be permitted for the purpose of achievement of street grade standards or establishment of building sites on terrain that would be too steep in its natural state.

I. Residential densities shall be compatible with the surrounding area.

J. In any case where these regulations, including minimum lot size, will cause an undue hardship, or where the preservation of topographical features requires, or where the unique design quality or purpose of a development warrant, the Plan Commission may recommend and the Common Council may approve variance from any provision of these regulations, except those found in 20.05.09.03.H.4 and 5.a.

20.05.09.04 Procedure for Approval of Planned Unit Development

A. Introduction. Applications shall be accompanied by all plans and documents required by Section 20.05.09.07. A three step application process shall be used. The steps in the process are:

   1. Pre Application Conference;
   2. Preliminary Plan Approval; and
   3. Final Development Plan Approval

B. Pre-application Conference. Prior to filing a formal application for approval of a Planned Unit Development, the applicant shall schedule a pre-application meeting with the planning staff. The purpose of the pre-application conference shall be to:

   1. Allow the applicant to present a general concept and to discuss characteristics of the development concept in relation to adopted city policies.
   2. Allow the planning staff to inform the applicant of applicable policies, standards and procedures for the planned unit development.
   3. The pre-application conference is intended only for the above purposes;

neither the developer nor the jurisdiction is bound by any decision made during a pre-application conference.

C. Procedure for Preliminary Plan Approval:

1. The preliminary plan and application for the Planned Unit Development shall be submitted to the planning staff which, after certifying the application to be complete, shall initiate a review by the planning department, engineering department and the environmental commission liaison staff member.
2. The application and the results of the review shall then be forwarded to the Plan Commission for its consideration, public hearing and recommendations together with the planning department's report and such other documents as may be pertinent to the planned unit development.
3. The Plan Commission shall hold a public hearing in accordance with Section 20.05.02 of this Zoning Ordinance.
4. The Plan Commission may vote to favorably recommend a proposal with modifications if the applicant agrees in writing to the modifications. If the applicant is unable to respond to the proposed modifications prior to the vote, then such motion and vote shall be in the alternative: either for favorable recommendation, with the modifications, contingent upon the applicant's acceptance of the modifications in writing within ten (10) days of the Plan Commission's approval, or, in the alternative, if the applicant fails to accept the modifications in writing within said specified time, the Plan Commission's motion and vote shall be to continue the application to the Plan Commission's next meeting. The Plan Commission shall permit the applicant to comment upon modifications with the Plan Commission after a motion to approve with modifications is made but prior to the vote, and may amend its motion accordingly.
5. Where there are environmentally sensitive features on the site or the final plan is expected to be complex, or there are other important planning implications involved, the Plan Commission may, at the time of its favorable recommendation of a preliminary plan, elect to review the final plan. And, where the Plan Commission recommends denial of a preliminary plan and the Common Council approves the plan, the Plan Commission shall review the final plan.
6. Upon completion of its review, the Plan Commission shall certify the application to the Council with a favorable recommendation, an unfavorable recommendation, or no recommendation.
7. The Council shall vote on the proposal within 90 days after the Plan Commission certifies the proposal. The Council may adopt or reject the proposal. If the Plan Commission has given the proposal a favorable recommendation and the Council fails to act on the proposal within 90 days, the ordinance takes effect as if it had been adopted (as certified) 90 days after certification. If the Plan Commission has failed to make a recommendation or has given the proposal an unfavorable recommendation and the Council fails to act on the proposal within 90 days, the proposal is defeated.
8. Any amendment to a preliminary plan shall be subject to the procedure for approval of a new preliminary plan, and no amendment shall be approved unless the application and review encompass the entire planned unit development.

D. Effect of Approval of Preliminary Plan:

1. When a preliminary plan for a Planned Unit Development has been approved by the Council, the plan shall become effective and its location shall be shown on the zoning map. The zoning map shall be amended to designate the site as a Planned Unit Development.
2. Upon such amendment of the zoning map, the use and development of the site shall be governed by the Planned Unit Development preliminary plan, subject to approval of a Final Plan.
3. No permit of any kind shall be issued until the Final Plan has been approved.

E. Final Plan:

1. Purpose of Final Plan Approval: The purpose of the Final Plan is to designate with particularity the controls for development of the Planned Unit Development. The Final Plan shall show the exact location of each building and improvement to be constructed and a designation of the specific internal use or range of uses to which each building shall be put.
2. Time Limit for Approval of Final Plan. The final plan shall be submitted to the planning department not more than eighteen months following Common Council approval of the Preliminary Plan. The preliminary and final plans may be submitted simultaneously if all requirements of this Zoning Ordinance are met. The final plan may be submitted and approved in stages, with each stage representing a portion of the preliminary plan, at the discretion of the Plan Commission. The time limit for submitting each stage for final approval may be set forth in the Preliminary Plan, in which case that schedule shall control the timing of development, rather than the time period contained in this paragraph. The Plan Commission may extend the time for application for approval of final plan for good cause, consistent with the purposes of this Ordinance.
3. Expiration of Time Limit. Periodically, the planning staff shall report to the Plan Commission on Planned Unit Developments whose time limits have expired. The applicants shall be notified. The Plan Commission shall determine whether to consider extending the time or to initiate action to amend the zoning map so as to rescind the planned unit development designation.
4. Relationship of Final and Preliminary Plan: The Final Planned Unit Development Plan shall conform to the Preliminary Plan as approved.
5. Procedure for approval of a Final Plan shall be:
   a. Final Plan Submission. The Final Plan and supporting data shall be filed with the planning staff.
   b. Staff Review. The planning staff shall review the final plan to include site plan review.
   c. Staff Approval. It shall generally be the responsibility of staff to review final plans and unless Plan Commission reviews the final plans as provided in Sections 20.03.03.01.B and 20.05.09.04.C.5, or the final plan involves major changes from the approved preliminary plans, the planning staff shall review the final plan.
   d. If the planning staff finds major changes on the final plan, the staff shall not approve the final plan, but shall notify the applicant that a preliminary plan amendment is required pursuant to the procedures for approval of a new preliminary plan. If the

applicant disagrees with the staff determination, he may request that the Plan Commission review the final development plan and determine whether major changes are involved, and, if the Plan Commission determines the modifications are minor, the Plan Commission shall review and act upon the final development plan. If the Plan Commission determines the modifications are major, the Plan Commission shall review the proposal as a proposal to amend the preliminary development plan and shall forward a recommendation to the Common Council.

e. Plan Commission Review. If the Plan Commission has specified approval of final plan by the Plan Commission, the Plan Commission shall hold a public hearing on the application for final plan approval in accordance with Section 20.05.02 of this zoning ordinance. The commission may approve, deny, or approve with modifications.

6. Expiration of Final Plan. The final plan shall expire three years after approval of the final plan, unless grading and/or building permits have been obtained and are still current and valid on that date, and the Final Plan shall expire four years after approval if no building, structure, or other improvement has been substantially completed within the planned development. This rule shall also apply to each stage of a final plan approved in stages. The effect of expiration of a Final Plan shall be that the preliminary plan approval remains in effect but that a new final development plan must be approved before any permits may be issued, reissued or renewed. The applicant may request an extension of time in writing, and the approving authority may extend the time limit where appropriate. Such extension may be considered at the time of final plan approval.

7. Effect of Approval of Final Plan. No permit of any kind shall be issued for any purpose within a Planned Unit Development except in accordance with the approved final plan, and after acceptance by the City of all required guarantees for improvements pursuant to Section 20.05.09.07(C)(12).

20.05.09.05 Changes in the Planned Unit Development

A Planned Unit Development shall be developed only according to the approved Final Plan. The Final Plan shall be binding on the applicants, their successors, grantees and assigns and shall limit and control the use of the premises (including the internal use of buildings and structures) and location of structures in the Planned Unit Development.

A. Major Changes. Changes which alter the concept or intent of the Planned Unit Development, including but not limited to (1) changes in density; (2) more than a one (1) percent reduction of proposed open space; (3) more than a ten (10) percent modification of proportion of housing types; (4) more than a twenty (20) percent increase in the cube of a building; (5) decrease in the ratio of off-street parking spaces to use; (6) substantive changes in standards, continuity, or general location of roads, utilities, and stormwater management; or (7) changes in the final governing agreements where such changes conflict with the preliminary plan approval, may be approved only by the Preliminary Plan approval procedures and subsequent amendment of the Final Planned Unit Development Plan.

B. Minor Changes. The planning staff may approve minor changes which do not change the concept or intent of the development. This includes minor changes in the location and siting of buildings and structures; changes in height of less than

one story, or not over eight feet (8') in any case; and minor changes in the internal street system and off-street parking areas; provided that such changes may not decrease the area devoted to open space in excess of one (1) percent. Any minor changes approved shall be documented on the approved final plan.

20.05.09.06 Designation of Permanent Open Space

A. Definition: Permanent open space shall be defined as parks, playgrounds, landscaped green space, and natural areas, not including schools, community centers or other similar areas in public ownership. Where a single family residential development incorporates individual lots, the yards of such lots may constitute open space.

B. Designation: No plan for a Planned Unit Development shall be approved, unless such plan provides for permanent landscaped or natural open space. Natural open space may be designated through the use of common space or other mechanisms such as conservation easements to the satisfaction of the Plan Commission and Common Council. Open space shall be provided in at least the following percentage of the total gross area of the planned development by type of use:

1.	Residential Use	-35 percent
2.	Office Use	-25 percent
3.	All Other Use	-10 percent

C. In the case of mixed uses, permanent open space shall be allocated to the property in proportion to the uses assigned to the Planned Unit Development and shall be located in reasonable proximity to those uses. Provided, however, the permanent open space need not be located in proximity to the use in the case of preservation of existing features.

D. If the preliminary plan provides for the Planned Unit Development to be constructed in stages, open space must be provided for each stage of the Planned Unit Development in proportion to that stage, and conveyed or guaranteed as provided in Section 20.05.09.03.F.

20.05.09.07 Specific Content of Plans

Planned Unit Development plans and supporting data shall include all documentation listed in this Section of the zoning ordinance unless certain documentation is deemed superfluous by the planning staff due to the specific circumstances of the particular planned development. Data and prints from the Geographic Information System maintained by the City of Bloomington are available and may be used to meet these requirements.

A. Pre-application Stage

1. A written letter of intent from the applicant describing the applicant's intention for developing the site.
2. Conceptual Plan: A scaled drawing of the site, in simple sketch form, showing the proposed location and extent of the land uses, major streets, and the approximate location of any existing easements, natural features, and topographic or geologic constraints.

B. Preliminary Plan Stage

1. A topographic survey (2' contours) and location map.
2. Detailed Plan: A drawing of the Planned Unit Development shall be prepared at a scale not less than 1" = 50', or as considered appropriate by the planning staff, and shall show in concept major circulation; generalized location and dimensions of buildings, structures, and parking areas; open space areas, recreation facilities, and other details to indicate the character of the proposed development. The submission shall include:
   a. Boundary lines and acreage of each land use component
   b. Existing easements, including location, width and purpose.
   c. Existing land-use on abutting properties
   d. Other conditions on adjoining land: topography (2' contours) including any embankments or retaining walls; use and location of major buildings, railroads, power lines, towers and other influences; name of any adjoining subdivision plat.
   e. Existing streets on and adjacent to the tract, including street name, right-of-way width, walks, curbs, gutters, and culverts.
   f. Proposed public improvements: streets and other major improvements planned by the public for future construction on or adjacent to the tract.
   g. Existing utilities on the tract.
   h. Any land on the tract within the 100 year flood plain.
   i. Other conditions on the tract, including water courses, wetlands, rock outcrops, wooded areas, isolated trees six (6) inches or more in diameter, existing structures and other significant features.
   j. Map data - name of development, north point, scale and date of preparation.
3. Miscellaneous: The planning staff shall inform the applicant of any additional documents or data requirements after the pre-application conference. Such additional documents or data shall include but not be limited to those required by Section 20.06.05.02, *Standards for Sites Having Environmental Constraints*, where applicable.
4. Description of Character: Explanation of the character of the Planned Unit Development and the reasons why it has been planned to take advantage of the flexibility of these regulations. This item shall include a specific explanation of how the proposed Planned Unit Development meets the objectives of all adopted land use policies which affect the land in question.
5. Ownership: Statement of present and proposed ownership of all land within the project including the beneficial owners of a land trust.
6. Development schedule indicating:
   a. Stages in which project will be built, including the area, density, use, public facilities, and open space to be developed with each stage. Each stage shall be described and mapped.
   b. Projected dates for beginning and completion of each stage.
7. Proposed Uses:
   a. Residential Uses: Gross area, architectural concepts (narrative, sketch, or representative photo), number of units, bedroom breakdown, and proposed occupancy limits for each residential component;
   b. Non-Residential Uses: Specific nonresidential uses, including gross area, architectural concepts (narrative, sketch, or

representative photo), and building heights.

8. Facilities Plan: Preliminary concepts and feasibility reports for:
   a. Roads.
   b. Sidewalks.
   c. Sanitary sewers.
   d. Stormwater management.
   e. Water supply system.
   f. Street lighting.
   g. Public utilities.
9. Landscape Plan: A conceptual landscape plan showing existing vegetation to be preserved and the locations, nature, and purpose of proposed landscaping.
10. Traffic Analysis: If requested by the planning staff or the Plan Commission, a study of the impact caused by the Planned Unit Development and any measures proposed to accommodate that impact.
11. Neighborhood Meeting Report: The petitioner shall invite any neighborhood association on record with the City within a five hundred (500) foot radius of the boundaries of the development to meet to discuss the proposal. The petitioner or the association shall submit to staff a letter summarizing the results of the contact.

C. Final Plan Stage. The application for final plan approval shall include, but not be limited to, the following documents:

1. Such additional information as may have been required by the Preliminary Plan approval.
2. An accurate map exhibit of the entire phase for which final plan approval is being requested.
3. If lands to be subdivided are included in the Planned Unit Development, a subdivision plat in the same form and meeting all the requirements of a normal subdivision plat in accordance with applicable regulations as modified by the preliminary plan in such instances where platting is concurrent with final approval.
4. An accurate map exhibit of each separate unsubdivided use area, including open space.
5. Precise location of all buildings to be constructed, and a designation of the specific use or range of uses for each building. Single family residential development on individual lots need not show precise location of buildings on each lot, but plans shall show setback and other bulk constraints.
6. Design and precise location of all streets, drives and parking areas, including construction details, center line elevations, pavement type, curbs, gutters, and culverts.
7. Location of all utility lines and easements.
8. A final detailed landscape plan, including size and species, installation specifications, identification of vegetation to be preserved and the site measures to accomplish preservation, and conservation easements where required.
9. Tabulation on each separate subdivided use area, including land area, number of buildings, number of dwelling units per acre, type of unit, bedroom breakdown, and limits on occupancy.
10. Projected construction schedule.
11. Agreements and covenants which govern the use, maintenance, and continued protection of the planned development and its common spaces, shared facilities, and private roads.

12. Guarantee of Performance for Completion of Improvements Which Must Be Guaranteed: A bond or other guarantee acceptable to the City shall be provided for all required improvements and shall be executed at time of permit application or platting, whichever comes first. Improvements that must be guaranteed include facilities which shall become public, and may include other facilities or improvements as may be specified in the preliminary or final plan approval. If the project is to be built in phases, the guarantee shall be posted prior to the commencement of work on each phase. The guarantee shall specify the time for completion of improvements, and shall be in an amount of 125% of the estimated cost of the improvements.

20.05.09.08 Review Considerations

A. In their consideration of a Planned Unit Development preliminary plan, the planning staff in its report to the Plan Commission, the Plan Commission in its recommendation, and the Common Council in its decision, shall consider as many of the following as may be relevant to the specific proposal:

1. The extent to which the proposed plan meets the requirements, standards, and stated purpose of the Planned Unit Development regulations.
2. The extent to which the proposed plan departs from the zoning and subdivision regulations otherwise applicable to the subject property, including but not limited to, the density, dimension, bulk, use, required improvements, and construction and design standards and the reasons why such departures are or are not deemed to be in the public interest.
3. The extent to which the Planned Unit Development meets the purposes of this zoning ordinance, the Comprehensive Plan, and any other adopted planning objectives of the City. Any specific benefits shall be specifically cited.
4. The physical design of the Planned Unit Development and the extent to which it makes adequate provision for public services, provides adequate control over vehicular traffic, provides for and protects designated common open space, and furthers the amenities of light and air, recreation and visual enjoyment.
5. The relationship and compatibility of the proposed plan to the adjacent properties and neighborhood, and whether the proposed plan would substantially interfere with the use or diminish the value of adjacent properties and neighborhoods.
6. The desirability of the proposed plan to the City's physical development, tax base and economic well-being.
7. The proposal will not cause undue traffic congestion, and can be adequately served by existing or programmed public facilities and services.
8. The proposal preserves significant ecological, natural, historical and architectural resources to the extent possible.
9. The proposal will not be injurious to the public health, safety, and general welfare.
10. The proposed development is an effective and unified treatment of the development possibilities on the planned development site.

B. Standards for approval of Mobile Home Parks and Subdivisions as a Planned Development: In addition to the general standards of subsection A above, mobile home parks and subdivisions shall be designed to the following specifications, unless the Plan Commission recommends approval of an alternative plan which

evidences innovative site design, preservation of site features, or improved relationship to surroundings. Such an alternative plan shall not serve merely to reduce the following specifications.

1. The mobile home park shall include a landscaped buffer of twenty-five (25) feet around the perimeter of the park.
2. Access roads within a mobile home park shall be paved to a width of no less than thirty-one (31) feet if parking is prohibited on one side, and twenty-four (24) feet if parking is prohibited on both sides. One-way loops may be further reduced to suit the purpose and parking circumstances.
3. The mobile home park shall be provided with a management office and may include such accessory service buildings as are necessary.
4. Mobile homes shall not be used for commercial, industrial or other nonresidential uses except as a management office or accessory service facility for the mobile home park. No more than one (1) management office per accessory service facility per one hundred (100) spaces shall be provided.
5. The Plan Commission shall determine that the following standards have been met for each mobile home space or site:
   a. Each mobile home space shall be no less than four thousand (4,000) square feet.
   b. Each mobile home space shall be at least forty (40) feet wide at the front setback line.
   c. There shall be a front yard setback of no less than ten (10) feet from all access roads within the mobile home park.
   d. Mobile homes shall be placed on each space so that there shall be at least a twenty (20) foot clearance between mobile homes or between mobile homes and any other building or structure within the park.
   e. There shall be at least one and one-half (1-1/2) paved parking spaces for each mobile home space. Parking may be provided on the interior streets as provided in 20.05.09.08.B.2, in common parking bays, or on the lots, in any combination.
   f. Each mobile home space shall be provided with a paved patio or deck of at least two hundred (200) square feet and have a storage locker or storage barn of at least one hundred (100) cubic feet.
   g. Sidewalks shall be provided on each side of all roads within the mobile home park or subdivision, or in an alternative location which provides direct access to each mobile home. Such sidewalks shall be a minimum of three (3) feet in width. In addition, walkways no less than three (3) feet wide shall be provided from the mobile home spaces to service buildings.
   h. All mobile homes shall be skirted with pre-manufactured vinyl or other non-combustible materials to cover the undercarriage and/or wheels of the dwelling.
   i. Where mobile homes are located in a Floodway Fringe District, each mobile home shall be located a minimum of two (2) feet above the elevation of the regulatory flood profile and must be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
   j. Two shade trees shall be provided for each mobile home lot.

20.05.10.00 TEMPORARY USES

20.05.10.01 General Provisions

Temporary uses, as defined in this Zoning Ordinance, shall be permitted only in conformance with Section 20.06.07 and subject to all restrictions and standards established in this Zoning Ordinance.

20.05.10.02 Exemption For Garage Sales on Private Property

Restrictions on temporary uses shall not apply to garage sales conducted on private property when the sale is operated by the owner or tenant of the property, provided that the duration of the garage sale does not exceed 3 days and is repeated no more than 3 times a year.

20.05.10.03 Certificate Of Occupancy Required For Human Occupancy

Subsection 20.05.10.02 notwithstanding, any tent, trailer, or structure subject to the requirements of this Zoning Ordinance and intended or used for human occupancy shall comply with Title 17 of the Bloomington Municipal Code and shall not be used or occupied until a Certificate of Occupancy has been received from the Engineering Department.

20.05.11.00 HOME OCCUPATIONS

20.05.11.01 Permit Required

No person shall conduct a home occupation in a residence in any zoning district without having first received a Certificate of Zoning Compliance. In residential zoning districts, a conditional use approval by the Board of Zoning Appeals shall be required prior to the issuance of a Certificate of Zoning Compliance.

For purposes of these regulations, activities such as drafting, drawing, typing, writing, and operating telephones, sewing machines or computers, shall not require such certificate or conditional use approval, provided that no employees or customers visit the premises; that no signs are displayed; and that no deliveries, other than those normally associated with residential use, are made to the premises.

Child and adult day care homes are subject to the regulations found in Sections 20.05.11.05 and 20.05.11.06, below. Other home occupations, except those specifically exempted above, are subject to the standards and procedures set forth in Sections 20.05.11.00 (below), 20.05.04.05, and 20.05.04.06.

20.05.11.02 Home Occupations in Non-residential Zoning Districts

A. Application for a Certificate of Zoning Compliance for a home occupation shall be made to the planning staff on a form provided by the City. Such application shall include documentation that the proposed home occupation meets the standards set forth in Section 20.05.04.06(W) of this zoning ordinance. The Planning staff will notify the applicant in writing of the approval or denial of such application.

B. In cases where the planning staff determines that the proposed home occupation will violate any of the provisions of this Zoning Ordinance, the application for a Certificate of Zoning Compliance shall be denied. In cases where the planning staff determines that the proposed use is a permitted use in the zoning district, and the

intensity of the proposed use is greater than that permitted under Section 20.05.04.06(W) of this zoning ordinance, site plan review as set forth in Sections 20.05.08.02 and 20.05.08.03 of this zoning ordinance shall be required prior to issuance of the Certificate of Zoning Compliance.

C. Such certificate issued to one person shall not be transferable to any other person, nor shall this certificate be valid at any address or for any home occupation other than the one appearing on the permit.

D. Issuance of a Certificate of Zoning Compliance shall not substitute for any other required construction or occupancy permit.

20.05.11.03 Home Occupations in Residential Zoning Districts

A. Home Occupations in residential zoning districts shall be issued a Certificate of Zoning compliance only after obtaining a conditional use approval from the Board of Zoning Appeals as set forth in Section 20.05.04.00 of this zoning ordinance, except that the conditional use application need contain only the information listed in 20.05.04.04 (A) (1), (2), (4) and (6). Such home occupations shall be subject to the general standards of Section 20.05.04.05 and shall also be subject to the specific standards set forth in Section 20.05.04.06 (W).

B. Such certificate issued to one person shall not be transferable to any other person, nor shall this certificate be valid at any address or for any home occupation other than the one appearing on the permit.

C. Approval of a conditional use and issuance of a Certificate of Zoning Compliance shall not substitute for any other required construction or occupancy permit.

20.05.11.04 Child Day Care Homes

Day care homes shall be permitted in any lawful residence upon obtaining a Certificate of Zoning Compliance and an Occupancy Permit. The following requirements must be met prior to the issuance of the certificate or occupancy permit:

A. The provider shall submit to the City Engineering Department the following information:

1. A site plan, drawn to scale, showing the property size, the location of any structures on the property, the location of parking and drop-off/pick-up areas, and the location of outdoor play areas; and,
2. A copy of the provider's license to operate a day care home from the State of Indiana. Day care providers who are exempt from the state licensing requirements shall submit proof of exemption. Day care providers who have applied for a state license, but who have not yet been granted license, may submit a copy of the application for license in order to obtain a temporary occupancy permit. A permanent occupancy permit shall not be issued until a valid state license is submitted or proof of exemption where state license is not required.

B. The provider must reside in the dwelling unit used as a day care home.

C. The day care home shall provide an outdoor play area which shall be enclosed on all sides by a barrier in the form of a fence, building wall, or other structure or

landscaping so as to provide for safe outdoor play.

D. The day care home must comply with all city, state and federal laws and regulations applicable to the provision of child care in day care homes.

20.05.11.05 Adult Day Care Homes

Adult day care homes shall be permitted in any lawful residence upon obtaining a Certificate of Zoning Compliance and an Occupancy Permit. Adult day care homes shall be subject to the following regulations:

A. Homes providing adult day care shall be located no closer to another child or adult day care home than five hundred (500) feet.
B. No adult day care home shall provide day care to more than three (3) adults at any period of the day.
C. Adult day care homes shall limit continuous hours of operation to twelve (12).
D. Site design and supervision characteristics shall insure that the safety of the adults receiving care and the peace and safety of the surrounding area shall not be impaired.
E. The care provider must reside in the dwelling unit used as an adult day care home.
G. The adult day care home must comply with all city, state and federal laws and regulations applicable to the provision of adult day care.

20.05.11.06 Enforcement

Operation of a home occupation without compliance with the provisions of this section shall be a violation of this zoning ordinance and subject to the remedies in Chapter 20.09.

20.05.12.00 REVOCATION OF CERTIFICATES OF ZONING COMPLIANCE FOR HOME OCCUPATIONS

The Planning Staff may revoke a Certificate of Zoning Compliance for a home occupation upon giving the operator of the use at least ten (10) days written notice of the grounds for revocation and the opportunity to correct any violations. The grounds for which a permit may be revoked are:

20.05.12.01 The owner, his agent, employee, officer, tenant, licensee or occupant has violated any of the provisions of the Zoning Ordinance or the standards required to obtain the certificate; or

20.05.12.02 The property or use does not comply with the standards necessary to obtain a permit or with any condition placed upon a permit issued for the use.

20.05.13.00 ADMINISTRATIVE INTERPRETATIONS

20.05.13.01 Authority

The Planning Director, subject to the procedures, standards, and limitations of this Chapter, may render written interpretations, including use interpretations, of the provisions of this Zoning Ordinance and of any rule or regulation issued pursuant to it.

The Planning Director may forward requests for interpretation to the Plan Commission, where, in the opinion of the Planning Director, the proposed use is not sufficiently similar to a use expressly listed as permitted or conditional to allow staff interpretation.

20.05.13.02 Purpose

The interpretation authority established by this Chapter is intended to recognize that the provisions of this Zoning Ordinance, though detailed and extensive, cannot, as a practical matter, address every specific situation to which they may have to be applied. In particular, certain categories of uses are listed as either conditional or permitted, but certain specific proposed uses may not clearly fall within the common ordinary meaning of any of the listed uses. Many such situations can be readily addressed by an interpretation of the specific provisions of this Zoning Ordinance in light of the general and specific purposes for which those provisions have been enacted. Because the interpretation authority established is an administrative rather than a legislative authority, an interpretation shall not have the effect of adding to or changing the essential content of this Zoning Ordinance but is intended only to allow authoritative application of that content to specific cases.

20.05.13.03 Parties Entitled To Seek Interpretations

Applications for interpretations may be filed by any person having a legal or equitable interest in property that gives rise to the need for an interpretation; provided that interpretations shall not be sought by any person based solely on hypothetical circumstances or where the interpretation would have no effect other than as an advisory opinion.

20.05.13.04 Procedure

A. Application. Applications for interpretations of this Zoning Ordinance shall be filed on a form provided by the planning department and shall contain information describing the nature of the requested interpretation.

B. Action on Application. The Planning Director shall inform the applicant in writing of his or her interpretation, stating any specific precedent, the reasons, and the analysis upon which the determination is based.

C. Records. A record of all applications for interpretations shall be kept on file in the office of the Planning Director.

20.05.13.05 Standards For Use Interpretations

The following standards shall govern the Planning Director, the Plan Commission, and the Board of Zoning Appeals on Appeals from the Planning Director, in issuing use interpretations:

A. ~~Any listed use defined in Chapter 20.02, shall be interpreted as therein defined;~~

B. No use interpretation shall authorize any use in any district unless evidence is presented demonstrating that it will comply with the general district regulations established for that particular district;

C. No use interpretation shall authorize any use in a particular district unless such use is substantially similar to other uses specifically listed as permitted or conditional in such district and is more similar to such uses than to other uses listed as permitted or conditional in another zoning district;

D. If the proposed use is most similar to a use allowed only as a conditional use in the district in which it is proposed to be located, then any use interpretation authorizing such use shall be subject to the issuance of a conditional use permit pursuant to Section 20.05.04 of this zoning ordinance; and

E. No use interpretation shall allow the establishment of any use that would be inconsistent with the statement of purpose of the district in question, unless such use meets the standard of 20.05.13.05 C or D, above.

20.05.13.06 Effect Of Favorable Use Interpretations

No use interpretation authorizing a particular use in a particular district shall authorize the establishment of such use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for any permits and approvals that may be required by the codes and ordinances of the City including, but not limited to, a Certificate of Zoning Compliance, a Building Permit, a Certificate of Occupancy, Subdivision Approval, and Site Plan Approval.

20.05.13.07 Limitations On Favorable Use Interpretations

A use interpretation finding a particular use to be permitted, or allowed as a conditional use in a particular district, shall be deemed to authorize only the particular use for which it was issued, and such interpretation shall not be deemed to authorize any allegedly similar use for which a separate use interpretation has not been issued.

20.05.13.08 Appeals From Planning Director Decisions

The Board of Zoning Appeals shall, pursuant to Section 20.05.06 of this Zoning Ordinance, hear and decide appeals from any administrative interpretation by the Planning Director acting pursuant to his authority and duties under this Section.

20.05.14.00 Proposals to Extend Sanitary Sewer Service

20.05.14.01 Purpose and Authority

Pursuant to Ind. Code §36-7-4-503 the City of Bloomington Comprehensive Plan is inclusive of existing sewers and plans and policies for their development and extension within the Comprehensive Plan. Ind. Code §36-7-4-504 requires each government entity within the planning jurisdiction to give consideration to the general policy and pattern of development set out in the comprehensive plan in the authorization, acceptance, or construction of sewers and connections. In order to assist the City of Bloomington Utilities Department in said consideration, and as required by the Rules, Regulations, and Standards of Service for City of Bloomington Utilities, pursuant to the map which is included in said rules and which shall be adopted by the Plan Commission specifying those areas for which the Plan Commission Review specified in these regulations shall be required. In the areas so designated, the Plan Commission shall review proposals to extend sanitary sewer service, accept wastewater, or allow connection to an interceptor sewer for proposed development, except as modified by Section 20.06.05.02(D)(2).

20.05.14.02 Criteria

The Commission shall consider the following criteria:

A. The Comprehensive Plan's recommended land use and development policy for the area;

B. The Comprehensive Plan's recommended policy with respect to the provision of sanitary sewer service to the area, and the relation of such service to #1 above;

C. The effect of the proposed sewer service or acceptance of flow on development patterns and the consistency of this effect with the Comprehensive Plan's land use and development policy.

20.05.14.03 Additional Factors

The Plan Commission may recommend approval of a proposed expansion of sanitary sewer service if it finds the following conditions are present:

A. Conformance of proposed development to be served by sewer extension or acceptance of flow with existing zoning;

B. The extent to which zoning decisions or development approvals specific to the site have superseded the land use and development policy of the Comprehensive Plan;

C. The extent to which the proposed sewer extension or acceptance of flow serves existing development as opposed to facilitating or enabling new development.

20.05.14.04 Findings

The Commission shall make explicit findings on each criterion listed above. If the Commission determines that the proposed sewer extension or acceptance of flow is consistent with the Comprehensive Plan, the Planning Department will forward a Finding of Appropriateness for Sewer Service Extension to the Bloomington Utilities Director.

CHAPTER 20.06: DEVELOPMENT STANDARDS OF GENERAL APPLICABILITY

20.06.01.00 Use of Land and Buildings and Bulk Regulations
20.06.02.00 Off-Street Parking
20.06.03.00 Off-Street Loading
20.06.04.00 Environmental and Urban Design Standards
20.06.05.00 Environmental Performance Standards
20.06.06.00 Sign Regulations
20.06.07.00 Temporary Uses

20.06.01.00 USE OF LAND AND BUILDINGS AND BULK REGULATIONS

In each Zoning District, the following restrictions shall control the use and development of land and buildings.

20.06.01.01 Activities Conducted Within an Enclosed Building

All business activity, service, storage, merchandise, display, and where permitted, repair and processing, shall be conducted wholly within an enclosed building except where specifically provided otherwise. Off-street parking lots, off-street loading facilities, and open sales lots need not be enclosed.

20.06.01.02 Conformity with Development Regulations

Except as otherwise provided, no building, structure, or mobile home shall be erected, constructed, reconstructed, altered, divided, enlarged, or moved, no use shall be established or changed to another use, and no grading, improvement, or other alteration of land shall occur within the planning jurisdiction except in compliance with this chapter.

20.06.01.03 Obstructions of Public Rights-of-Way and Sight Lines

On any corner lot or curb cut, no hedge, plant growth, wall, fence, or other structure or object which obstructs sight lines at elevations between two and one-half feet and nine feet above the crown of the adjacent roadway shall be placed or maintained within a triangular area of twenty-five feet along each of the intersecting streets or curb cut, to be measured from the property line.

20.06.02.00 OFF-STREET PARKING

20.06.02.01 Purpose and Scope

In order to relieve traffic congestion in the streets, to minimize any detrimental effects of off-street parking areas on adjacent properties, and to ensure the proper and uniform development of parking areas throughout the City, off-street parking and loading spaces for every use shall be provided in accordance with the standards established in this Zoning Ordinance.

20.06.02.02 Required Number of Off-Street Parking Spaces

A. Off-street parking is not required in the Commercial Downtown district.

B. In all other districts, each principal and accessory use of land shall be provided with the number of off-street parking spaces indicated for that use in Table 6-1, except as provided in Section 20.07.15.05. In the event of a change of use of any structure or lot, or the addition of dwelling units, gross floor area, seating capacity, or other units of measurement used in Table 6-1 which would require the provision of more off-street parking, parking facilities shall be provided as required in Table 6-1 for the entire use.

C. In cases where the number of required off-street parking spaces is based on gross floor area in Table 6-1 an applicant may provide planning staff with a notarized affidavit stating the square footage of the assignable area in the building. When such an affidavit is provided, the number of parking spaces required shall be calculated based on assignable area rather than gross square footage. In the absence of such a statement, gross floor area shall be used to calculate the number of required parking spaces. Space which is designated as non-assignable may not be used as assignable area without provision of required off-street parking.

D. When any calculation results in a fraction of a parking space, any fraction shall be rounded to the next highest whole number.

E. In the event a specific use is not listed in Table 6-1, the planning staff shall determine the number of spaces required. In making this determination, the planning staff shall consider the following criteria:

1. The number of parking spaces required for a use listed in Table 6-1 that is the most similar to the proposed use in terms of the parked motor vehicles that are anticipated to be generated;
2. The square footage to be occupied by the proposed use; and
3. The number of employees and patrons that are anticipated for the proposed use.
4. Handicapped Accessible Parking shall be provided subject to Section 20.06.02.04 of this ordinance and to the requirements of the Americans with Disabilities Act (ADA) of 1990.

TABLE 6-1
SCHEDULE OF MINIMUM OFF-STREET PARKING REQUIREMENTS

Residential Uses	Parking Spaces Required
Single Family Detached Dwellings	Two (2) spaces per dwelling unit
Multi-Family Dwellings	Based on number of bedrooms: Efficiency 1 space per unit 1 Bedroom 1.5 spaces per unit 2 Bedroom 2 spaces per unit 3 Bedroom 3 spaces per unit 4 Bedroom 4.5 spaces per unit 5 Bedroom 6 spaces per unit
Day Care Home	One (1) space per six (6) children, plus the spaces required for the dwelling unit
Fraternities and Sororities	One (1) space per room,
Rooming House	Two (2) spaces plus one (1) space for each room for rent
Hotel/Motel	One (1) space per guest room
Convalescent, Nursing or Rest Home	One (1) space per two (2) beds
Bed and Breakfast	One (1) space per guest room, plus the spaces required for the dwelling unit
Office & Institutional Uses	
Animal Hospitals and Veterinarian's offices	Three (3) spaces per one thousand (1000) square feet gross floor area
Banks/Financial Offices	Four (4) spaces per one thousand (1000) square feet gross floor area
Fire Station	One (1) space per bed in the living quarters
Government Institutions	Three (3) spaces per one thousand (1000) square feet of gross floor area
Office, Business and Professional	Three (3) spaces per one thousand (1000) square feet gross floor area
Hospital/Sanitarium	One (1) space per two (2) beds plus one and one-half (1.5) spaces per one (1) emergency room bed
Police Stations	Three (3) spaces per one thousand (1000) square feet of gross floor area plus an adequate number to allow one (1) space per company vehicle, as determined by the Police Chief.
Religious Institution	One (1) space per four seats when fixed, or one (1) space per fifty (50) square feet of seating area in main sanctuary or auditorium where removable seats are used.
Library	Two (2) spaces per one thousand (1000) square feet gross floor area.
Medical Offices and Clinics	Thirteen (13) spaces per doctor
Dental Offices and Clinics and other health care practice having demonstrably lower patient rate per hour	Seven (7) spaces per dentist/practitioner
Mortuary/Crematorium	One (1) space per thirty-two (32) square feet of area in parlor and assembly rooms.
Educational Uses	
Day Care Center/Nursery	One (1) space per each employee plus one (1) space per six (6) pupils based on maximum capacity
K-8th Grades	One (1) space per fifteen (15) students
High School	One (1) space per four (4) students
College/University	One (1) space per two (2) employees plus one (1) space

	per four (4) students based on maximum capacity
Dance/Music/Gymnastics	Adequate pick-up/drop-off area plus one (1) space per 2.5 students based on maximum capacity at any given time
Business/Trade Schools	One (1) space per two (2) students, based on maximum capacity
Cultural/Entertainment Uses	**Parking Spaces Required**
Amusement Establishments	Five (5) spaces per one thousand (1000) square feet gross floor area
Arena/Stadium	One (1) space per six (6) seats
Bowling Alley	Five (5) spaces per lane
Club/Lodge	Three (3) spaces per one thousand (1000) square feet gross floor area
Community Center	Three (3) spaces per one thousand (1000) square feet gross floor area.
Conference Center	One (1) space per four (4) seats; plus one (1) space per two hundred fifty (250) square feet general assembly area.
Cultural Facilities	Three (3) spaces per one thousand (1000) square feet gross floor area
Golf Course	Five (5) spaces per hole plus one (1) space per two (2) employees
Parks, Botanical gardens, arboreta, and similar open space uses	One (1) space per ten thousand (10,000) square feet outdoor lot area, plus one (1) space per one thousand (1000) square feet indoor floor area
Public Swimming Pool or Natatorium	One (1) space per thirty (30) square feet of water surface area
Tennis Courts	Two (2) spaces per court
Auditoriums and Theaters, movie and live	One (1) space per three (3) seats
Recreation Center, Gym/Health Club	One (1) space per two hundred (200) square feet gross floor area
Commercial/Retail Service Uses	
Shopping Centers (up to 200,000 square feet)	Four and one-half (4.5) spaces per one thousand (1000) square feet gross floor area
Shopping Center (more than 200,000 square feet)	Four (4) spaces per one thousand (1000) square feet gross floor area
Wholesale business	Thirty (30) spaces per one thousand (1000) square feet of customer service area
Furniture and Appliances	Two (2) spaces per one thousand (1000) square feet gross floor area
Liquor Stores	Two (2) spaces per one thousand (1000) square feet gross floor area
Auto Sales	One (1) space per one thousand (1,000) square feet of display area
Recreational Vehicle and Marine Sales	One (1) space per two thousand (2,000) square feet of sales area
Restaurant/Tavern	Eight (8) spaces per one thousand (1000) square feet gross floor area plus one space per five (5) customer seats outside the principal structure
Drive-through Facility	Eight (8) spaces per one thousand (1000) square feet gross floor area plus five (5) stacking spaces for the first drive-through window and two (2) stacking spaces for each additional drive-through window.
Automobile Repair and Service	Four (4) spaces per one thousand (1000) square feet service area
Car Wash	Four (4) spaces per bay or stall plus one (1) space per employee plus ten (10) stacking spaces

Laundromat/Dry Cleaners	Five (5) spaces per one thousand (1000) square feet gross floor area
Retail, heavy-including but not limited to food stores, bakeries, department stores, drug stores, video rental, beauty shops, barbers, and other personal service.	Six (6) spaces per one thousand (1000) square feet of gross floor area
Retail, light-including but not limited to specialty shops, household or equipment repair, clothing or shoe repair, interior decorating shops	Three (3) spaces per one thousand (1000) square feet of gross floor area
Industrial Uses	**Parking Spaces Required**
Warehouse	One (1) space per each employee on the largest shift
Auto Salvage Yard	One (1) space per each employee on the largest shift
Contractor's Offices	Three (3) spaces per one thousand (1000) square feet of gross floor area plus an adequate number to allow one (1) space per company vehicle, as determined by site plan review
Manufacturing, Assembly and Other Industrial Process Facilities	One (1) space per each employee on the largest shift
Transportation/Communication	
Airport	Ten (10) spaces per gate plus one (1) space per one thousand (1000) square feet of hangar space
Radio/TV/Studio	One (1) space per employee

20.06.02.03 Shared Parking

No parking space or portion thereof shall serve as a required space for more than one use unless a conditional use permit is granted by the Board of Zoning Appeals pursuant to Section 20.05.04.00 and the regulations of this section.

20.06.02.04 Parking Accessible for the Disabled

A. General Requirements. Any parking area to be used by employees or visitors shall provide parking spaces and associated access aisles designated, marked, and located to adequately accomodate the disabled. Accessible spaces shall be provided in sufficient numbers and to the specifications of the Americans with Disabilities Act (ADA) and the Indiana Building Code (IBC). Each accessible or van accesible parking space shall be located adjacent to an access aisle and in close proximity to the entrance(s) most accessible for the disabled.

B. Reductions Not Permitted. The required number of parking spaces for disabled people shall be provided regardless of any reduction in parking requirements otherwise approved by the Plan Commission or Board of Zoning Appeals.

20.06.02.05 Location of Parking Spaces

A. Street Setbacks:

1. Single Family Districts: Parking for single family residential uses shall be prohibited within the setback between the street and the building except on a single driveway not exceeding the width of an attached garage facing the street or twenty-two (22) feet in width where there is no attached garage facing the street. Parking on any other portion of the setback between the street and the building or on a lawn shall be prohibited. Parking shall not be permitted in driveways serving parking lots.
2. Multi-Family Districts: Parking for multi-family residential uses shall be prohibited within the required street setback as set forth in Table 7-3. Parking shall not be permitted in driveways serving parking lots. Parking shall be prohibited on lawns.

B. Side and Rear Yards:

1. Single family districts: Parking areas may occupy a maximum of 50% of the area extending from the rear of the principal structure to the rear lot line between side lot lines.
2. Multi-family districts: The side and rear parking setback requirement shall be one-half the building setback for the district or 5', whichever is greater.

C. Off-Site Parking as Conditional Use: Except as otherwise provided herein, all required parking spaces shall be located on the same zoning lot as the principal use. Off-site parking may be used to satisfy parking requirements if the Board of Zoning Appeals determines that such off-site parking facility conforms to the conditional use criteria found in Section 20.05.04.00.

20.06.02.06 Use of Required Parking Spaces

A. Required off-street parking spaces and drives shall be designed, maintained and used exclusively for the tenants, occupants and customers of the buildings or uses on said site.

B. Off-street parking spaces shall not be offered for the use of non-tenants of the use except the number of spaces which are in excess of the required number, and where use of parking by non-tenants would be permissible in the zoning district in which the use is located.

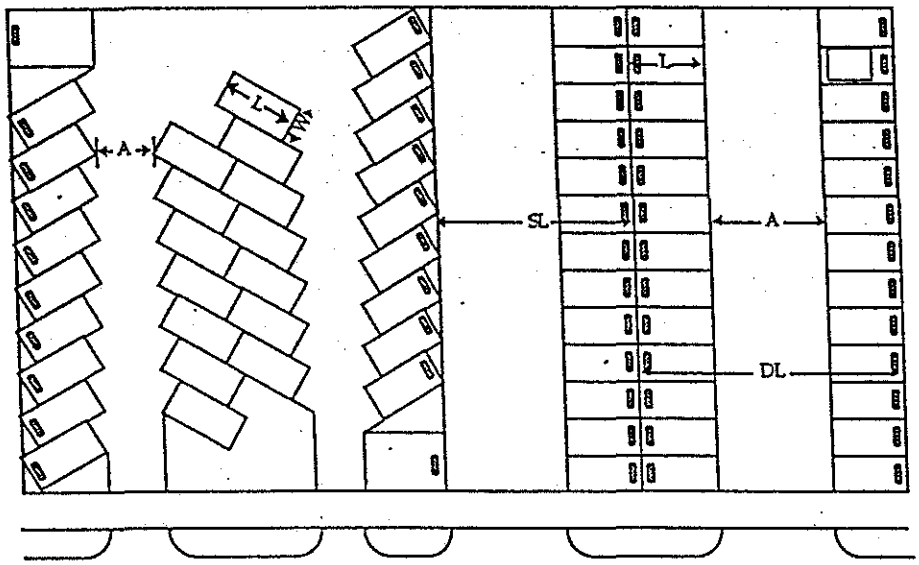
20.06.02.07 Size of Required Parking Spaces and Aisles

A. The minimum size of off-street parking spaces shall conform to the requirements established in Table 6-2.

B. Any aisle providing access to required parking spaces shall be at least the width designated in Table 6-2, based on the angle of parking provided and whether the aisle serves one or two rows of parking spaces.

C. Enclosed parking spaces shall have a vertical clearance of at least seven (7) feet.

TABLE 6-2



Parking Angle	Parking Space Width	Parking Space Length	Aisle	Single Loaded Module Width	Double Loaded Module Width
Parallel	8.0	22.0	12.0/22.0*	20.0/30.0*	28.0/38.0*
0° - 45°	8.5	18.0	12.0/22.0*	31.5/41.5*	51.0/61.0*
46° - 60°	9.0	18.0	15.0/22.0*	35.25/42.25*	55.5/62.25*
61° - 90°	9.0	18.0	18.0/24.0*	36.0/60.0*	51.25

* Two-Way Traffic Authorized

Note: Required parking for stall angles other than those contained in the above table may be interpolated from the table.

20.06.02.08 Design and Maintenance

A. The minimum required side and rear yard setback for any parking lot, except as provided in 20.06.02.05 B., shall be as shown in Table 7-3. All street setbacks for any parking, except as provided in 20.06.02.05 A., shall be at least ten feet greater than the minimum setback required for structures as specified in Table 7-3.

B. Off-street parking facilities may be open to the sky or enclosed in a building.

C. A required off-street parking space shall open directly upon an aisle or driveway. All off-street parking facilities shall be provided with appropriate means of vehicular access to a public street or alley.

D. All open, off-street parking areas, excluding driveways for single family dwellings, shall be paved in accordance with the standards established by the City Engineer. Single-family driveways may be surfaced with gravel.

E. Curbed islands or wheelstops of concrete shall be used to separate parking spaces from drives within or adjacent to a parking lot (as distinguished from aisles serving as direct access to parking spaces) and from sidewalks.

F. Off-street parking used to store trucks, buses, or construction vehicles/equipment shall be limited to ten percent (10%) of the total number of parking spaces provided.

G. Parking lots shall not be used for storing vehicles which are not used in conjunction with the principal use of the lot.

H. In the case of automobile service stations, for each acre of lot size a maximum of three cars awaiting repair may be stored on-site for a period not to exceed thirty (30) days.

I. No motor vehicle repair work shall be permitted in non-residential off-street parking areas.

J. Parking areas and access driveways serving any use other than a single family residence shall be so graded and drained as to dispose of all surface water and drainage into a storm drainage system and so that such water and drainage does not flow across a public sidewalk.

K. All parking lots shall be illuminated. Such lighting shall be composed of light posts which are compatible with the architecture of the building and are wired internally and underground.

L. Illumination of an off-street parking area shall be arranged so as not to reflect direct rays of light into adjacent residential districts and streets. In no case shall such lighting cause more than three (3) footcandles of light to fall on adjacent properties as measured horizontally at the lot line.

M. Any wall, fence or landscaping provided shall be adequately protected from damage by vehicles using the parking lot and shall be properly maintained and kept in good repair at all times.

N. Except for lots devoted to one and two family dwelling uses, all areas devoted to off-street parking shall be so designed and be of such size that no vehicle is required to back into a public or private street or a driveway providing major access to a parking area.

O. All parking areas, excluding drives that do not afford direct access to abutting parking spaces, shall have a slope of five percent (5%) or less.

20.06.02.09 Ingress and Egress

Clearly defined driveways shall be provided for ingress and egress. Driveways shall be located and constructed subject to the following criteria, or to standards established by INDOT or the city engineer, whichever is more restrictive. Driveway location shall also be guided by the recommendations of the Comprehensive Plan, the Thoroughfare Plan, and any adopted subarea plans.

Driveway Standard	Single Family Residential (feet)	Multi Family Residential (feet)	Non-Residential (feet)
Maximum width at property line	22	35	40
Minimum distance from interior lot line	RS4.5 - 5' All others - 0'	12*	12*
Minimum distance from street intersection	30	50	50
Space between two drives/same property	25	40	40
Radius of curb return:			
Minimum	5	5	5
Maximum	15	20	20

*Drives may be located at property line in the case of shared driveways

20.06.02.10 Bicycle Parking Facilities

All nonresidential uses shall provide sufficient bicycle parking facilities consisting of not less than one (1) bicycle parking space for every thirty (30) required automobile spaces, with a minimum of two bicycle parking spaces for any use. All residential uses except single family residential and duplexes shall provide sufficient bicycle parking facilities consisting of not less than one (1) bicycle parking space for every eight (8) required automobile spaces.

20.06.02.11 Parking Lot Landscaping and Buffering Requirements

Off-street parking areas shall be separated from the street and from abutting properties and landscaped in accordance with the requirements of Section 20.06.04.

20.06.03.00 OFF-STREET LOADING

20.06.03.01 Location and Screening

Where loading berths are provided, they shall be located on the same zoning lot as the use served. Loading berths shall be screened by either building walls, a solid fence, densely planted shrubbery, or any combination thereof, none of which may be less than six (6) feet in height at maturity. Loading berths may not be located in a front setback in any zoning district.

20.06.03.02 Access

Each required off-street loading berth shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement.

20.06.03.03 Surfacing

All open off-street loading berths shall be paved with asphalt or concrete.

20.06.03.04 Utilization

Loading activities may not utilize required off-street parking spaces or access thereto.

20.06.03.05 Plan Required

The location of loading activities must be shown on any site plan submitted for review.

20.06.04.00 ENVIRONMENTAL AND URBAN DESIGN STANDARDS

20.06.04.01 This section reserved for future use

20.06.04.02 Landscaping Requirements

A single family detached residence on a lot of record is exempt from the provisions of this section, except that they shall comply with Section 20.06.04.02.E.7. In all other cases, whenever a site plan review is required by Section 20.05.08.03.A.1 of this zoning ordinance, all yard and parking areas shall be landscaped in accordance with all of the requirements of this chapter.

A. Purpose: The landscaping requirements specified in this chapter are intended to enhance Bloomington's heavily vegetated environment and foster aesthetically pleasing development which will protect and preserve the appearance, character,

health, safety, and welfare of the community. Specifically, these regulations are intended to increase the compatibility of development, both with adjacent development and with the environment. In keeping with the comprehensive plan goal of a twenty percent (20%) increase in tree crown coverage, preservation of existing trees is a priority, and it is intended that each site plan will be designed so as to preserve as many trees as is practicable and consistent with the permitted use of the site.

B. Enforcement of Landscape Requirements: Wherever site plan review is required by this Zoning Ordinance, a landscape plan shall be a required part of such site plan. No permanent occupancy permit shall be issued without completion of all landscaping shown on the landscaping plan required herein. Failure to implement the approved landscape plan, including preservation of existing features, or to maintain the landscaping shall be a violation of this zoning ordinance subject to a fine of not more than two-thousand five hundred dollars ($2,500) for each day that a violation continues as provided in Section 1.01.130 of the Bloomington Municipal Code, and civil action to require compliance with these landscaping requirements.

C. Content of Landscape Plan: Where required, a landscape plan shall conform to the following requirements:

1. All landscape plans submitted for approval as a component of a required site plan shall show the entire zoning lot and shall contain the following information:
   a. The location and dimensions of all existing and proposed structures, parking lots and drives, roadways and rights-of-way, sidewalks, bicycle paths, ground signs, refuse disposal areas, bicycle parking areas, fences, freestanding electrical equipment, and recreational facilities, utility lines and easements, and other freestanding structural features.
   b. The location, quantity, size and name, both botanical and common names, of all proposed planting materials.
   c. The location, size, and variety of existing trees and individual shrubs, areas of dense trees or shrubs, and other natural features, indicating which are to be preserved and which are to be removed.
   d. The approximate location and generic identification of existing structures and plant materials within the adjacent yard of the adjacent property.
   e. Existing and proposed grading of the site, including proposed berming, indicating contours at two (2) foot intervals. The planning staff may waive this requirement for situations in which grading is negligible.
   f. Specification of the type and boundaries of all proposed vegetative or decorative ground cover.
   g. Design of fences and other significant accessory structures.
   h. The location of barriers to be placed at or beyond the drip line of any trees to be preserved, and the type of material to be used for the barrier.
   i. Details indicating specific grading measures or other protective devices where trees are to be preserved in areas of cut and fill.

D. Preservation Of Existing Features:

1. Trees and shrubs already existing on land subject to the provisions of this chapter shall be preserved wherever feasible. Criteria for judging the feasibility of retaining existing vegetation include:
   a. The practicability of arranging site plan components around existing features. In general, plans for groups of structures shall be designed so as to preserve tree lines, individual tree specimens, and small stands of trees or shrubs.
   b. The condition of the vegetation with respect to continued vitality;
   c. The amount of healthy vegetation the area involved will support;
   d. The practical and economic possibility of designing the location and grades of proposed structures and pavements so as to preserve existing vegetation;
   e. The desirability or lack thereof of a particular tree or species by reason of its appearance; historic or ecological significance; botanical characteristics; and the function the vegetation would fulfill as a site plan component;
   f. The potential for interference with utility services or with passage or visibility along roads or walkways;
   g. The possibility of preserving the vegetation while meeting the development needs through pruning rather than removal.
2. Existing trees which are preserved will contribute to required Density Values at the rate of 35 D for every three inches of caliper except on lots of under one acre, where the maximum D value awarded shall be 100. Shrubbery will be evaluated in the same manner as new shrubbery based on the species. Such credit shall apply only to the required landscaping for the specific setback, parking lot, or street tree plot in which the existing vegetation is located, and only for that part of any required side or rear yard in which the existing vegetation is located.
3. Substantial barriers shall be specified on the Landscape Plan and shall be placed at or beyond the drip line of trees to be protected. These barriers shall remain in place during heavy construction on the site, and no vehicles, machinery, tools, chemicals, construction materials, or temporary soil deposits may be permitted within the barriers, nor may any notice or other object be nailed or stapled to protected trees.
4. Where trees are to be preserved in areas of cut or fill, specific grading measures or other protective devices, such as tree wells, tree walls, or specialized fill and pavement designs shall be required and shall be fully detailed on the landscape plan.

E. General Landscaping Requirements: All land areas which are not covered with buildings and pavement shall be appropriately landscaped in accordance with the requirements of this section. Landscaping shall be provided in the areas specified and of the intensity, expressed in D-value, specified below.

1. The tables of materials included in this chapter provide measures of landscaping intensity, expressed as Density (D) Value as a means of establishing compliance with these regulations. When plant materials listed in the table are used, they will be assigned the D-value specified in the table. Plant materials not listed will be assigned a D-value based on height, spread, and/or crown at maturity, using the best available resources to determine mature characteristics. A landscape architect,

nurseryman, or other professional experienced in the installation and care of plant materials should be consulted to ensure that the plants proposed are appropriate and will survive.

2. Where front and rear yards overlap sideyards, the yard shall be treated as part of the yard having the greater required D Value.
3. The scale and nature of landscaping materials shall be appropriate to the size of the structures and the available space. Materials shall be located to avoid interference with overhead or underground utilities and utility easements or vehicular and pedestrian movement and visibility. Growth characteristics should be considered.
4. Plant material shall be selected to achieve the intended purpose, such as shade, screening, or ornamentation.
5. Plantings should be arranged to promote energy conservation wherever practicable:
   a. Tall deciduous trees should be placed on the south and west sides of buildings to provide shade from the summer sun.
   b. Evergreens should be concentrated to the north of buildings to dissipate the effect of winter winds.
6. If outdoor trash receptacles are situated on the site, they shall be placed on a paved slab and effectively screened by a six-foot high fence constructed of wood, brick or stone, with a moveable gate.
7. Grass and other vegetative ground cover shall be used for all open space, including parking lot islands, except for decorative mulch planting beds extending no more than six (6) inches beyond the drip-line of shrubbery and a six (6) feet diameter surrounding trees, and inert stabilization in areas subject to severe run-off, erosion or ponding. Where stone or other inert materials are to be used for ground cover, they shall be specifically shown on the landscape plan. Any area not so designated shall be required to be grass or vegetative ground cover.
8. Yards and setbacks for any non-residential use shall be landscaped with live vegetation as follows in this subsection except as may be modified by 20.06.04.02.E.10.c, below:
   a. Street setbacks shall be landscaped with plant materials with a Density value at least equal to the width in feet of the lot frontage. At least fifty percent (50%) of the materials must be evergreen.
   b. Side and rear yards shall be landscaped with plant materials with a Density value (D value) at least equal to one and one-half times the length of the adjacent lot line. At least fifty percent (50%) of the plant material must be shrubbery and at least thirty percent (30%) must be trees. At least twenty-five percent (25%) of the materials must be evergreen.
9. Yards and Setbacks and other open space areas within residential developments shall be landscaped with live vegetation having a Density value (D value) of eight hundred (800) per net acre of development site, but not less than three hundred (300) per development site. Such landscaping shall include at least twelve (12) large shade trees per net acre of development site, with a minimum of four (4) large shade trees per development site.
10. Parking Lots shall be landscaped and screened as follows:
    a. Islands: Any parking lot having more than one access aisle shall have landscaped islands within the parking lot as follows:
       1) Not less than six percent (6%) of the interior of such

parking lot shall be devoted to landscaping. Landscaping required for yards, setbacks, or buffers adjacent to a parking lot shall not be included toward satisfying this requirement.

2) Landscaped islands with concrete curbs and at least one hundred thirty (130) square feet of area shall be provided every twenty (20) spaces or less within a row of spaces.

3) Islands shall be utilized where needed to control vehicular circulation and define major drives.

4) The D-value of each island shall equal six-tenths (0.6) of its area in square feet.

5) At least one (1) tall shade tree shall be provided for every one hundred thirty (130) square feet of landscaped island area.

b. Perimeter Landscaping. Any parking lot for which islands are not required shall provide plantings with a D-value of four percent (4%) of the parking lot area in the immediate perimeter of the parking lot. At least one half (1/2) of the required D-value for perimeter parking shall be tall shade trees.

c. Yards and Setbacks for Parking Lots. In addition to meeting the minimum D-value specified in Section 20.06.04.02.E.8 or E.9, landscaping around parking lots shall comply with the following requirements. Such landscaping shall be counted toward the D-value specified in Section 20.06.04.02.E.8 or E.9; however, compliance with these requirements may necessitate exceeding those minimum D-values.

1) Across from Residential Districts: Where a parking lot is located across a street from a residential zoning district:

a) Continuous landscaping of evergreen or dense deciduous shrubs shall be provided across one hundred percent (100%) of the street frontage.

b) Shade or ornamental trees shall be provided within this landscape area, with the number of trees not less than one tree per fifty (50) feet of frontage rounded to the nearest whole number of trees.

2) Across From Non-Residential Districts: Where a parking lot is located across a street from a non-residential zoning district, landscaping of evergreen or dense deciduous shrubs shall be provided across at least fifty percent (50%) of the street frontage to a minimum height of four (4) feet.

3) Requirements Along Rear and Side Yards: Where a parking lot abuts a residential zoning district, side and rear yards shall be landscaped with materials having a D-value at least equal to one and one-half (1 1/2) times the length of such yard. At least 50% of such material shall be shrubbery, at least 30% shall be trees, and at least 25% shall be evergreen. Where a parking lot abuts a non-residential zoning district, landscaping shall be provided across fifty percent (50%) of that portion of the parking lot abutting the property line to a minimum height of four (4) feet. Such plantings shall be concentrated into

groupings.

4) Parking Lots: Parking lot setbacks may include a masonry or wood fence or a berm in lieu of up to thirty percent (30%) of vegetative landscape requirements and may totally replace the requirement for evergreen plant materials. If a fence or berm is utilized, its D-value shall be ten percent (10%) of its height multiplied by its length, in feet.

11. Street Landscaping:

a. The unpaved portion of an abutting public or private street shall be fine graded, planted, and maintained with an approved vegetative ground cover.

b. Street trees shall be planted and maintained in that portion of a public or private street lying between the site and roadway pavement. Such trees shall have a total D-value equal to or greater than the linear frontage of the right-of-way in feet and shall be spaced not more than forty (40) feet apart. Large shade trees shall be required unless other tree varieties are approved in response to specific site constraints. If there is no planting strip between the sidewalk and the curb, or if the street lacks sufficient space for the planting of trees, street trees shall be located within the front setback immediately adjacent to the street.

12. All landscaping shall comply with the sight distance standards found in Section 20.06.01.03 of this zoning ordinance.

G. Modifications:

1. The planning department may approve any landscape proposal which it deems to be equivalent to the foregoing minimum requirements. Except as provided in G.2., no such approval shall have the effect of reducing required setbacks or reducing required Density value for any particular setbacks, buffer, or parking area. The Density value listed in the tables is based upon the mature size of trees and shrubs. Density value shall be assigned to any alternative materials that may be deemed equivalent based on the mature size and other characteristics. Modifications may include non-vegetative features such as fences, sculpture, earth berms, etc.

2. Where compliance is required as a result of change in use or expansion of an existing building and compliance with this section will necessitate removal of existing pavement, the planning staff may approve a reduction of parking lot setbacks and other minimum planting areas provided that proposed plantings, screens, and other landscape features are the equivalent to the foregoing minimum requirements in terms of D-value.

3. Modifications for Public Art: Pursuant to Section 20.06.04.05, the planning department may waive the requirement for an individual element of landscaping when it is to be replaced with public art. Public art shall replace no more required landscaping than that amount which is necessary to accommodate its size or location.

H. Installation and Maintenance:

1. Installation: All landscaping materials shall be installed in accordance with generally accepted planting procedures.
2. Maintenance
   a. The owner of the premises shall be responsible for the maintenance, repair, and replacement of all landscaping materials on said premises.
   b. All landscaping materials shall be maintained in good condition; and plant material not in healthy condition shall be replaced or nursed to meet these requirements and shall be kept free of refuse and debris.
   c. Fences, walls, and other barriers shall be maintained in good repair.
   d. Failure to install or to maintain all landscaping shown on an approved site plan shall be a violation of this zoning ordinance.

I. Tables Of Recommended Plant Materials: The following Tables list plant materials recommended for specific applications. Divisions were created to represent certain characteristics of the plant materials - height, spread, maintenance, durability, etc.

1. Minimum dimensions for plant materials at installation are as follows:

Street or shade trees	2" caliper
Accent trees	1.5" caliper
Shrubs	18" height
Evergreen trees	6' height

TABLE A

TREES SUITABLE FOR PLANTING ALONG PUBLIC STREETS AND HIGHWAYS AND IN LOCATIONS WHERE LOW MAINTENANCE, HARDY SPECIMENS WITH HIGH CANOPIES ARE REQUIRED.

Common Name	Scientific Name	D Value
Small Trees (Under 25')		20
Redbud		
Eastern Redbud	*Cercis canadensis*	
White Redbud	*Cercis canadensis* "Alba"	
Hawthorne		
Lavelle Hawthorne	*Crataegus lavellei*	
Washington Hawthorne	*Crataegus phaenopyrum*	
Hardy Rubber Tree	*Eucommia ulmoides*	
Golden Rain Tree	*Koelreuteria paniculata*	
Crabapple		
Sumi Crabapple	*Malus* "Zumi"	
Snowdrift Crabapple	*Malus* "Snowdrift"	
Pear		
Bradford Pear	*Pyrus calleryana* "Bradford"	
Chanticleer Pear	*Pyrus calleryana* "Chanticleer"	
Faurier Pear	*Pyrus calleryana* "Faurier"	
Medium Trees (25-40')		25
Hedge Maple	*Acer campestre*	
Hornbeam		
American Hornbeam	*Carpinus caroliniana*	
Upright European Hornbeam	*Carpinus betulas* "Fastigiata"	
Amur Cork Tree	*Phellodrendran amurense*	
Hop Hornbeam	*Ostrya viginiara*	
Sassafrass Tree	*Sassafras albidum*	
Mountain Ash		
Densehead Mt. Ash	*Sorbus* "Alnifolia"	
White Beam Mt. Ash	*Sorbus* "Aria"	
European Mt. Ash	*Sorbus* "Aucparia"	
Large Trees (40' And Over)		35
Maples		
Armstrong Red Maple	*Acer rubrum* "Armstrong"	
Autumn Flame Red Maple	*Acer rubrum* "Autumn Flame"	
Red Sunset Red Maple	*Acer rubrum* "Red Sunset"	
Tilford Red Maple	*Acer rubrum* "Tilford"	
Cleveland Red Maple	*Acer rubrum* "Cleveland"	
European Black Alder	*Alnus glutinosa*	
Ginkgo		
Fairmount Gingko	*Gingko biloba* "Fairmount"	
Autumn Gold Gingko	*Gingko biloba* "Autumn Gold"	
Sentry Gingko	*Gingko biloba* "Sentry"	
Upright Gingko	*Gingko biloba* "Upright"	
Honeylocust		
Majestic Honeylocust	*Gleditzia tricanthos inermis* "Majestic"	
Moraine Honeylocust	*Gleditzia tricanthos inermis* "Moraine"	
Shademaster Honeylocust	*Gleditzia tricanthos inermis* "Shademaster"	
Skyline Honeylocust	*Gleditzia tricanthos inermis* "Skyline"	

Sunburst Honeylocust	*Gleditzia tricanthos inermis* "Sunburst"
Ash	
Hesse European Ash	*Fraxinus excelsior* "Hessci"
Marhsall's Seedless Ash	*Fraxinus excelsior* "Marhsall's Seedless"
Sweet Gum	
Festival Sweet Gum	*Liquidambar styraciflua* "Festival"
Moraine Sweet Gum	*Liquidambar styraciflua* "Moraine"
Blood Good London Plane Tree	*Platanus acerifolia* "Bloodgood"
Oak	
Red Oak	*Quercus borealis*
Pin Oak	*Quercus palustris*
Willow Oak	*Quercus phellos*
English Oak	*Quercus robur*
Black Oak	*Quercus velutina*
Scarlet Oak	*Quercus coccinea*
Regent's Japanese Pagoda	*Saphora japonica* "Regent"
Linden	
Greenspire Linden	*Tilia cordata* "Greenspire"
XP-100 Linden	*Tilia cordata* "XP-100"
Rancho Linden	*Tilia cordata* "Rancho"
Chancellor Linden	*Tilia cordata* "Chancellor"
Swedish Upright Linden	*Tilia cordata* "Swedish Upright"
Silver Linden	*Tilia cordata* "Tomentosa"
Village Green Zelkova	*Zelkova serrata* "Village Green"

SPECIES WHICH ARE NOT RECOMMENDED DUE TO INVASIVENESS

Columnar Norway Maple	*Acer Platanoides* "Columnar"
Crimson King Norway Maple	*Acer Platanoides* "Crimson King"
Royal Red Norway Maple	*Acer Platanoides* "Royal Red"
Summershade Norway Maple	*Acer Platanoides* "Summershade"

TABLE B

ORNAMENTAL, SHADE AND ACCENT TREES ACCEPTABLE FOR USE WITHIN THE INTERIOR OF A SITE

Common Name	Scientific Name	D Value
Trees (under 25')		20
Maples		
Paperbark Maple	*Acer greiseum*	
Japanese Maple	*Acer palmatum*	
Amur Maple	*Acer ginalla*	
Juneberry	*Amelachier canadensis*	
Flowering Dogwood	*Cornus florida*	
	Cornus atternifolia	
	Cornus sericea	
	Cornus drummondil	
Smoke Tree	*Cotinus coggygria*	
Hawthorne	*Crataegus* species	
Common Witch-hazel	*Hammamelis virginana*	
Magnolia	*Magnolia* species	
Flowering Crabapple	*Malus* species	
Flowering Cherry	*Prunus* species	
Trees (over 25')		30
Castor Aralia	*Acanthopanax sieboldiana*	
Sugar Maple	*Acer saccharum*	
River Birch	*Betula nigra*	
Katsura Tree	*Cercidyphyllum japonica*	
Ash	*Fraxinus americana*	
	Fraxinus pennsylvanica	
Tulip Tree	*Liriodendron tulipifera*	
Spruce	*Picea* species	
Pine	*Pinus* species	
Oak		
Shingle Oak	*Quercus imbricaria*	
Burr Oak	*Quercus macrocarpa*	
American Linden	*Tilia americana*	

SPECIES WHICH SHOULD BE PROHIBITED DUE TO INVASIVENESS

Russian Olive	*Elaeagnus augstifolia*

TABLE C

UPRIGHT SHRUBS RANGING IN HEIGHT FROM 4 TO 12 FEET AT MATURITY, SUITABLE FOR SCREENING, HEDGES, AND SPECIMEN PLANTING

Common Name	Scientific Name	D Value
Shrubs (4' to 12')		5
Japanese Barberry	*Berberis thunbergi*	
Boxwood	*Buxus species*	
Sweet Shrub	*Calycanthus floridus*	
Flowering Quince	*Chaenomeles species*	
Dogwood (shrub form)	*Cornus species*	
Cotoneaster		
Cotoneaster	*Cotoneaster pungens*	
Spreading Cotoneaster	*Cotoneaster divaricata*	
Burning Bush		
Burning Bush	*Euonymus alatus*	
Dwarf Burning Bush	*Euonymus alatus* "Compacta"	
Forsythia		
Forsythia	*Forsythia suspensa*	
Spectabilus Forsythia	*Forsythia spectabilis*	
Lynwood Gold Forsythia	*Forsythia lynwood gold*	
Mockorange	*Philadephus* species	
Cistena Plum	*Prunus cistena*	
Firethorn	*Pyracantha coccinea*	
Rhododendron	*Rhododendron* species	
Bridal Wreath	*Spirea* species	
Lilac	*Syringa* species	
Junipers		
	Juniperus communis	
	Juniperus horizontalis	
Privet		
Border Privet	*Ligustrum obtusifolium*	
Amur Privet	*Ligustrum amurense*	
Golden Vicary Privet	*Ligustrum* "Golden Vicary"	
Vernal Witch-hazel	*Hammamelis vernalis*	
Rose of Sharon	*Hibiscus syriacus*	
Japanese Holly	*Ilex crenata*	
Yews		
Upright Yew	*Taxus cuspidata capitata*	
Hick's Yew	*Taxus* "Hicksi"	
Arborvitae	*Thuja occidentalis*	
Canadian Hemlock	*Tsuga canadensis*	
Viburnum	*Viburnum acerifolium*	
	Viburnum lentago	
Viburnum	*Viburnum lantano*	
	Viburnum prarifolium	
	Viburnum rufidulum	
	Viburnum rafinesquianum	
Cardinal Shrub	*Wegelia vaniceki*	

SPECIES WHICH SHOULD BE PROHIBITED DUE TO INVASIVENESS

Olive	*Elaeagnus pungens*
Autumn Olive	*Elaeagnus umbellata*
Buckthorn Tallhedge	*Rhamus frangula columnaris*
Honeysuckle	*Lonicera* species
Common Privet	*Ligustrum vulgare*

TABLE D

SPREADING SHRUBS RANGING IN HEIGHT TO 3 FEET AT MATURITY, SUITABLE FOR LOW BORDERS, PARKING LOT ISLANDS, GROUND COVER, ETC.

Common Name	Scientific Name	D Value
Shrubs (under 3')		3
Barberry		
Barberry	*Berberis canidula*	
Mentor Barberry	*Berberis mentorensis*	
Barberry	*Berberis verruculosa*	
Boxwood	*Buxus sempervirens*	
Cotoneaster		
Cranberry Cotoneaster	*Cotoneaster apiculata*	
Rockspray Cotoneaster	*Cotoneaster horizontalis*	
Duetzia		
Slender Duetzia	*Duetzia ciracillis*	
Lemoine Duetzia	*Duetzia lemoine*	
Sarcoxie Euonymus	*Euonymus* "Sarcoxie"	
Arnold's Dwarf Forsythia	*Forsythia* "Arnold's Dwarf"	
Saint John's Wort		
Saint John's Wort	*Hypericumpatulum*	
Kalm Saint John's Wort	*Hypericum kalmianum*	
Spreading Juniper	*Juniperus* (Spreading variety)	
Hidcote Lavender	*Lavandula nana hidcote*	
Oregon Grape Holly	*Mahonia aquifolium*	
Bush Cinqefoil	*Potentilla fruticosa*	
Lowboy Firethorne	*Pyracantha coccinea lowboy*	
Spreadying Yew	*Taxus* species (Spreading variety)	
Mugho Pine	*Pinus mugho*	
Globe Arborvitae	*Thuja occidentalis*	

20.06.04.03 Transit, Bicycle, and Pedestrian Access

Wherever site plan review is required under Section 20.05.08.00 of this zoning ordinance, the following requirements shall apply:

A. Pedestrian facilities shall be provided as follows:

1. Concrete sidewalks, a minimum of four (4) feet in width for single family detached and duplex development on streets classified as local in the Master Thoroughfare Plan and five (5) feet in width for all other development, shall be constructed along all abutting street frontages according to city engineering department specifications. Unless there are specific site constraints which necessitate an alternative location, sidewalks shall be constructed at the right-of-way line so as to provide separation between the pavement and the sidewalk.
2. Paved walks shall be provided to afford safe and convenient access between abutting streets and the uses on the site. Where an existing or potential public transit stop can be identified, such sidewalk shall serve the transit stop.
3. Paved walks shall be provided along appropriate routes on the site to provide safe and convenient pedestrian access among the uses and facilities on the site, including linkage between mixed land uses.

B. Transit accommodation may be required in site plans where the site is adjacent to public transit service or where there is reasonable anticipation that such service will be extended in the future as the area develops. Transit accommodation shall be suitable to the particular characteristics of the site and its surroundings and shall generally mean consideration of the siting of buildings or building entrances relative to existing or potential transit stops, safe and convenient paved pedestrian accommodation between said stops and entrances, bus pull-offs, and, if warranted by transit trip volume, shelters. Such accommodation may include the provision of a bus-accessible route between the public street and a convenient public entrance to the facility, which route shall be paved to a specification suitable for bus use and designed with respect to lane width and turning radii to be useable by public buses. Provided, however, bus accommodation shall be required only where there is evidence that such accommodation will offset of the traffic or other impacts generated by the development sufficiently to establish a rough proportionality, both in nature and extent, between the required accommodation and the impact of the development. Such determination shall be made by the site plan reviewing authority in consultation with the transit service provider.

C. Pedestrian/Bicycle Paths.

1. If a bike path or pedestrian trail is shown through the area and across the development on the master thoroughfare plan, such a path or trail shall be constructed through the development in order to afford access to the occupants, tenants or users of the site to the adjoining public portions of such path or trail. Dedication of such path or trail for public use may be required where there is evidence that such requirement will offset the traffic or other impacts generated by the development sufficiently to establish a rough proportionality, both in nature and extent, between the requirement and the impact of the development. Such determination shall be made by the site plan reviewing authority.

2. If the development is adjacent to a bike path or pedestrian path that exists or is shown on the Master Thoroughfare Plan, a pedestrian or bike path shall be provided on the site to afford safe and convenient access to the adjacent path for the users of the site.
3. If the development is adjacent to a public park or school, place of employment, or shopping area a bike path or pedestrian trail shall be provided to afford safe and convenient access to the adjacent use for the occupants, tenants, or users of the site.

20.06.04.04 Public Art

Public art is encouraged. While public art is not required of new development, the following guidelines and incentives shall apply to the provision of public art.

A. Public art may be located in any required setback subject to the requirements set forth in Table 7-3, and subject to the sight distance regulations in Section 20.06.01.03 of this zoning ordinance.
B. Where public art is proposed in a way such that it is designed to replace an individual element of required landscaping, the individual landscaping requirement may be waived pursuant to Section 20.06.04.00.

20.06.04.05 Residential Architectural Guidelines

The following requirements shall apply to the construction, expansion, or alteration of any building used for residential occupancy, except for units placed in mobile home parks.

A. Siding Materials: Siding materials used on residential dwellings shall consist of any of the following:

1. Horizontal lap siding;
2. V-grooved tongue and groove siding;
3. Woodgrained vertical siding materials in a board and batten or reverse batten pattern;
4. Cedar or other wood shakes;
5. Stucco, plaster, or similar systems;
6. Stone;
7. Masonry;
8. Glass.

Siding materials listed above, or a combination of such siding materials, shall extend from roof-line to grade and completely enclose all underfloor space.

B. Roofing Materials: Roofing materials used on residential dwelling units shall consist of shingles, shakes or tile materials. Standing seam metal roofs are also permitted. Rain gutters and downspouts are required.

C. When the rear of a building, other than a single family detached dwelling, is visible from a street, the architecture of the rear of the building shall be compatible with the architecture of the front and sides of the building.

20.06.04.06 Miscellaneous Site Development Standards

A. Where development of a site includes construction of a street, whether public or private, and where the site encompasses a road shown on the Thoroughfare Plan, such street shall be located and constructed as specified in the Thoroughfare Plan, and shall be built to standards acceptable to the City Engineer. Guidelines for construction of streets are available in the city engineering and planning departments.

B. Utility easements shall be required where necessary to accommodate provision of utilities to a developing site.

C. A paved slab shall be provided for outdoor trash receptacles for multi family and commercial developments. This area shall be effectively screened by a six-foot high surround constructed of wood, brick or stone, with a moveable gate to facilitate trash collection.

D. Pursuant to Ind. Code §14-3-3.4, if artifacts of archeological significance are discovered on property under development, all construction work in the finding area must stop immediately. A responsible party must then contact the Division of Historic Preservation and Archeology of the Indiana Department of Natural Resources within two working days of finding to arrange an archeological evaluation of the site. In the event a site is known to contain archeological artifacts, the Division must be contacted and an archeological evaluation performed prior to beginning construction.

E. Any outdoor illumination provided shall be arranged so as not to reflect direct rays of light into adjacent residential districts and streets. In no case shall such lighting cause more than three (3) footcandles of light to fall on adjacent properties as measured horizontally at the lot line.

20.06.05.00 ENVIRONMENTAL PERFORMANCE STANDARDS

20.06.05.01 Industrial Performance Standards

A. General Requirements

1. Application of Performance Standards. Any use established in an IL, IG, or BP district after the effective date of this ordinance shall be operated in compliance with the performance standards established herein. Any use already established on the effective date of this ordinance shall be permitted to be altered, enlarged, expanded, or modified, providing that only the addition need conform to the performance standards established herein for the district in which such use is located. In any event, every use of land or structure shall be operated in compliance with all applicable local, State, and Federal regulations regarding environmental protection.
2. Statement of Intended Compliance: Every application for a building permit or occupancy permit within an IL,IG, or BP district shall have affixed to it the certificate of a licensed architect or a registered professional engineer licensed by the State of Indiana certifying that the site and any building or structures, and the proposed use thereof, is designed to comply with all the provisions of this Zoning Code respecting performance standards for industrial and similar uses.

3. Enforcement. Failure to comply with any provision of this chapter, including but not limited to these industrial performance standards, shall be a violation of this zoning ordinance and subject to the remedies and penalties in Chapter 20.09.
4. Exceptions. These regulations shall not apply to the following sources:
   a. Emergency warning devices and unregulated safety relief valves
   b. Lawn maintenance equipment and snow blowers and similar snow removal equipment
   c. Temporary construction activities during daytime hours
   d. Periodic testing of equipment during daytime hours

B. Noise

1. Definitions: All definitions of acoustical terminology contained in Chapter 20.02 of this Ordinance shall be in conformance with those contained in ANSI (American National Standards Institute, Inc.) S1.1-1960 "Acoustical Terminology".
2. Prohibition of Noise Pollution: No person shall cause or allow the emission of sound beyond property lines so as to cause noise pollution or a nuisance, or so as to violate the noise provisions of Section 14.09 of the Bloomington Municipal Code.
3. Measurement Techniques: Test procedures to determine whether sound emissions are in conformance with this ordinance shall be in substantial conformity with Standards and Recommended Practices established by the American National Standards Institute, Inc., (ANSI), and the latest revisions thereof, including ANSI S1.1-1960, ANSI S1.6-1967, ANSI S1.8-1969, ANSI S1.2-1962, ANSI S1.4- 1971 - Type 1 Precision, ANSI S1.11-1966 and ANSI S1.13 1971 Field Method.
4. Sound Emitted to Residential (R) Districts: Except as elsewhere provided in this ordinance, no use shall cause or allow the emission of sound which exceeds the allowable octave band sound pressure level specified in Table 20.06.05.01.B.4.1 from any noise source located in an I or BP district to any residential district (R district). The sound emission shall be measured at the receiving R district property line. Where the industrial use is located within the R district itself, the sound emission shall be measured at the plant or operation property line.

TABLE 20.06.05.01.B.4.1

Octave Band Center Frequency (Hertz)	Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving R District from an I District

5. Sound Emitted to Commercial Districts: Except as elsewhere provided in this regulation, no use shall cause or allow the emission of sound which exceeds any allowable octave band sound pressure level specified in Table 20.06.05.01.B.4.2 from any noise source located in an I or BP district to any C district. The sound emission shall be measured at the receiving C district property line. Where the industrial use is located within the C district itself, the sound emission shall be measured at the plant or operation property line.

TABLE 20.06.05.01.B.4.2

Octave Band Center Frequency (Hertz)	Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted to any Receiving C District from an I District

6. Sound Emitted to a BP district: Except as elsewhere provided in this regulation, no use shall cause or allow the emission of sound which exceeds any allowable octave band sound pressure level specified in Table 20.06.05.01.B.4.3 from any noise source located in an I district to any BP district. The sound emission shall be measured at the receiving BP district property line. Where the industrial use is located within the BP district itself, the sound emission shall be measured at the plant or operation property line.

TABLE 20.06.05.01.B.4.3

Octave Band Center Frequency (Hertz)	Allowable Octave Band Sound Pressure Levels (dB) of Sound Emitted in/to any Receiving BP Lot from Neighboring I Lots

7. Impulsive Sound: No person shall cause or allow the emission of impulsive sound which exceeds the allowable dB(A) sound level specified in Table 20.06.05.01.B.4.4 from any noise source located in an I or BP district to any residential, commercial or BP district. The sound emission shall be measured at the receiving district property line. Where the industrial use is located within the district itself, the sound emission shall be measured at the plant or operation property line.

Table 20.06.05.01.B.4.4

Allowable dB(A) Sound Levels of Impulsive Sound Emitted from Districts to Designated Classes of Receiving Uses

Industrial	Commercial	Residential

8. Prominent Discrete Tones:
   a. No use shall cause or allow the emission of any prominent discrete tone from any noise source located in an I or BP district to any zoning district or neighboring industrial district lot: provided, however, that no measurement of one-third octave band sound pressure levels shall be made less than twenty-five (25) feet from such noise source.
   b. This rule shall not apply to prominent discrete tones having a one-third octave band sound pressure level 10 or more dB below the allowable octave band sound pressure level specified in the applicable table in subsections 4 through 7 for the octave band which contains such one-third octave band.
9. Exception: Subsections 4 through 8, inclusive, shall apply to trucks and vehicles under the control of the property user and/or owner, except for

vehicles entering and leaving the property such as those on shift changes. Examples of sound from such vehicles and trucks not either entering or leaving the premises are idling engines and trailer mounted refrigeration units. Sound emitted from railroad facilities shall be exempt.

10. The Plan Commission is charged to develop the standards of permissible octave band sound pressure levels (dB) to be incorporated in Tables 20.06.05.01.B.4.1 through 20.06.05.01.B.4.4, in collaboration with representatives of local industries. (The standards will be incorporated into this ordinance upon initiation of a text amendment by the Plan Commission and adoption by the Council.)

C. Vibration

1. Instrumentation: Ground-transmitted vibration shall be measured with a seismograph or complement of instruments capable of recording vibration displacement, particle velocity, or acceleration and frequency simultaneously in three (3) mutually perpendicular directions.
2. Maximum Permitted Vibration Levels: Vibration shall not exceed the maximum permitted particle velocities in Table 20.06.05.01.C.2, below. Where more than one set of vibration levels apply, the most restrictive shall govern. Readings may be made at points of maximum vibration intensity.

TABLE 20.06.05.01.C.2
STEADY-STATE VIBRATION LIMITS FOR IL and IG DISTRICTS
Maximum Peak Particle Velocity (inches per second)

I Lot Lines and C Districts	R District
Day	Night

The maximum particle velocity shall be the maximum vector sum of three (3) mutually perpendicular components recorded simultaneously. Particle velocity may also be expressed as 6.28 times the displacement in inches multiplied by the frequency in Hertz (cycles per second).

For purposes of this regulation, steady-state vibrations are vibrations which are continuous, or vibrations in discrete impulses more frequent than sixty (60) per minute. Discrete impulses which do not exceed sixty (60) per minute, shall be considered impact vibrations. The values presented in Table 20.06.05.01.C.2 shall be doubled for impact vibrations.

3. Subsections 1 and 2, inclusive, shall apply to trucks and vehicles under the control of the property user and/or owner, except for vehicles entering and leaving the property such as those on shift changes. Examples of sound from such vehicles and trucks not either entering or leaving the premises are idling engines and trailer mounted refrigeration units. Sound emitted from railroad facilities shall be exempt.
4. The Plan Commission is charged to develop the standards of permissible vibration levels to be incorporated in Table 20.06.05.01.C.2 in collaboration with representatives of local industries. (The standards will

be incorporated into this ordinance upon initiation of a text amendment by the Plan Commission and adoption by the Council.)

D. Air Pollution

1. In the IL, IG, and BP zoning districts, all uses shall comply with all applicable State and Federal regulations regarding air pollution, which are hereby incorporated by reference, including 326 I.A.C., Article 5. Opacity Regulations, Article 6, Particulate Rules, Article 14. Emission Standards for Hazardous Air Pollutants, and 42 U.S.C 7401 et seq.
2. Odors: The Plan Commission is charged to develop the standards of permissible emissions of odorous air in collaboration with representatives of local industries. (The standards will be incorporated into this ordinance upon initiation of a text amendment by the Plan Commission and adoption by the Council.)

E. Radioactive, Hazardous, and Toxic Materials. The use, storage, handling or transport of radioactive, hazardous, and toxic materials shall comply with all applicable State and Federal regulations, which are hereby incorporated by reference, including 329 I.A.C. Article 3.1. Hazardous Waste Management Permit Program and Related Hazardous Waste, Article 9. Underground Storage Tanks, 15 U.S.C. 2601 et seq., 42 U.S.C. 6901 et seq., 42 U.S.C. 9601 et seq., and 42 U.S.C. 11001 et seq.

F. Water Pollution. In the IL, IG and BP zoning districts, all uses shall comply with all applicable local, State, and Federal regulations pertaining to water and wastewater, which are hereby incorporated by reference, including Bloomington Municipal Code Section 10.16, 327 I.A.C., Articles 1-13. Water Pollution Control Board, and 33 U.S.C. 1251 et seq.

G. Fire and Explosion Hazards

1. In the IL, IG and BP zoning districts, activities involving the storage, handling, utilization, or manufacture of materials or products which decompose by detonation and which are classified by the Department of Transportation as Explosive A (and/or by the United Nations as UN Class 1.1 or 1.2), Explosive B (and/or by the United Nations as UN Class 1.3), or Explosive C (and/or by the United Nations as UN Class 1.4), as such classes are amended from time to time (See C.F.R. 49, Parts 100 to 177), shall be permitted only in accordance with the standards set forth by the Department of Transportation. Permitted explosives shall be stored, utilized, handled and manufactured in accordance with National Fire Protection Association - National Fire Codes (as adopted by the City) and all other applicable City regulations and ordinances. The storage and accountability of permitted explosives shall comply with applicable Department of Treasury, Bureau of Alcohol, Tobacco and Firearms Regulations ("Your Guide to Explosive Regulations" as most recently amended and as amended from time to time - ATF P 5400.7). This includes the requirement for an explosives permit (18 USC Chapter 40).
2. In the IL, IG and BP zoning districts, the storage, utilization, handling or manufacture of highly reactive oxidizing or reducing agents, unstable or pyroforic materials, or highly unstable materials which include but are not confined to organic peroxides, organic nitrates, fluorine, liquid oxygen,

hydrazine, acetylides, tetrazoles, ozonides, perchloric acid, perchlorates, chlorates, alkyaluminums, diborane, calcium trifluoride, hydroxylamine or other similar materials shall be considered as Explosive C materials and shall be in accordance with the National Fire Protection Association - National Fire Codes (as adopted by the City) and all other applicable regulations.

3. In the IL, IG and BP zoning districts, the storage, utilization, handling or manufacture of flammable liquids and gases shall be in accordance with the National Fire Protection Association - National Fire Codes (as adopted by the City) and all other applicable City regulations and ordinances. The location of flammable liquid and storage tanks shall not be less than one hundred (100) feet from property lines.

H. Glare. Any activity or operation producing glare shall be conducted so that direct and indirect illumination within the lot lines shall not cause illumination in excess of three foot candles on any lots within a residential or institutional district. Outside lights must be made up of a light source and reflector so that acting together, the light beam is controlled and not directed across a property line. This regulation does not apply to vehicle traffic accompanying evening shift changes.

20.06.05.02 Standards for Sites Having Environmental Constraints: Karst Terrain, Wetlands, Steep Slopes, Water Resources

The Bloomington area is characterized by a wide variety of environmental constraints which affect the way that land is developed. These constraints include karst terrain (sinkholes, caves, springs, etc.), wetland areas, steep slopes, and water resources such as lakes, streams, and other surface watercourses that are not already regulated by the Federal Emergency Management Agency (FEMA). Karst terrain can create severe problems of building stability, pollution of groundwater resources, and downstream stormwater capacity. Wetland areas provide resources of wildlife habitat, flooding control, and stormwater filtration. Construction on excessively steep slopes can cause siltation and erosion control problems.

A. Purpose: It is prudent and necessary that every area which becomes the subject of a petition for a Certificate of Zoning Compliance be routinely scrutinized for the presence of environmental constraints on or adjacent to the zoning lot or parcel under consideration in order to protect the public health, safety, and welfare from land subsidence, flooding, and water resource pollution.

B. Investigation by the Planning Staff: Whenever a petition is filed for an action or other approval under this Ordinance including the issuance of a Certificate of Zoning Compliance, the planning staff (wherever possible including the Environmental Commission liaison) shall undertake an inspection of the area subject to the petition by means of direct field inspection unless such inspection has been made in conjunction with a prior process (single family detached dwellings may not warrant individual field inspection if prior development approval or relevant map resources do not indicate need for inspection) and analysis of relevant mapping resources at its disposal to determine if the action requested may have a negative impact. Immediate area can be construed by the planning staff to be the area subject to the petition or on adjacent lots or parcels which may be affected in a manner that would cause unsafe conditions, pollute resources, or cause property damage. The examination for environmental constraints by the planning staff shall take place prior to any public hearing process applicable to the zoning lot or parcel in question.

C. Determination. The planning staff shall make a determination based on its investigations as to whether there may be significant environmental constraints which apply to the site.

1. No evidence of environmental constraints. If the planning staff finds that the site has no evidence of environmental constraints, the staff shall indicate this determination by signature on the appropriate section of the Certificate of Zoning Compliance or so state in the staff report for the approval being sought. Neither the planning staff nor the City of Bloomington shall be held responsible by the petitioner or any other person who believes himself to be aggrieved or otherwise harmed by the existence of an environmental constraint in cases where the planning staff determines that it found no evidence, yet it is later determined that such a feature does exist.
2. Evidence of environmental constraints. In cases where the planning staff finds evidence that environmental constraints to development do exist, the staff shall require the petitioner to submit an Environmental Review Plan and follow specific development procedures. If an Environmental Review Plan specifies that a portion of the development site should be left undisturbed or undeveloped, the use of a conservation easement may be required. The terms of that conservation easement shall specify the preservation measures called for in the Environmental Review Plan.
3. The presence of environmental constraints on the site which are not impacted. At the discretion of the planning staff, the environmental review plan may be simplified if the environmental constraint found to be present on the site is not impacted by the proposed site development.

D. Environmental Review Plan for Karst Terrain:

1. Required review plans shall include the following:
   a. An engineering audit which identifies karst features and the limitations which such features impose on site development;
   b. A building and structure site plan for the zoning lot; and
   c. A statement and topographical site plan indicating proposed mitigation measures.
2. The Environmental Review Plan shall include, but not be limited to the following:
   a. Sewer is required for subdivisions of three lots or more when sewer is available for hook-on within three hundred (300) feet.
   b. For residentially zoned areas, construction of buildings or pavements over, or within 25 feet of, a surface karst feature is prohibited.
   c. For non-residentially zoned area, construction of buildings or pavements over, or within 25 feet of, a surface karst feature shall be avoided to the maximum extent possible.
   d. Stormwater discharge into a karst feature shall not be increased over its preexisting rate according to standards as established by the city engineer. Depressions containing sinkholes shall not be utilized for stormwater detention unless no alternative location in practicable.
   e. Stormwater runoff from paved areas or structures shall not directly enter a sinkhole. Drainage plans shall be designed to route runoff through vegetative filters or other filtration measures

before it enters a sinkhole.

f. In general, flow of surface water to a sinkhole should not be substantially reduced from preexisting conditions.

g. Springs or cave entrances shall not be modified except for the placement of a gate to prevent human access.

h. Storage tanks shall have impervious secondary containment. Underground storage tanks shall have interstitial monitoring of tanks and piping systems.

i. A comprehensive report by a geotechnical consultant or professional engineer shall be provided describing stormwater drainage design, retention, erosion control, and, where appropriate, stormwater quality mitigation measures.

E. Environmental Review Plan for sites containing possible wetland areas:

1. Required review plans shall include the following:
   a. A building and structure site plan for the zoning lot;
   b. A topographic site plan showing all possible wetland locations on the site; and
   c. Additional data in the form of National Wetland Inventory Maps or the Soil Conservation Service's wetland inventory.
2. The Environmental Review Plan shall assess the presence of wetlands as follows:
   a. Maps, field analysis, and consultation with expert resources will be used by the planning staff to investigate whether areas under consideration are actual wetlands.
   b. If, after careful consideration, the staff cannot confirm wetland locations or their extent, a wetland determination shall be made by a qualified wetland specialist. If said wetland determination is positive, a wetland delineation by a qualified wetland specialist will be conducted to delineate those portions of the wetland threatened with disturbance.
   c. No wetland determination or delineation shall be required if the wetland in its entirety is clearly outside any area to be disturbed.
   d. All determined and delineated jurisdictional wetlands subject to disturbance shall be governed by Indiana Department of Natural Resources and Army Corps of Engineers regulations.

F. Environmental Review Plan for sites containing steep slopes:

1. Required review plans shall include the following:
   a. A building and structure site plan for the zoning lot;
   b. A topographic site plan which highlights areas of greater than 18 percent (18%) slope; and
   c. A brief statement outlining construction practices which shall mitigate against the effects of building on steep slopes, including design of slope stabilization measures and specifications for the establishment of vegetative cover.
2. The Environmental Review Plan shall incorporate the following:
   a. Major streets shall not exceed grades above six percent (6%) and other streets or alley shall not exceed grades above eight percent (8%) unless it is demonstrated that steeper grades will minimize disturbances to existing topography or unless the Plan

Commission has granted variance from these grade standards pursuant to the procedures of Title 19 of the Bloomington Municipal Code, Subdivisions.

b. All drives, roads, and streets shall be in accordance with the topography with a minimum of cutting and filling; and

c. Construction of dwellings on slopes greater than eighteen percent (18%) shall utilize walkout basements, exposed lower levels, or some other mechanism to limit slope disturbance.

d. The maximum grade of the existing topography of the street setback from the street to the proposed structure shall not be steeper than fifteen percent (15%).

e. The extent of cutting and filling, the resulting slopes, and the stabilization measures shall be appropriate to the characteristics of the soils involved.

f. In the case of single lot development where no central stormwater management system exists, the plan shall demonstrate the facilities, natural or improved, for conveyance of runoff from roofs and improved surfaces to an acceptable outlet, and stabilization measures consistent with the volume and velocity of the runoff.

G. Environmental Review Plan for sites containing water resources:

1. Required review plans shall include the following:

a. A building and structure site plan for the zoning lot;

b. A topographic site plan which locates all surface water features: lakes, streams, intermittent streams, ponds, and any streams not mapped by FEMA.

c. Delineation of any flood hazard areas mapped by FEMA.

2. Guidelines for development in areas containing water resources

a. Development within the boundaries of areas regulated by FEMA must comply with the regulations of Section 20.07.15.04 of this ordinance.

b. All surface water resources shall be protected by a minimum twenty-five (25) foot vegetated buffer between the normal bank and any buildings or pavements, except pedestrian and bicycle paths, wherever practicable.

c. If such twenty-five (25) foot buffer is not incorporated in the plans, stormwater from any roof or other improvement shall not be discharged directly into the surface water resource; such stormwater shall be routed to a vegetative filter or other storm water quality mitigation feature.

d. All proposed structures shall be situated at an elevation above water surface profiles under the one hundred (100) year storm condition according to standards established by the city engineer.

e. The petitioner shall demonstrate that the waterway will be able to accommodate the one hundred (100) year storm calculated to the satisfaction of the city engineer.

f. No person shall excavate, fill, strip, or grade in the floodplain of any waterway not regulated in section 20.07.15.04 of this ordinance without first having obtained a Certificate of Zoning Compliance and a permit from the city engineer.

H. Denial of petitions for Certificate of Zoning Compliance due to environmental constraints: In those cases where the planning staff finds, after study and analysis, that the applicant has failed to demonstrate that the proposed site design and/or mitigation measures can adequately protect the public health, safety, or welfare, then the staff shall deny the petition for a Certificate of Zoning Compliance. Denial action shall require a written finding of fact stating technical reasons for such denial and shall be provided to the petitioner within a reasonable time after completion of the technical analysis.

I. Relief from denial: In cases of denial, the petitioner may request a hearing de novo by the Plan Commission.

20.06.05.03 Siltation and Erosion

The quality of the waters of the City of Bloomington, Monroe County, and surrounding counties should be protected to the extent practicable by minimizing the amount of sediment and other pollutants carried by runoff or discharge from construction sites to lakes, streams, and wetlands. In addition, properties and roadways need to be protected from dangerous, unsightly, or polluting deposition of water and sediments.

A. Design Criteria and Specifications for Control Measures. All control measures required to comply with this chapter shall meet the design criteria, standards, and specifications identified by the office of the City Engineer.

B. Maintenance of Control Measures. All sedimentation basins and other control measures necessary to meet the requirements of this chapter shall be maintained by the applicant or subsequent landowner during the period of land disturbance and land development of the site in a satisfactory manner to ensure adequate performance and to prevent nuisance conditions.

C. Control of Erosion and Pollutants During Land Disturbance and Development

1. Applicability. This section applies to the following sites of land development or land disturbance activities:
   a. Those involving grading, removal of protective ground cover of vegetation, excavation, landfilling, landscaping, or other building construction activity expected to affect a surface of 1000 square feet or more;
   b. Those involving excavation or filling or a combination of excavation and filling expected to affect 400 cubic yards or more of dirt, sand, or other excavation or fill materials;
   c. Those involving street, highway, road or bridge construction, enlargement, relocation, or reconstruction;
   d. Those involving the laying, repairing, replacing, or enlarging of an underground pipe or facility for a distance of 300 feet or more.
2. A Memorandum of Agreement will be prepared with each utility doing business within the City of Bloomington regarding its rights and responsibilities during land reconstruction activities.

3. Erosion and Pollutant Control Requirements. The following requirements shall be met on all sites described in Section 20.06.05.03.C.1.a.
   a. Site Dewatering. Sediment-laden water flowing from the site shall be detained by temporary sediment basins. Also, water shall not be discharged in a manner that causes erosion in the receiving channels.
   b. Waste and Material Disposal. All waste and unused building materials (including garbage, debris, cleaning wastes, wastewater, toxic materials, or hazardous materials) shall be properly disposed of and not allowed to be carried by runoff into a receiving channel, storm sewer system or onto adjacent properties.
   c. Tracking. Each site shall have graveled roads, access drives and parking areas of sufficient width and length to prevent sediment from being tracked onto public or private roadways. Any sediment reaching a public or private road shall be removed by street cleaning (not flushing) by those responsible before the end of each workday.
   d. Drain Inlet Protection. All storm inlets shall be protected with straw bales, filter fabric, or an equivalent barrier meeting accepted design criteria, standards, and specifications.

D. Site Erosion Control. The following criteria (1-4) apply only to land development or land disturbance activities that result in runoff leaving the site.

1. Channelized runoff from adjacent areas passing through the site shall be diverted around disturbed areas, if practical. Otherwise, the channel shall be protected as described below in Section 20.06.05.03.D.3. Sheetflow runoff from adjacent areas greater than 10,000 square feet in area shall also be diverted around disturbed areas unless shown to have resultant runoff velocities of less than 0.5 ft./sec. across the disturbed area for the set of two year design storms. Diverted runoff shall be conveyed in a manner that will not erode the conveyance and receiving channels. (Note: Soil Conservation Service guidelines for allowable velocities in different types of channels should be followed.)
2. All activities on the site shall be conducted in a sequence that minimizes the area of bare soil exposed at any one time.
3. Runoff from the entire disturbed area on the site shall be controlled by meeting either subparagraph a and either b or c, whichever is applicable.
   a. All disturbed ground left inactive for 14 or more days shall be stabilized by seeding or sodding or by mulching or covering, or other equivalent control measures appropriate for the season. Steep slopes must be treated immediately.
   b. For sites with 10 acres or more disturbed at one time, or if a channel originates in the disturbed area, one or more sedimentation basins shall be constructed. Each sedimentation basin shall have a surface area of at least 1 percent of the area draining to the basin and at least three feet of depth and shall be constructed in accordance with accepted design specifications. Sediment shall be removed to maintain a depth of three feet. The basin shall be designed to trap sediment greater than 15 microns in size based on the set of two year design storms having durations from 0.5 minutes to 24 hours. The basin discharge rate

shall be sufficiently low as to not cause erosion along the discharge channel.

c. For sites with less than 10 acres disturbed at one time, filter fences, straw bales or equivalent measures shall be placed along all sideslopes of the site. If a channel or area of concentrated runoff passes through the site, filter fences shall be placed along the channel edges to reduce sediment reaching the channel.

d. For vacant land held for development, grass or other vegetative ground cover is required.

4. Any soil or dirt storage piles containing more than 10 cubic yards of material shall not be located with a downslope drainage length of less than 25 feet to a roadway or stormwater management system. If remaining for more than seven days, storage piles shall be stabilized by mulching, vegetative cover, tarps or other means. Erosion from piles which will be in existence for less than seven days shall be controlled by placing straw bales or filter fence barriers around the pile. In-street utility repair or construction soil or dirt storage piles located closer than 25 feet to a roadway or stormwater management channel must be covered with tarps or suitable alternative control; if exposed for more than seven days, the storm drain inlets must be protected with straw bales or other appropriate filtering barriers. The seven day limit may be extended to no more than 14 days, with consent and permission of the office of the City Engineer.

E. Permit Application, Control Plan, And Permit Issuance. No developer, landowner or land user may commence a land disturbance or land development activity subject to this chapter without receiving approval of a control plan for the site and a permit from the office of the City Engineer. For each project, at least one developer, landowner or land user desiring to undertake a land disturbance or land development activity subject to this chapter shall submit an application for a permit and a control plan and pay an application fee to the City of Bloomington. By submitting an application, the applicant is authorizing the City of Bloomington Engineering Department to enter the site to obtain the information required for review of the control plan. Site plan must be drawn to scale showing erosion control features. The services of a professional engineer may be employed at the discretion of the developer.

F. ~~Content Of The Control Plan For Land Disturbing Activities Covering One Acre Or~~ More. The following shall be required in each control plan for land disturbing activities.

1. Existing Site Map. A map of existing site conditions on a scale of at least one inch equals 100 feet, showing the site and immediately adjacent area containing:

a. Site boundaries and adjacent lands which accurately identify site location;

b. Lakes, streams, wetlands, ponds, channels, ditches, karst formations, and other water courses on and immediately adjacent to the site. (Note: Requires the completion of a groundwater management plan which shall specify surface and subsurface drainageways, flows, and rates, and establishes a mechanism to accommodate stormwater flows and prevent sedimentation or blockage of natural drainage passages).

c. 100 year floodplain, flood fringes and floodways;
d. Location of the predominant soil types;
e. Vegetative cover;
f. Location and dimensions of stormwater drainage patterns on and immediately adjacent to the site;
g. Locations and dimensions of utilities, structures, roads, highways and paving; and
h. Site topography at a contour interval not to exceed two feet.

2. Plan of Final Site Conditions. A plan of final site conditions on the same scale as the existing site map showing the site changes.
3. Site Construction Plan. A site construction plan including:
   a. Locations and dimensions of all proposed land disturbing activities;
   b. Locations and dimensions of all temporary soil or dirt stockpiles;
   c. Locations and dimensions of all construction site management control measures necessary to meet the requirements of this chapter;
   d. Schedule of anticipated starting and completion date of each land disturbing or land developing activity including the installation of construction site control measures needed to meet the requirements of this chapter; and
   e. Provisions for maintenance of the construction site control measures during construction.

G. Content Of Control Plan Statement For Land Disturbing Activities Covering Less Than One Acre

An erosion control plan statement (with simple map) shall be submitted to briefly describe the site erosion controls (including the site development schedule) that will be used to meet the requirements of this chapter.

H. Review Of Control Plan

Within five (5) working days of receipt of the application and/or control plan statement, the office of the City Engineer shall review the application and/or control plan to determine if the requirements of this chapter are met. This review, whenever practicable, shall be done concurrently with other related construction permit applications. The office of the City Engineer may request comments regarding the plan or statement from other departments or agencies. If the requirements of this chapter are met, the office of the City Engineer shall approve the plan, inform the applicant and issue a permit. If the conditions are not met, the office of the City Engineer shall inform the applicant in writing and either may request needed information or disapprove the plan. Within 30 days of receipt of the newly submitted information, the office of the City Engineer shall again determine if the plan meets this Chapter's requirements. If the plan is disapproved again, the office of the City Engineer shall inform the applicant in writing of the reasons for the disapproval. Appeal from this decision may be brought to the Board of Zoning Appeals, as provided for by Indiana Code Section 36-7-4-918.01.

I. Permits

1. Duration. Permits shall be valid for a period of 180 days, or run concurrently with the building permit or other construction authorizations, whichever is longer. The City Engineer may extend the period one or more times for up to an additional 180 days. The City Engineer may require additional control measures as a condition of the extension if they are necessary to meet the requirements of this chapter.
2. Financial Guarantee of Performance.
   a. A financial guarantee shall not be required for the construction of one or two family dwelling units and related accessory structures or improvements.
   b. In all other instances, as a condition of approval for issuance of the permit, the City Engineer shall require the applicant to deposit a Surety Bond, irrevocable letter of credit, certificate of deposit held as a security, or any other form of financial guarantee of performance acceptable to the City Engineer to guarantee a good faith execution of the approved control plan and any permit conditions. The amount of the financial guarantee shall be provided by the developer or project engineer and approved by the City Engineer. The financial guarantee of performance will not be released until project is in compliance with erosion control measures, including the establishment of a vegetative cover appropriate for the season.
3. Permit Conditions. All permits shall require the permittee to:
   a. Notify the City of Bloomington Engineering Department within two working days of commencing any land disturbing activity.
   b. Notify the City Engineering Department of completion of any control measures within seven days after their installation.
   c. Obtain permission in writing from the City Engineering Department to modify the control plan.
   d. Install all control measures as identified in an approved control plan.
   e. Maintain all road drainage systems, stormwater management systems, control measures and other facilities identified in the control plan.
   f. Repair any siltation or erosion damage in adjoining surfaces and drainageways resulting from land developing or disturbing activities.
   g. Inspect the construction control measures at least once each week and make needed repairs, and inspect after each rain of 0.5 inches or more.
   h. Allow the City of Bloomington Engineering Department to enter the site for the purpose of inspecting for compliance with the control plan or for performing any work necessary to bring the site into compliance with the control plan;
   i. Keep a copy of the control plan on site; and
   j. Certify at project's completion that all utilities have been installed on site and erosion control measures that were damaged or destroyed have been repaired or restored by the utility companies involved.

J. Inspection. The City of Bloomington Engineering Department shall inspect construction sites at least once a month during the period starting March 1 and ending October 31 and at least one time during the period starting November 1 and ending February 28 to ensure compliance with the control plan.

K. Enforcement

1. The City Engineer may post a stop work order if:
   a. Any land disturbing or land developing activity regulated under this chapter is being undertaken without a permit;
   b. The control plan is not being implemented in a good faith manner as determined by the City of Bloomington Engineering Department, or;
   c. The conditions and specifications of the permit are not being met.
2. If the permittee does not cease the activity or comply with the control plan or permit conditions within 24 hours, the City Engineering Department may revoke the permit.
3. When no permit has been issued, if the landowner or land user does not cease the activity within 24 hours, after demand by the City Engineering Department, the City Engineer may request the Legal Department to obtain a cease and desist order.
4. The City of Bloomington Engineering Department may retract the stop work order or the revocation upon adequate notice that the conditions are in compliance.
5. Twenty-four hours after posting a stop work order, the City of Bloomington Engineering Department may issue a notice of consent to the permittee or landowner or land user to perform work necessary to comply with this chapter.

L. Project Termination. An orderly and timely termination of a project with land disturbing activities shall be planned between all persons involved with a site. When a project has been completed, the person holding the permit shall petition the City Engineer, in writing, for approval of erosion control measures which are to remain on the site. The City Engineer shall subsequently inspect the site to evaluate the adequacy of these control measures.

1. If the erosion control measures are approved, the surety bond shall be released promptly. However, any maintenance responsibilities shall remain with the person owning or occupying the land.
2. If the erosion measures are not approved, the City of Bloomington Engineering Department shall notify, in writing, the person holding the permit, regarding the unacceptable features. After a minimum period of two (2) weeks during which corrective measures are taken, a petition, again in writing, may be sent asking for the City of Bloomington Engineering Department to evaluate the adequacy of the erosion control measures. If, in good faith, the City of Bloomington Engineering Department again decides that the erosion control measures are inadequate, the City of Bloomington may delay the release of the surety bond for up to two (2) months. After an agreed upon time period of two (2) months or longer has elapsed without corrective measures taken, the City of Bloomington Engineering Department may use the surety bond to finance changes or additions to the erosion control measures needed to complete the project.

20.06.06.00 SIGN REGULATIONS

20.06.06.01 Purpose and Intent

These regulations are established for all signs located on any premises as a reasonable and impartial means to permit adequate communication, to control confusing sign displays which present a hazard to pedestrians and motorists along streets and at intersections, to insure light, air, and open space, to protect the natural beauty and environment of the city, to safeguard and enhance property values, to protect public and private investment in buildings and open spaces, and to protect the public health, safety, and general welfare.

20.06.06.02 Application of Regulations

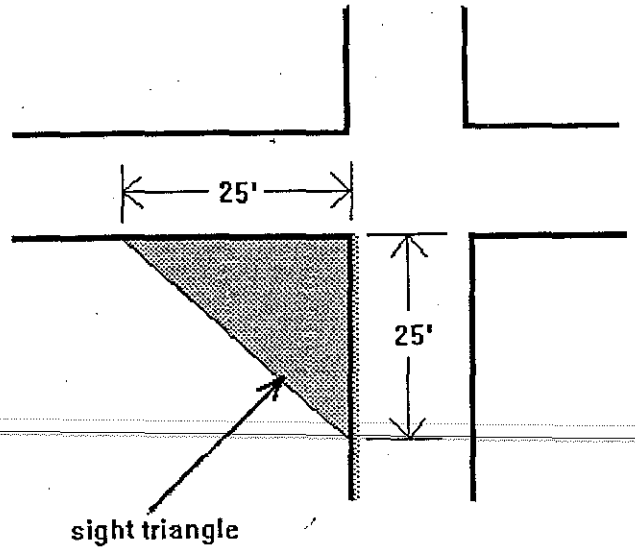
No sign shall be erected or altered except in conformance with this zoning ordinance.

20.06.06.03 Placement Prohibitions

The following prohibitions shall apply in any district:

A. No sign shall be erected or maintained in any form or at any location where it may obstruct or in any way interfere with the view of or be confused with any approved traffic-control device.

B. Signs shall comply with the sight distance standards found in Section 20.06.01.03 of this zoning ordinance.



C. No sign shall be placed in any public right-of-way except publicly owned traffic-control and transit signs.

20.06.05.04 Stormwater Management

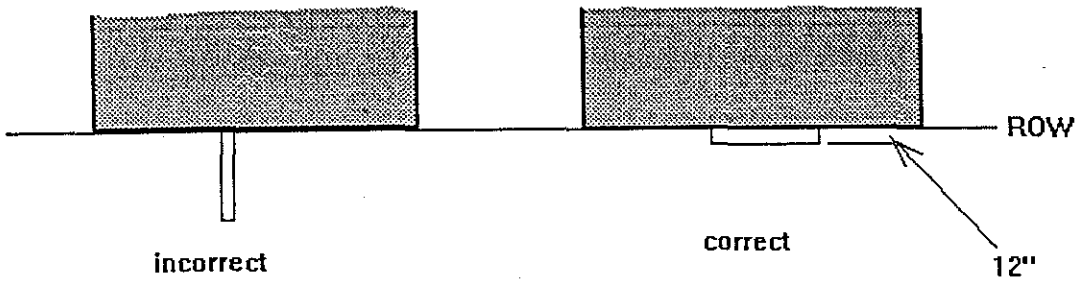
A. Criteria for Stormwater Management Plans. A stormwater management plan shall be submitted for review on all subdivisions, proposed planned developments, or site plans. The stormwater management plan shall be designed to the city engineer's satisfaction and in a manner consistent with the capacity of downstream facilities. The stormwater management plan shall conform to the following criteria:

1. The existing natural drainage system shall be utilized to the maximum extent possible.
2. Finished land grades shall be such that there is no ponding of water on the land and that surface water will not cause erosion. This shall not be considered to prohibit storm water retention facilities or other decorative ponds.
3. The natural vegetation shall be utilized where possible to prevent the concentration of surface water run-off.
4. Any planned stormwater management construction shall be integrated into the drainage pattern of surrounding properties.
5. Except for swales used to carry runoff to storm sewer inlets, natural drainage ways, storm water retention facilities, and storm water quality mitigation measures, the construction of open ditches is prohibited.
6. Storm water detention shall be utilized to limit runoff to pre-development rates, where the City Engineer determines that detention is necessary in consideration of downstream capacity and the impacts of the proposed development.
7. The stormwater management plan shall be designed to conform to standards that may be established by the Board of Public Works and additional recommendations of the City Engineer.

B. Review of Stormwater Management Plans: The City Engineer shall review stormwater management plans. Each petitioner shall furnish a set of the stormwater management plan with the application for approval of any proposed subdivision, planned unit development or site plan. Approval of the stormwater management plan will be based upon, but not limited to, consideration of the following items:

1. Culvert and storm sewer size and placement;
2. Grade stabilizing structures;
3. Curb elevations on streets used as part of the stormwater management system;
4. Storm water retention; and
5. Storm water runoff quality.

D. No sign except marquees, either freestanding or mounted on a building, shall project into the public right-of-way; except that a business sign mounted on a building may be permitted to project twelve inches from the face of a building. (See Section 20.07.16.03(F), Table 7-4, for regulations applying to marquees.)



E. No sign shall be mounted on a roof or extend above the eave or parapet of a building wall.

F. No sign shall be affixed to trees, fence posts, or utility poles.

G. Off-premise signs are prohibited in any zoning district.

20.06.06.04 General Sign Regulations

All signs shall conform to the following regulations:

A. Illumination:

1. Illuminated signs are permitted; however, signs which direct attention through the use of flashing, intermittent, or strobe effects are prohibited.
2. The source of light for any sign should not be directed into any residential area or toward any oncoming traffic. The source of illumination by whatever means shall not reflect directly on residential property.
3. In no instance shall any illuminated sign be located closer than twenty-five (25) feet to any residential district.

B. Temporary and Portable Signs:

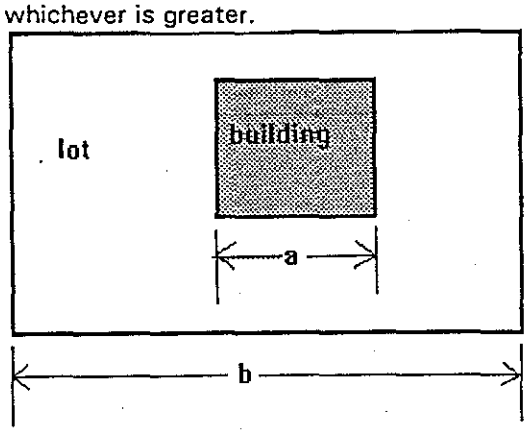
1. Temporary or portable business or product-for-sale signs and signs or devices consisting of a series of banners, streamers, pennants, balloons, propellers, strung light bulbs, or similar devices are prohibited. All signs which move by mechanical means or by the movement of air except for public information signs shall be prohibited in all districts.
2. New businesses, seasonal businesses, grand openings or special events may display signs prohibited in 1., above, after having applied for and received a permit for fifteen days. This permit may be renewed for an additional fifteen days. Any business shall be limited to one such permit per year.

C. Maintenance:

1. All signs must be kept clean, neatly painted, and free from all hazards, such as, but not limited to, faulty wiring and loose fastenings, and must be maintained at all times in such safe condition so as not to be detrimental to the public health or safety.

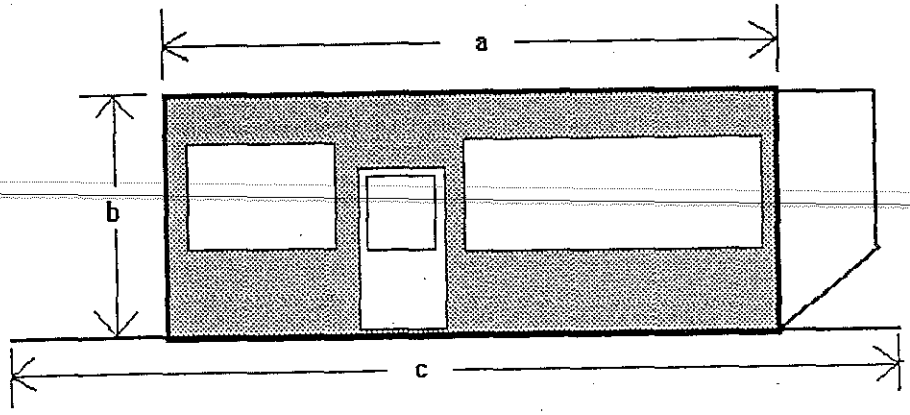
D. Total sign allocations based upon building mass and street frontage in business, industrial, and special zoning districts.

1. Location, size, and variety of all signs existing upon a zoning lot are included in the total sign allocations.
2. In all commercial, industrial, and special zoning districts, except CD, total sign area permitted for any business or industrial premises shall be one and six-tenths (1.6) square feet of sign area for each one (1) linear foot of building fronting on a public street, or eight-tenths (.8) square foot of sign for each one (1) linear foot of property fronting a publicly maintained right-of-way, whichever is greater.



$1.6 \times a$ or $1 \times b$

3. In the CD district, one (1) square foot of sign shall be permitted for each ten (10) square feet of building face fronting on a public street or for each one (1) linear foot of property fronting on a publicly maintained right-of-way, whichever is greater.



$\frac{ab}{10}$ OR $1 \times c$

4. In any commercial or industrial district where property has frontage on an arterial or primary collector street, one (1) pole or ground sign shall be permitted for each street frontage. The maximum permitted square footage of sign surface is sixty (60) square feet each side for a

double-faced sign of more than ten (10) feet in height, and seventy-two (72) square feet for a ground sign of ten feet (10) or less in height.

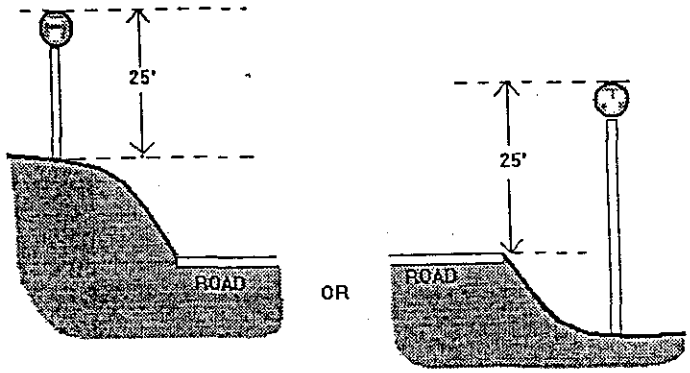
5. Notwithstanding other provisions of these regulations, no premises within any commercial or industrial zoning district may be restricted to less than seventy-five (75) square feet of sign nor shall any premises be permitted to display more than six hundred (600) square feet of sign, except as provided in section 20.06.06.03.F, shopping centers.
6. The area of signs shall be calculated as the smallest regular geometric figure needed to circumscribe the sign, exclusive of supporting poles below the sign face.

E. Sign allocations in residential districts. No sign shall be erected in the residential districts except for the following:

1. Residential complex or subdivision signs, limited to sixty-four (64) square feet, are permitted at the entrance to such areas.
2. Home occupation signs shall be limited to one sign of a maximum size of two (2) square feet, attached to the wall of the building.
3. Public information signs, where permitted, shall be limited to twenty-four (24) square feet.

F. Height and setback of signs:

1. No sign shall exceed twenty-five (25) feet in height, measured from the base of the sign or from the crown of the road directly in front of the sign, whichever is higher.



2. Signs within ten (10) feet of the street right-of-way shall be at least nine (9) feet above the ground; vision beneath the sign must be clear except for supporting structure.
3. All signs shall conform to the side and rear yard requirements for buildings as set forth in Chapter 20.07 of this zoning ordinance.
4. Signs other than pole signs shall have a minimum street setback of ten (10) feet less than the required building setback, but not less than 10' from the property line.
5. Street setbacks for pole signs shall not be required except that no portion of such a sign may extend above the public right-of-way, and no such sign may be located within the sight triangle.

G. Special regulations in any district:

1. Political signs and signs offering the property on which they are situated for sale, lease, or rent shall not exceed five (5) square feet and shall be removed within seven (7) days of the subject event. Such signs may not be placed in the public right-of-way.
2. Promotion of commercial properties or real estate subdivisions in accordance with subdivision regulations is permissible, but not in excess of sixty-four square feet of sign surface area. Pennants and banners are prohibited.
3. Construction signs are not to exceed twenty-four square feet of sign surface area. These signs are permissible only for the duration of construction.
4. One public information sign is allowed, not to exceed twenty-four square feet of sign surface area, and may be erected on the site of a special event not more than thirty days prior to the event. All such signs shall be removed within seven days after the conclusion of the event.
5. Direction signs are not to exceed four (4) square feet per sign; in addition, one sign defining conditions of use not exceeding twelve (12) square feet in size is permitted.

H. Shopping centers. Regardless of the district in which it is located, the following regulations shall apply to property which is developed for or occupied by a shopping center.

1. Signs for individual stores or business establishments within a shopping center must be located on the front wall of the building and are limited to one and six-tenths (1.6) square feet of sign area for each one (1) linear foot of building frontage.
2. Independently placed buildings or buildings with corner locations are limited on each side or rear wall to one-half the amount of sign area permitted on the front wall, or to one and two-tenths (1.2) square feet of sign area for each linear foot of building on the side or rear of the building, whichever is less.
3. In addition to signs permitted for individual establishments within a shopping center, general shopping center signs bearing the name of the planned commercial development will be permitted on the basis of one sign for each fifty thousand (50,000) square feet of gross building floor area within the development, with a total limit of four such signs. These signs must be limited to the name of the development, except that signs not exceeding thirty-six (36) square feet may be allowed for individual commercial enterprises as part of the main sign. The total area of each such sign shall not exceed two hundred forty (240) square feet in area or one hundred twenty (120) square feet per side of a double-sided sign. Such signs shall not be in a required street setback, except that such signs may be so placed if they are reduced in size by fifty percent (50%).

20.06.06.05 Off-Premise Signs

Off-premise signs are not permitted within the City of Bloomington planning jurisdiction.

20.06.06.06 Permits

After the effective date of the ordinance codified in this title, and except as otherwise provided, no person shall erect any sign as defined herein without first obtaining a permit therefor from the city engineer.

A. Application for permit: Application for the permit shall be made in writing, in duplicate, upon forms prescribed and approved by the city engineer, to the city engineer and shall contain the following information:

1. Name, address, and telephone number of applicant;
2. Location of building, structure, or land on which the sign is to be erected;
3. A scale drawing of the sign, showing the elevation of the sign, the face(s) composing the sign, the position of lighting or other extraneous devices, and any other components of the sign.
4. A location plan showing the position of the proposed sign, as well as any existing signage, on any building or land and its position in relation to nearby buildings or structures and to any private or public street or highway right-of-way.
5. Written consent of the owner of the building, structure, or land on which the sign is to be erected in the event the applicant is not the owner thereof.
6. A copy of any required electrical permit issued for the sign or a copy of the application.

B. Certificate of zoning compliance: The planning staff shall examine such plans, specifications, and other data submitted with the application, and, if necessary, the building or premises upon which it is proposed to erect the sign. If the proposed sign is in compliance with all the requirements of this zoning ordinance, a certificate of zoning compliance shall be issued.

20.06.06.07 Exemptions

The following signs shall be exempted from the provisions of this chapter:

A. Publicly owned traffic-control and transit stops;
B. Any sign of not more than one and one-half (1-1/2) square feet in area; provided, that no more than one such sign shall be permitted per premises;
C. Any sign required by law or ordinance.
D. Political signs and signs offering the property on which they are situated for sale, lease, or rent, subject to the provisions of 20.06.06.04.G.1.

20.06.06.08 Lawful Nonconforming Signs

Any sign which does not conform to the regulations embodied in this chapter and which is designated lawfully nonconforming shall either be removed or brought into compliance with these requirements at such time as any new development, expansion, or change in use occurs on the property upon which the sign is located. Lawful nonconforming signs may not be expanded, altered, or relocated except as follows:

A. Ordinary maintenance is permitted, and shall include replacement of supports with different materials or design than the previous supports.
B. A lawful nonconforming sign may be moved so as to retain the same setback from

a street property line in the event of street widening. No other change in setback relative to the other lot lines shall occur.

C. Relocation of a lawful nonconforming off-premise sign may be approved by the Board of Zoning Appeals as a conditional use pursuant to Sections 20.05.04.05 and 20.05.04.06(Z).

20.06.07.00 TEMPORARY USES

20.06.07.01 Purpose and Scope

Temporary use provisions allow short-term and minor deviations for uses which are temporary in nature, which will not adversely impact the surrounding properties and land uses, and which can be terminated and removed at will.

20.06.07.02 Permit Required

A. Temporary use permits may be granted for the uses listed in Table 6-3, pursuant to the standards required for that use in Table 6-3 and to Section 20.05.10 of this ordinance. Uses not specifically listed in Table 6-3 shall not be permitted.

B. A specific temporary use permit may be granted only one (1) time per year on any individual zoning lot and is non-renewable. Fireworks, Halloween pumpkin, and Christmas tree sales are considered separate uses.

C. A yard, garage, or sidewalk sale is a temporary use which does not require a permit but which is subject to the standards listed for it in Table 6-3.

D. A drawn-to-scale site plan shall be required which shall demonstrate that the proposed temporary use does not displace required parking for any existing use of the premises, that it does not block existing drives, and that the site is arranged so that no business shall be conducted with vehicles stopped in a public right-of-way.

TABLE 6-3
Standards for Temporary Use

USE	WHERE PERMITTED	DURATION OF PERMIT (non-renewable)	CONDITIONS
Carnival or Circus	Any C or I district	15 days	Must be set back at least 100 feet from any residential district. Must provide off-street parking.
Christmas tree, Halloween pumpkin, and 4th of July fireworks sales	Any non-residential district	30 days	Lot must front on a collector or arterial street. Must be located at least 50 feet from residential district. Must provide off-street parking. Unsold trees, pumpkins, or fireworks must be removed within 5 days after the holiday.
Contractor's office equipment storage, and portable lavatories	Any district on or adjacent to the construction site.	Construction period	All facilities must be removed upon completion of construction. May not contain sleeping or cooking facilities.
Real estate sales office	Any district, on the site of the development for which the sales are taking place.	Initial marketing period	Only the marketing of on-site residences shall be permitted.
Religious Tent Meeting	Any non-residential district	15 days	Must provide off-street parking.
Seasonal sale of farm produce	RE2.5, RE1 Any other non-residential district	4 months	Must provide off-street parking. Stands must be removed when not in use.
Temporary retail or wholesale activity	Any non-residential districts	15 days	Off-street parking shall be required.
Yard/Garage Sales	Any district	3 days	Maximum of three times per year per site. No permit required. Any signs must be removed within five (5) days.

CHAPTER 20.07: ZONING DISTRICTS

20.07.01.00 Establishment of Zoning Districts and Map
20.07.02.00 Estate Residential 2.5
20.07.03.00 Estate Residential 1
20.07.04.00 Single Dwelling Residential
20.07.05.00 Townhouse Residential
20.07.06.00 Multi Dwelling Residential
20.07.07.00 Limited Commercial
20.07.08.00 General Commercial
20.07.09.00 Arterial Commercial
20.07.10.00 Downtown Commercial
20.07.11.00 Limited Industrial
20.07.12.00 General Industrial
20.07.13.00 Business Park
20.07.14.00 Special Districts
20.07.15.00 Overlay Districts
20.07.16.00 Summary of District Uses and Regulations

20.07.01.00 ESTABLISHMENT OF ZONING DISTRICTS AND MAP

20.07.01.01 Zoning Districts Established

The following zoning districts and overlay districts are established within the jurisdiction of the City of Bloomington, Indiana:

Estate Residential 2.5 (RE2.5)
Estate Residential 1 (RE1)
Single Dwelling Residential 2 (RS2)
Single Dwelling Residential 3.5 (RS3.5)
Single Dwelling Residential 4.5 (RS4.5)
Townhouse Residential 7 (RT7)
Multi Dwelling Residential 7 (RM7)
Multi Dwelling Residential 15 (RM15)
Limited Commercial (CL)
~~General Commercial (CG)~~
Arterial Commercial (CA)
Downtown Commercial (CD)
Special Industrial (IS)
Limited Industrial (IL)
General Industrial (IG)
Business Park (BP)
Institutional (I)
Medical (M)
Airport (AP)
Quarries (Q)
Planned Unit Development (PUD)
Planned Residential Overlay 6 (PRO6)
Planned Residential Overlay 12 (PRO12)
Planned Residential Overlay 20 (PRO20)
Lake Watershed Overlay (LWO)
Floodways Overlay (FO)
Downtown Development Opportunity (DO)

20.07.01.02 Zoning Map Established

The location and boundaries of the zoning districts established by this Ordinance are set forth in the Official Zoning Map, as may be amended from time to time, which is incorporated herein and hereby made a part of this Ordinance. The map shall be filed with the office of the City Clerk and shall be available for inspection in the City Clerk's and the Planning Department's offices during standard business hours.

20.07.01.03 Interpreting the Zoning Map

Zoning district boundary lines shall be interpreted to be coterminous with centerlines of streets; tract or lot lines, except as otherwise provided below; and such lines extended, unless otherwise indicated. In areas not subdivided into lots and blocks, the boundary lines shall be as shown on the zoning map.

Where the boundary lines of a district divide a lot having frontage on a street in the less restricted district, the provisions of this chapter covering the less restricted portion of such lot may extend to the lot, but in no case for a distance of more than fifty (50) feet. Where the boundary line of a district divides a lot having frontage only on a street in a more restricted district, the provisions of this chapter covering the more restricted portion of such lot shall extend to the entire lot.

20.07.02.00 ESTATE RESIDENTIAL 2.5

20.07.02.01 Purpose

The intent of this district is to require minimum lot sizes of 2.5 acres where sensitive environmental resources exist. Such environmental resources may include karst formations, wetlands, hillsides, heavily wooded land, and the lake's watersheds. The dual purposes of this district are:

A. To protect such sensitive environmental resources.

B. To permit a rural level of development which will not endanger and can be used to protect these sensitive resources.

20.07.02.02 Permitted Uses

The following uses are permitted in the RE2.5 District subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. In this district each lot shall accommodate no more than one principal use. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in brackets. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this zoning ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Cemeteries
Crops and pasturage (1)
Parks and playgrounds
Residential Care Homes for developmentally disabled individuals (2)
Residential Care Homes for mentally ill individuals (3)
Residential Care Homes for up to five (5) individuals other than those described above (4)
Single-family detached dwellings
Utility substations and transmission facilities (5)

20.07.02.03 Conditional Uses

The following uses may be permitted in the RE2.5 District subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this Zoning Ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of 20.05.04.06 where those standards are set forth.

Bed and breakfast (A)
Churches (E)
Day care centers (B)
Fire stations (J)
Historic adaptive reuse (D)
Home Occupations (W)
Police stations (J)
Public libraries and museums (J)
Rehabilitative facilities (F)
Schools, elementary, middle, and high
Swim and tennis clubs (K)

20.07.02.04 Accessory Uses and Structures

Accessory uses and structures customarily incidental to the principal use and/or structure shall be permitted subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Certain accessory uses or structures are subject to special conditions or limitations. Those special conditions, if any, may be found in Table 7-4 in Section 20.07.16.03.

20.07.02.05 Bulk Controls

Except as may be otherwise provided in Tables 7-1 through 7-4 in Section 20.07.16.03, all structures in the RE2.5 district are subject to the following bulk controls.

A. Minimum Lot Area: The minimum lot area in the RE2.5 district shall be 108,900 square feet.

B. Minimum Lot Width: The minimum lot width in the RE2.5 district shall be two hundred (200) feet.

C. Maximum Height: The maximum height shall be fifty (50) feet.

D. Minimum Yard Requirements

1. Street Setback: The minimum street setback is determined by the classification of the street upon which the lot is located. The street classification shall be as shown on the Master Thoroughfare Plan. These standards are set forth in Table 7-3 in Section 20.07.16.02.

2. Side Yard:

a. Minimum Side Yard: The minimum width of each side yard shall be no less than thirty (30) feet.

b. Additional Side Yards: For each story over one (1), an additional four (4) feet of side yard shall be required for the side yard which abuts the additional story(ies), or for each side yard if both yards abut additional stories.

3. Rear Yard: Rear yards shall be no less than sixty (60) feet.

F. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed ten percent (10%) of the lot area.

20.07.02.06 Planned Unit Development Limitations

Only those areas delineated in the maps found in Section 20.05.09.03.H of this zoning ordinance are eligible for consideration as a Planned Unit Development as set forth in Section 20.05.09.03.H. Other areas of the RE2.5 zoning district are not eligible for Planned Unit Development consideration.

20.07.03.00 ESTATE RESIDENTIAL 1

20.07.03.01 Purpose

The intent of this district is to accommodate large lot, estate type residential uses in a rural environment along with limited compatible agricultural uses. It is meant specifically to:

A. Accommodate those persons who desire estate type living.

B. Maintain a pattern of growth that is consistent with the cost-efficient provision of urban services to promote compactness in the city structure.

C. Provide for development in a rural setting not necessarily requiring urban utilities.

D. Provide for limited compatible agricultural uses.

20.07.03.02 Permitted Uses

The following uses are permitted in the RE1 District subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. In this district each lot shall accommodate no more than one principal use. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in brackets. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this zoning ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Cemeteries
Crops and pasturage (1)
Parks and playgrounds
Residential Care Homes for developmentally disabled individuals (2)
Residential Care Homes for mentally ill individuals (3)
Residential Care Homes for up to five (5) individuals other than those described above (4)
Single-family detached dwellings
Utility substations and transmission facilities (5)

20.07.03.03 Conditional Uses

The following uses may be permitted in the RE1 District subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this zoning ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of 20.05.04.06 where those standards are set forth.

Bed and breakfast (A)
Churches (E)
Day care centers (B)
Fire stations (J)
Golf, swim, and tennis clubs (K)
Historic adaptive reuse (D)
Home Occupations (W)
Police stations (J)
Public libraries and museums (J)
Rehabilitative facilities (F)
Schools, elementary, middle, and high

20.07.03.04 Accessory Uses and Structures

Accessory uses and structures customarily incidental to the principal use and/or structure shall be permitted subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Certain accessory uses or structures are subject to special conditions or limitations. Those special conditions, if any, may be found in Table 7-4 in Section 20.07.16.03.

20.07.03.05 Bulk Controls

Except as may be otherwise provided in Tables 7-1 through 7-4 in Section 20.07.16.03, all structures in the RE1 district are subject to the following bulk controls.

A. Minimum Lot Area: The minimum lot area shall be forty three thousand five hundred sixty (43,560) square feet.
B. Minimum Lot Width: The minimum lot width shall be one hundred (100) feet.
C. Maximum Height: The maximum height shall be forty-five (45) feet.
D. Minimum Yard Requirements
   1. Street Setback: The minimum street setback is determined by the classification of the street upon which the lot is located. The street classification shall be as shown on the Master Thoroughfare Plan. These standards are set forth in Table 7-3 in Section 20.07.16.02.
   2. Side Yard:
      a. Minimum Side Yard: The minimum width of each side yard shall be no less than twenty (20) feet.
      b. Additional Side Yards: For each story over one (1), an additional four (4) feet of side yard shall be required for the side yard which abuts the additional story(ies), or for each side yard if both yards abut additional stories.
   3. Rear Yard: Rear yards shall be no less than fifty (50) feet in depth.
E. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed twenty percent (20%) of the lot area.

20.07.04.00 SINGLE DWELLING RESIDENTIAL

20.07.04.01 Purpose

These three districts (RS2, RS3.5, and RS4.5) are intended to serve the traditional single family dwelling needs of the City. They are maintained in a single section of the ordinance for easy interpretation; the primary difference among these three districts is density. By providing three districts zoning is established which is appropriate to the existing development in each district. These districts provide a flexible density structure whereby developments of varying densities are permitted subject to appropriate review. The Planned Residential Overlay of Section 20.07.15.01 may be utilized to increase the available density in the RS 3.5 district. The intent of these districts is specifically to:

A. Provide for the development of single family neighborhoods.

B. Assure the protection of existing residential environments.

C. Promote compatibility with the existing pattern of development.

20.07.04.02 Permitted Uses

The following uses are permitted in the RS Districts subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. In this district each lot shall accommodate no more than one principal use. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in brackets. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this zoning ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Residential Care Homes for developmentally disabled individuals (2)
Residential Care Homes for mentally ill individuals (3)
Residential Care Homes for up to five (5) individuals other than those described above (4)
Single-family detached dwellings
Utility substations and transmission facilities (5)

20.07.04.03 Conditional Uses

The following uses may be permitted in the RS Districts subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this zoning ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of 20.05.04.06 where those standards are set forth.

Bed and breakfast (A)
Cemeteries (M)
Churches (E)
Community centers (L)
Day care centers (B)
Fire stations (J)
Historic adaptive re-use (D)
Home Occupations (W)
Parks and playgrounds

Police stations (J)
Public libraries and museums (J)
Recreation centers (L)
Rehabilitative facilities (F)
Schools, elementary, middle, and high

20.07.04.04 Accessory Uses and Structures

Accessory uses and structures customarily incidental to the principal use and/or structure shall be permitted subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Certain accessory uses or structures are subject to special conditions or limitations. Those special conditions, if any, may be found in Table 7-4 in Section 20.07.16.03.

20.07.04.05 Bulk Controls

Except as may be otherwise provided in Tables 7-1 through 7-4 in Section 20.07.16.03, all structures in the RS districts are subject to the following bulk controls.

A. Minimum Lot Areas:
   1. RS2 - 18,000 square feet
   2. RS3.5 - 9,600 square feet
   3. RS4.5 - 7,200 square feet

B. Minimum Lot Width:
   1. RS2 - 80 feet
   2. RS3.5 - 70 feet
   3. RS4.5 - 60 feet

C. Maximum Height: The maximum height shall be forty (40) feet.

D. Minimum Yard Requirements
   1. Street Setback: The minimum street setback is determined by the classification of the street upon which the lot is located. The street classification shall be as shown on the Master Thoroughfare Plan. These standards are set forth in Table 7-3 in Section 20.07.16.02.
   2. Side Yard:
      a. Minimum Side Yard: The minimum width of each side yard shall be no less than eight (8) feet.
      b. Additional Side Yards: For each story over one (1), an additional four (4) feet of side yard shall be required for the side yard which abuts the additional story(ies), or for each side yard if both yards abut additional stories.
   3. Rear Yard: Rear yards shall be no less than twenty-five (25) feet in depth.

E. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed:
   1. RS2 - thirty percent (30%) of the lot area.
   2. RS3.5 - thirty-five percent (35%) of the lot area.
   3. RS4.5 - forty percent (40%) percent of the lot area.

20.07.05.00 TOWNHOUSE RESIDENTIAL

20.07.05.01 Purpose

The Townhouse Residential (RT7) district provides a higher density single family residential district within appropriate areas of the city. Such development permits a higher level of land utilization, optimizes the utility of available infrastructure, and permits greater design flexibility while retaining a single family residential "neighborhood" atmosphere. This district accommodates attached single family residential development on properties designated low density by the Comprehensive Plan. The Planned Residential Overlay of Section 20.07.15.01 may be utilized to increase the available density in the RT7 district. The specific intent of this district is to:

A. Provide for the development of well planned residential neighborhoods.

B. Optimize the relationship between public infrastructure capacity and development densities.

C. Provide pedestrian scale residential neighborhoods.

D. Minimize land consumption and natural resource disturbance.

E. Facilitate development flexibility to respond to market, design, and lifestyle trends.

20.07.05.02. Permitted Uses

The following uses are permitted in the RT7 District subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in brackets. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this zoning ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Bed and breakfast (7)
Parks and playgrounds
Residential Care Homes for developmentally disabled individuals (2)
Residential Care Homes for mentally ill individuals (3)
Residential Care Homes for up to five (5) individuals other than those described above (4)
Single family detached dwellings
Townhouses
Utility substations and transmission facilities (5)

20.07.05.03 Conditional Uses

The following uses may be permitted in the RT7 District subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this zoning ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of 20.05.04.06 where those standards are set forth.

Cemeteries (M)
Churches (E)

Community centers (L)
Day care centers (B)
Fire stations (J)
Historic adaptive reuse (D)
Home occupations (W)
Police stations (J)
Public libraries and museums (J)
Recreation centers (L)
Rehabilitative facilities (F)
Schools, elementary, middle, and high

20.07.05.04 Accessory Uses

Accessory uses and structures customarily incidental to the principal use and/or structure shall be permitted subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Certain accessory uses or structures are subject to special conditions or limitations. Those special conditions, if any, may be found in Table 7-4 in Section 20.07.16.03.

20.07.05.05 Bulk Controls

Except as may be otherwise provided in Tables 7-1 through 7-4 in Section 20.07.16.03, all structures in the RT7 district are subject to the following bulk controls.

A. Maximum Density: Maximum density in the Townhouse Residential district shall be 7 units per acre.
B. Minimum Lot Area: The minimum lot area in the RT7 district shall be seven thousand two hundred (7200) square feet.
C. Minimum Lot Width: The minimum lot width in the RT7 district shall be eighty (80) feet.
D. Maximum Height: The maximum height shall be thirty (30) feet.
E. Minimum Yard Requirements
   1. Street Setback: The minimum street setback is determined by the classification of the street upon which the lot is located. The street classification shall be as shown on the Master Thoroughfare Plan. These standards are set forth in Table 7-3 in Section 20.07.16.02.
   2. Side Yard:
      a. Minimum Side Yards: The minimum width of each side yard shall be no less than eight (8) feet.
      b. Additional Side Yards: For each story over one (1), an additional four (4) feet of side yard shall be required for the side yard which abuts the additional story(ies), or for each side yard if both yards abut additional stories.
   3. Rear Yard: Rear yards shall be no less than twenty-five (25) feet or the same dimension as the height of the building, whichever is greater.
F. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed forty percent (40%) of the lot area.
G. Minimum Open Space: A minimum of one thousand six hundred fifty (1650) square feet of usable open space shall be provided for each dwelling unit.

20.07.06.00 MULTI DWELLING RESIDENTIAL

20.07.06.01 Purpose

Two multi family residential districts are provided. These districts include an RM7 zoning district intended for low density apartment development and an RM15 zoning district for higher density apartment development. These districts are located so as to be compatible with nearby existing multi-family development. The Planned Residential Overlays later in this chapter may be utilized to increase the available density in the RM7 and RM15 districts. The specific intent of these districts is to:

A. Provide for the development of well planned multi-family residential neighborhoods.

B. Optimize the relationship between public infrastructure capacity and development densities.

C. Minimize land consumption and natural resource disturbance.

D. Facilitate development flexibility to respond to market, design and lifestyle trends.

20.07.06.02 Permitted Uses

The following uses are permitted in the RM Districts subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in brackets. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this zoning ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Bed and breakfast (7)
Multiple-family dwellings
Parks and playgrounds
Residential Care Homes for developmentally disabled individuals (2)
Residential Care Homes for mentally ill individuals (3)
Residential Care Homes for up to five (5) individuals other than those described above (4)
Rooming/lodging houses
Single family dwellings (8)
Townhouses
Utility substations and transmission facilities (5)

20.07.06.03 Conditional Uses

The following uses may be permitted in the RM Districts subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this zoning ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of 20.05.04.06 where those standards are set forth.

Cemeteries (M)
Churches (E)

Community centers (L)
Day care centers (B)
Downtown development opportunity (X)
Fire stations (J)
Historic adaptive reuse (D)
Home occupations (W)
Police stations (J)
Public libraries and museums (J)
Recreation centers (L)
Rehabilitative facilities (F)
Schools, elementary, middle, and high

20.07.06.04 Accessory Uses

Accessory uses and structures customarily incidental to the principal use and/or structure shall be permitted subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Certain accessory uses or structures are subject to special conditions or limitations. Those special conditions, if any, may be found in Table 7-4 in Section 20.07.16.03.

20.07.06.05 Bulk Controls

Except as may be otherwise provided in Tables 7-1 through 7-4 in Section 20.07.16.03, all structures in the RM districts are subject to the following bulk controls.

A. Maximum Density
   1. RM7 - 7 units per acre
   2. RM15 - 15 units per acre
   3. Dwelling Unit Equivalent (D.U.E.) density applies in these districts, except the older residential neighborhoods as mapped in 20.07.06.05 I.

B. Minimum Lot Area per Dwelling Unit:
   1. RM7: For the first dwelling unit or for any other use, a minimum lot area of seven thousand (7,000) square feet shall be provided. An additional six thousand (6,000) square feet of lot area shall be provided for each additional dwelling unit.
   2. RM15: For the first dwelling unit or for any other use, a minimum lot area of five thousand (5,000) square feet shall be provided. An additional two thousand seven hundred fifty (2,750) square feet of lot area shall be provided for each additional dwelling unit.

C. Minimum Lot Width: The minimum lot width in the RM districts shall be fifty (50) feet.

D. Maximum height
   1. RM7: Thirty-five (35) feet
   2. RM15: Eighty (80) feet

E. Minimum Yard Requirements
   1. Street Setback: The minimum street setback is determined by the classification of the street upon which the lot is located. The street classification shall be as shown on the Master Thoroughfare Plan. These standards are set forth in Table 7-3 in Section 20.07.16.02.
   2. Side Yard:
      a. Minimum Side Yards: The minimum width of each side yard in an RM district shall be no less than eight (8) feet.
      b. Additional Side Yards: For each story over one (1), an additional four (4) feet of side yard shall be required for the side yard which abuts the additional story(ies), or for each side yard if both yards abut additional

stories.

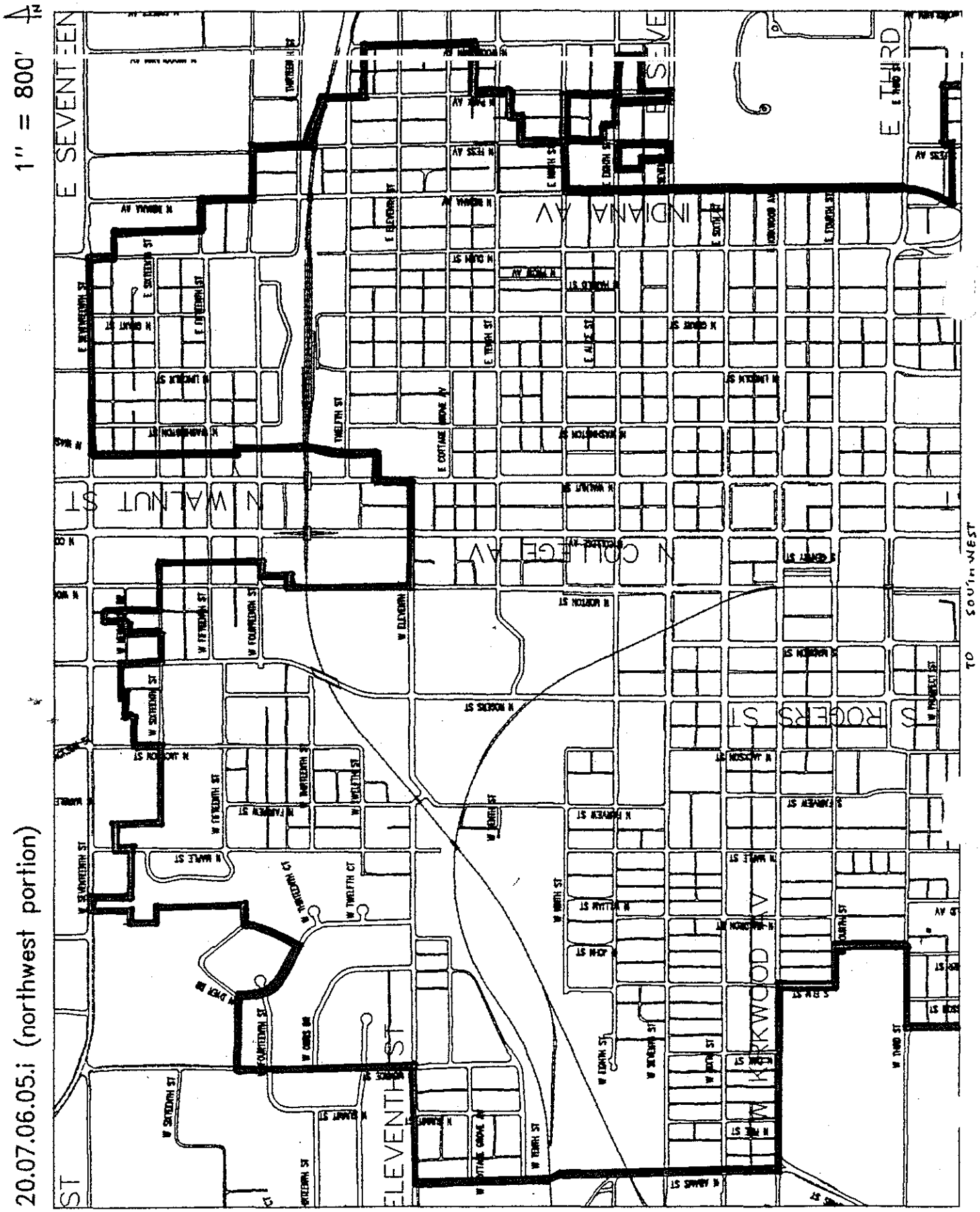
3. Rear yard: Each principal structure shall have a required rear yard no less than twenty-five (25) feet or the dimension of the height of the structure, whichever is greater.

F. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed forty percent (40%) of the lot area in the RM7 district. Building coverage in the RM15 district shall be governed by the floor area ratio.

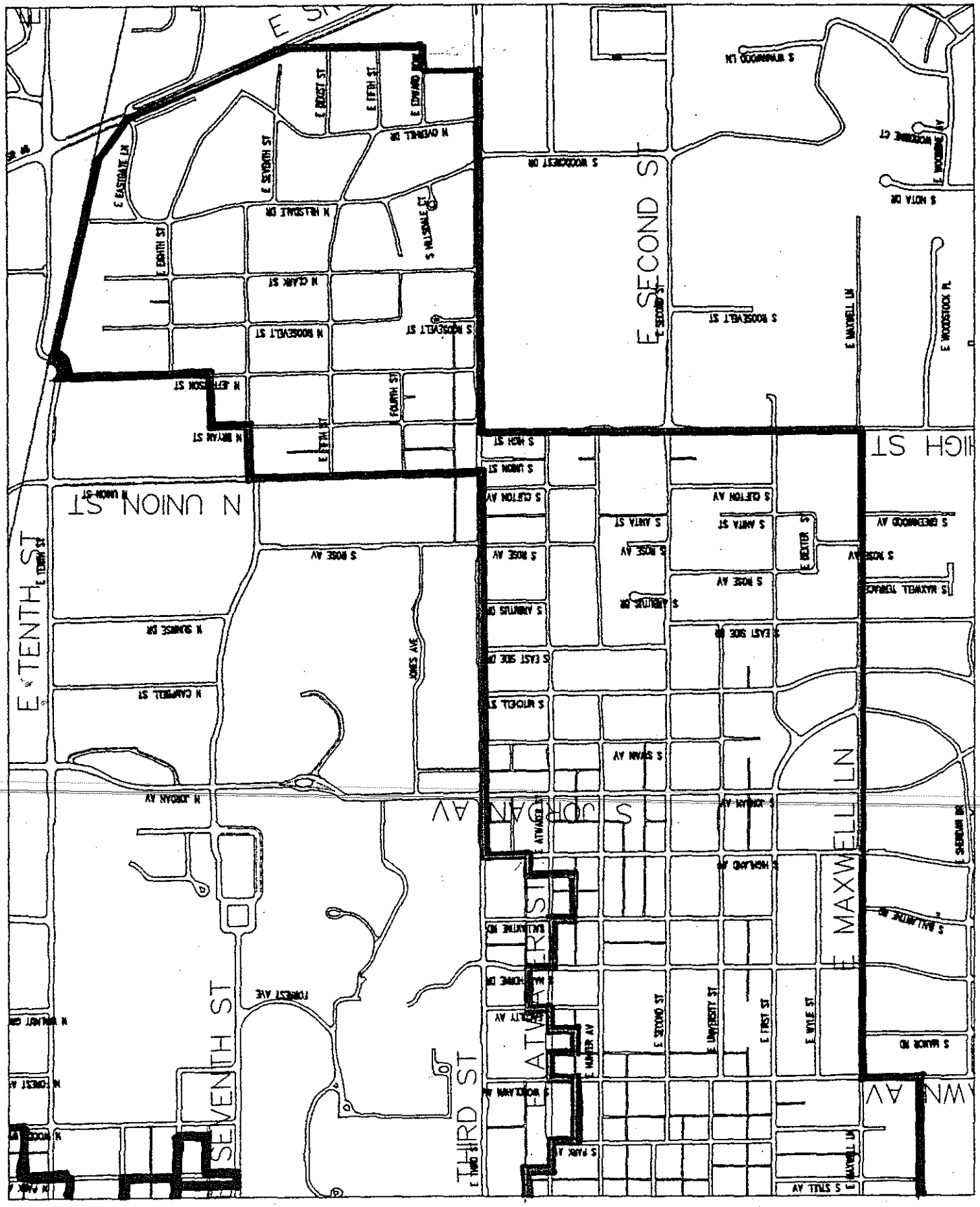
G. Maximum Floor Area Ratio: The maximum floor area ratio in the RM15 district shall be 0.6:1.

H. Minimum Open Space:

1. RM7: A minimum of one thousand three hundred fifty (1350) square feet of usable open space shall be provided for each dwelling unit.
2. RM15: A minimum of one thousand (1000) square feet of usable open space shall be provided for each dwelling unit.

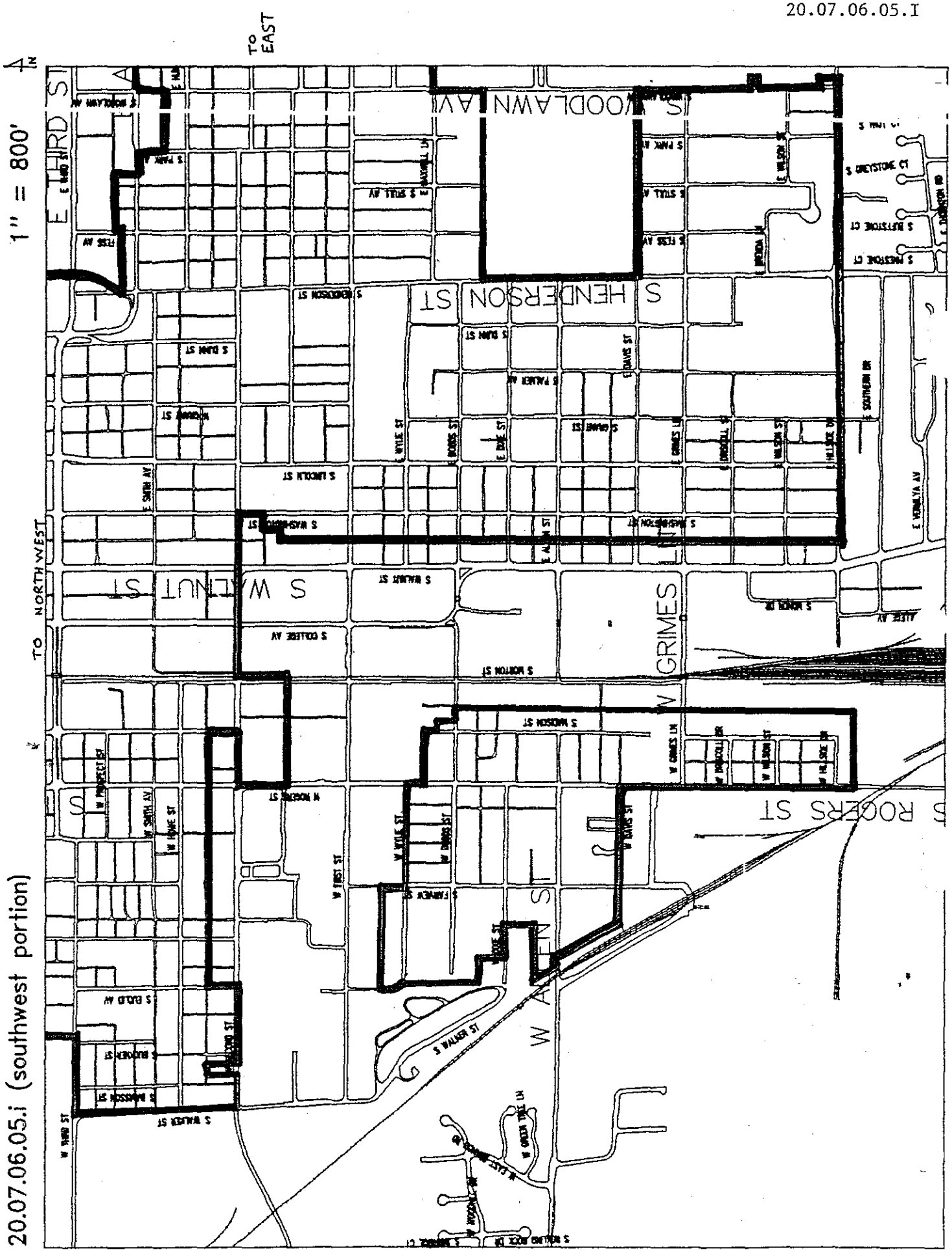

1" = 800'
20.07.06.05.i (northwest portion)
E SEVENTEEN
E THIRD
INDIANA AV
N WALNUT ST
N COLLEGE AV
S ROGERS ST
KIRKWOOD AV
ELEVENTH ST
TWELFTH ST
TO SOUTHWEST

1" = 800'



20.07.06.05.i (east portion)

TO SOUTH WEST



20.07.06.05.i (southwest portion)

20.07.07.00 LIMITED COMMERCIAL

20.07.07.01 Purpose

This district will provide for small scale commercial uses within appropriate areas designated by the Comprehensive Plan. It is primarily intended to provide services to the immediate neighborhood, to encourage a pedestrian oriented community, and to disperse commercial uses throughout the community. This district provides locations for a variety of business and commercial uses of a moderate intensity. The specific intent of this district is to:

A. Provide retail goods and services required for the regular or daily convenience of the residents of the surrounding neighborhood.

B. Improve the visual quality of commercial areas

C. Create an environment of well planned and coordinated commercial development.

D. Assure buffered transition between commercial uses and adjacent residential environments.

20.07.07.02 Permitted Uses

The following uses are permitted in the CL District subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in brackets. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this zoning ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Bed and breakfast (14)
Day care centers
Dwelling units located on the second floor or above
Home occupations (16)
Offices
Parks and playgrounds
Personal services
Residential Care Homes, located on the second floor or above, for developmentally disabled individuals (2)
Residential Care Homes, located on the second floor or above, for mentally ill individuals (3)
Residential Care Homes, located on the second floor or above, for up to five (5) individuals other than those described above (4)
Retail sales for day to day convenience in enclosed buildings, provided that no individual enterprise shall exceed five thousand (5000) square feet, and shall be limited to the following:
- Arts and Crafts
- Drugstore
- Florist Shops
- Food Sales: grocery, meats, bakery, deli
- Gift Shop
- Hardware
- Jewelry

Rooming/lodging houses located on the second floor or above
Social service uses
Utility substations and transmission facilities (5)

20.07.07.03 Conditional Uses

The following uses may be permitted in the CL District subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this zoning ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of 20.05.04.06 where those standards are set forth.

Accessory gasoline sales (O)
Auditoriums (L)
Churches (E)
Convalescent, Nursing or Rest Homes (L)
Cultural facilities
Drive through facilities serving a permitted use (C)
Fire stations (J)
Historic adaptive reuse (D)
Off-site parking (S)
Police stations
Public libraries and museums
Rehabilitative facilities (F)
Schools, elementary, middle, and high
Shared parking (R)

20.07.07.04 Accessory Uses

Accessory uses and structures customarily incidental to the principal use and/or structure shall be permitted subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Certain accessory uses or structures are subject to special conditions or limitations. Those special conditions, if any, may be found in Table 7-4 in Section 20.07.16.03.

20.07.07.05. Bulk Controls

Except as may be otherwise provided in Tables 7-1 through 7-4 in Section 20.07.16.03, all structures in the CL district are subject to the following bulk controls.

A. Maximum Density: The maximum residential density in the CL district shall be seven (7) dwelling units per acre. Residential development in the CL district shall be subject to the RM7 bulk controls. Dwelling Unit Equivalent (D.U.E.) density applies in this district.
B. Minimum Lot Area : There is no minimum lot area requirement in the CL district, except as required for dwelling units.
C. Minimum Lot Width: There is no minimum lot width in the CL district.
D. Maximum Height: The maximum height shall be thirty-five (35) feet.

E. Minimum Yard Requirements

1. Street Setback: The minimum street setback is determined by the classification of the street upon which the lot is located. The street classification shall be as shown on the Master Thoroughfare Plan. These standards are set forth in Table 7-3 in Section 20.07.16.02.

2. Side Yard:

a. Structures: No side yards are required in the CL district if the side yard is adjacent to a non-residential district. Where a CL district is adjacent to a residential district, the abutting side yard shall be no less than ten (10) feet in width. For each story over one (1), an additional four (4) feet of side yard shall be required for the side yard which abuts the additional story(ies), or for each side yard if both yards abut additional stories.

b. Parking: If a parking side yard is adjacent to a non-residential district, the minimum parking side yard shall be .05 times the lot width (rounded to next highest integral number of feet) or three (3) feet, whichever is greater, up to a maximum of ten (10) feet. If a parking side yard is adjacent to a residential district, the minimum side yard shall be ten (10) feet.

3. Rear Yard:

a. Structures: Lots in the CL district shall contain a rear yard of no less than ten (10) feet if adjacent to a non-residential district. Lots adjacent to a residential district shall provide a rear yard of twenty-five (25) feet. Such rear yards shall be measured to the centerline of any abutting alley.

b. Parking: The parking rear yard shall be a minimum of one-half the required structure rear yard, except that no parking rear yard adjacent to a residential district shall be less than ten (10) feet from the property line.

F. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed fifty percent (50%) of the lot area.

20.07.07.06. Ground Floor Retail

The entire street frontage of the ground floor of any building shall be designed to be suitable for retail or personal service activities, and no less than fifty percent (50%) of the ground floor shall be used for retail or personal service activities. This shall not apply to the uses listed as conditional uses in this zoning district.

20.07.08.00 GENERAL COMMERCIAL

20.07.08.01 Purpose

The intent of the General Commercial district is to provide areas within the city where shopping centers can be located in such a way that they will be accessible to the larger Bloomington community without creating detrimental impacts on surrounding land uses. This district provides a location for commercial uses of a significant scale that attract customers from throughout the area. The specific intent of this district is to:

A. Establish areas of compatible commercial uses.

B. Improve the visual quality of commercial areas.

C. Create an environment of well planned and coordinated commercial development.

20.07.08.02 Permitted Uses

The following uses are permitted in the CG District subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in brackets. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this zoning ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Amusement arcade
Animal hospitals and veterinarians' offices
Appliance and furniture repair
Auditoriums
Automotive repair (9)
Bars and taverns
Bed and breakfast (14)
Business services in enclosed buildings
Car washes
Churches
Community centers
Convalescent, Nursing and Rest Homes
Cultural facilities
Day care centers
Drive-through facilities serving another permitted use (10)
Financial institutions
Fire stations
Gasoline service stations (11)
Home occupations (16)
Hotels and motels
Lodge halls
Mortuaries
Multi-family dwellings
Offices
Parking lots and garages (15)
Personal services
Police stations
Recreation centers
Residential Care Homes for developmentally disabled individuals (2)

Residential Care Homes for mentally ill individuals (3)
Residential Care Homes for up to five (5) individuals other than those described above (4)
Restaurants
Retail sales in enclosed buildings, provided no individual enterprise shall exceed sixty thousand (60,000) square feet
Rooming/lodging houses
Schools, elementary, middle, and high
Single family detached dwellings
Social service uses
Theaters, indoor
Utility substations and transmission facilities (5)
Wholesale sales in enclosed buildings, provided no individual enterprise shall exceed twenty thousand (20,000) square feet

20.07.08.03 Conditional Uses

The following uses may be permitted in the CG District subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this zoning ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of 20.05.04.06 where those standards are set forth.

Downtown development opportunity (X)
Historic adaptive reuse (D)
Off-site parking (S)
Rehabilitative facilities (F)
Relocation of off-premise signs (Z)
Shared parking (R)

20.07.08.04 Accessory Uses

Accessory uses and structures customarily incidental to the principal use and/or structure shall be permitted subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Certain accessory uses or structures are subject to special conditions or limitations. Those special conditions, if any, may be found in Table 7-4 in Section 20.07.16.03.

20.07.08.05 Bulk Controls

Except as may be otherwise provided in Tables 7-1 through 7-4 in Section 20.07.16.03, all structures in the CG district are subject to the following bulk controls.

A. Maximum Density: Residential development (which includes single family detached dwellings, multi-family dwellings, residential care homes, and rooming/lodging houses) in the CG district shall be subject to RM15 development standards. Dwelling Unit Equivalent (D.U.E.) density applies in this district.
B. Minimum Lot Area: There is no minimum lot area requirement in the CG district, except as required for residential development.
C. Minimum Lot Width: There is no minimum lot width in the CG district.
D. Maximum Height: The maximum height shall be eighty (80) feet.

E. Minimum Yard Requirements

1. Street Setback: The minimum street setback is determined by the classification of the street upon which the lot is located. The street classification shall be as shown on the Master Thoroughfare Plan. These standards are set forth in Table 7-3 in Section 20.07.16.02.

2. Side Yard:

a. Structures: No side yards are required in the CG district if the side yard is adjacent to a non-residential district. Where a CG district is adjacent to a residential district, the abutting side yard shall be no less than ten (10) feet in width. For each story over one (1), an additional four (4) feet of side yard shall be required for the side yard which abuts the additional story(ies), or for each side yard if both yards abut additional stories.

b. Parking: If a parking side yard is adjacent to a non-residential district, the minimum side yard shall be .05 times the lot width (rounded to next highest integral number of feet) or three (3) feet, whichever is greater, up to a maximum of ten (10) feet. If a parking side yard is adjacent to a residential district, the minimum side yard shall be ten (10) feet.

3. Rear Yard:

a. Structures: Lots in the CG district shall contain a rear yard of no less than ten (10) feet if adjacent to a non-residential district. Lots adjacent to a residential district shall provide a rear yard of twenty-five (25) feet. Such rear yard shall be measured to the centerline of any abutting alley.

b. Parking: The parking rear yard shall be a minimum of six (6) feet if adjacent to a non-residential district and a minimum of ten (10) feet if adjacent to a residential district. Such rear yard shall be measured from the property line.

F. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed sixty percent (60%) of the lot area.

G. Floor Area Ratio: The maximum floor area ratio in the CG district shall be 2.4:1.

20.07.09.00 ARTERIAL COMMERCIAL

20.07.09.01 Purpose

The purpose of this district is to provide well planned major commercial centers along major thoroughfares, access to which is primarily automotive. These centers require significant transportation and parking facilities which are not appropriate in more congested or less auto oriented parts of the city. The intent of this district is to provide a planning mechanism that ensures efficient use of space, minimal congestion, and attractive development which creates a pleasant and healthy environment for the residents of the Bloomington area.

20.07.09.02 Permitted Uses

The following uses are permitted in the CA District subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in brackets. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this zoning ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Amusement arcade
Animal hospitals and veterinarians' offices
Auditoriums
Automotive repair (9)
Bars and taverns
Bed and breakfast (14)
Building trade shops
Business service
Car washes
Churches
Community centers
Convalescent, nursing, or rest home
Cultural facilities
Day care centers
Drive-through facilities (10)
Financial institutions
Fire stations
Gasoline service station (11)
Home occupations (16)
Hotels and motels
Kennels
Lodge halls
Mini-warehouses
Mortuaries/Crematoriums
Multi-family dwellings
Newspaper printing
Nurseries/greenhouses
Offices
Parking lots and garages (15)
Personal service
Police stations
Radio/TV stations
Recreation centers
Residential Care Homes for developmentally disabled individuals (2)

Residential Care Homes for mentally ill individuals (3)
Residential Care Homes for up to five (5) individuals other than those described above (4)
Restaurants
Retail sales, indoor and outdoor
Rooming/lodging houses
Theaters, indoor
Schools, elementary, middle, and high
Schools, trade and business
Single family detached dwellings
Social service uses
Utility substations and transmission facilities (5)
Wholesale trade

20.07.09.03 Conditional Uses

The following uses may be permitted in the CA District subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this zoning ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of 20.05.04.06 where those standards are set forth.

Correctional facilities (P)
Downtown development opportunity (X)
Drive-in theaters (T)
Historic adaptive re-use (D)
Off-site parking (S)
Rehabilitative facilities (F)
Relocation of off-premise signs (Z)
Shared parking (R)

20.07.09.04 Accessory Uses

Accessory uses and structures customarily incidental to the principal use and/or structure shall be permitted subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Certain accessory uses or structures are subject to special conditions or limitations. Those special conditions, if any, may be found in Table 7-4 in Section 20.07.16.03.

20.07.09.05 Bulk Controls

Except as may be otherwise provided in Tables 7-1 through 7-4 in Section 20.07.16.03, all structures in the CA district are subject to the following bulk controls.

A. Maximum Density: Residential development (which includes single family detached dwellings, multi-family dwellings, residential care homes, and rooming/lodging houses) shall be subject to RM15 development standards. Dwelling Unit Equivalent (D.U.E.) density applies in this district.
B. Minimum Lot Area: There is no minimum lot area requirement in the CA district, except as required for dwelling units.
C. Minimum Lot Width: There is no minimum lot width in the CA district.
D. Maximum Height: The maximum height shall be eighty (80) feet.

E. Minimum Yard Requirements

1. Street Setback: The minimum street setback is determined by the classification of the street upon which the lot is located. The street classification shall be as shown on the Master Thoroughfare Plan. These standards are set forth in Table 7-3 in Section 20.07.16.02.

2. Side Yards:

a. Structures: No side yards are required in the CA district if the side yard is adjacent to a non-residential district. Where a CA district is adjacent to a residential district, the abutting side yard shall be no less than ten (10) feet in width. For each story over one (1), an additional four (4) feet of side yard shall be required for the side yard which abuts the additional story(ies), or for each side yard if both yards abut additional stories.

b. Parking: If a parking side yard is adjacent to a non-residential district, the minimum side yard shall be .05 times the lot width (rounded to next highest integral number of feet) or three (3) feet, whichever is greater, up to a maximum of twenty-five (25) feet. If a parking side yard is adjacent to a residential district, the minimum side yard shall be ten (10) feet.

3. Rear Yard:

a. Structures: Lots in the CA district shall contain a rear yard of no less than ten (10) feet if adjacent to a non-residential district. Lots adjacent to a residential district shall provide a rear yard of twenty-five (25) feet. Such rear yard shall be measured to the centerline of any abutting alley.

b. Parking: The parking side yard shall be a minimum of six (6) feet if adjacent to a non-residential district and a minimum of ten (10) feet if adjacent to a residential district. Such rear yard shall be measured from the property line.

F. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed fifty percent (50%) of the lot area.

G. Floor Area Ratio: The maximum floor area ratio in the CA district shall be 1.5:1.

20.07.10.00 DOWNTOWN COMMERCIAL

20.07.10.01 Purpose

This district is intended to protect and improve the central business district, which contains many unique and/or historical structures. The district promotes commercial retail uses, as well as housing, offices, government, financial, cultural, and other complementary uses. Because of the downtown's unique character and historical setting, it requires special consideration and treatment. The scale and intensity of development permitted within the downtown district reflects its importance as the urban center of the community. The specific intent of this district is to:

A. Implement the Comprehensive Plan core concept

B. Facilitate harmonious and compatible mixed use development

C. Promote housing development

D. Promote pedestrian-oriented street frontage utilization.

20.07.10.02 Permitted Uses

The following uses are permitted in the CD District subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in brackets. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this zoning ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Amusement arcade
Auditoriums
Bars and taverns
Bed and breakfast (14)
Business service
Churches
Community centers
Cultural facilities
Day care centers
Dwelling units, limited to the second floor or above in the area described in Section 20.07.10.06
Financial institutions
Fire stations
Home occupations (16)
Hotels and motels
Lodge halls
Offices
Parking lots and garages
Personal service
Police stations
Radio/TV stations
Recreation centers
Residential Care Homes, located on the second floor or above in the area described in Section 20.07.10.06, for developmentally disabled individuals (2)
Residential Care Homes, located on the second floor or above in the area described in 20.07.10.06, for mentally ill individuals (3)

Residential Care Homes, located on the second floor or above in the area described in Section 20.07.10.06, for up to five (5) individuals other than those described above (4)
Restaurants
Retail sales in enclosed buildings
Rooming/lodging houses located on the second floor or above
Schools, trade and business
Taxi stands
Theaters, indoor
Utility substations and transmission facilities (5)

20.07.10.03 Conditional Uses

The following uses may be permitted in the CD District subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this zoning ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of 20.05.04.06 where those standards are set forth.

Downtown development opportunity (X)
Drive-through facilities serving the permitted use (C)
Historic adaptive re-use (D)
Rehabilitative facilities (F)

20.07.10.04 Accessory Uses

Accessory uses and structures customarily incidental to the principal use and/or structure shall be permitted subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Certain accessory uses or structures are subject to special conditions or limitations. Those special conditions, if any, may be found in Table 7-4 in Section 20.07.16.03.

20.07.10.05 Bulk Controls

Except as may be otherwise provided in Tables 7-1 through 7-4 in Section 20.07.16.03, all structures in the CD district are subject to the following bulk controls.

A. Maximum Density: The maximum residential density in the CD district shall be fifteen (15) dwelling units per acre. Dwelling Unit Equivalent (D.U.E.) density applies in this district.
B. Minimum Lot Area: There is no minimum lot area requirement in the CD district.
C. Minimum Lot Width: There is no minimum lot width in the CD district.
D. Maximum Height: The maximum height shall be eighty (80) feet excepting those blockfaces facing the courthouse square, extending from the street frontage to the alley, where the maximum height shall be forty (40) feet.
E. Minimum Yard Requirements
   1. Street Setback: There is no minimum street setback requirement in the CD district.
   2. Side Yards: There is no minimum side yard requirement in the CD district.
   3. Rear Yard: There is no minimum rear yard requirement if the lot is adjacent to a non-residential district. A minimum rear yard of twenty-five (25) feet is required adjacent to a residential district.
F. Floor Area Ratio: The maximum floor area ratio in the CD district shall be 8:1.

20.07.10.06 Performance Controls

That portion of the CD district south of 7th Street, north of 4th Street, and east of Morton Street shall be subject to the following:

A. Blank Wall Control: Ground floor building walls which front upon a street shall have no more than ten (10) consecutive linear feet without a window, door, display opening, or architectural variation. No more than fifty percent (50%) of a ground floor building wall facing upon a street shall be solid or opaque.

B. Ground Floor Retail. The entire street frontage of the ground floor of any building shall be designed to be suitable for retail or personal service activities, financial institutions, bars, restaurants, or theaters and no less than fifty percent (50%) of the ground floor shall be used for such activities.

20.07.11.00 LIMITED INDUSTRIAL

20.07.11.01 Purpose and Intent

This district provides for industrial uses of limited intensity. The purpose of the district is to encourage a high quality of design including buffering, landscaping, signage, entry features and architecture. This district accommodates those light industrial uses which are less offensive to nearby commercial or residential areas. The specific intent of this district is to:

A. Accommodate industrial development which does not create substantial environmental impacts to surrounding properties. Such impacts include noise, vibration, unregulated outdoor storage, and traffic.

B. Create industrial environments which accommodate light industrial uses.

C. Create environments for industrial uses which are attractive and well designed.

D. Provide for limited commercial opportunities which serve the surrounding industrial area.

20.07.11.02 Permitted Uses

The following uses are permitted in the IL District subject to site plan requirements, all necessary permits and approvals, the performance controls of 20.06.05.00, and other applicable requirements. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in brackets. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this zoning ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Beverage bottling
Building trade shops
Cultural facilities
Day care centers
Fire stations
Light manufacturing
Machinery and equipment repair
Mini-warehouses
Offices - limited to corporate offices, contractor's offices, business services, and other non consumer-oriented office use
Police stations
Print shops
Research laboratories
Schools, elementary, middle, and high
Schools, trade and business
Utility substations and transmission facilities (5)
Warehousing and storage, within enclosed buildings
Wholesale trade

20.07.11.03 Conditional Uses

The following uses may be permitted in the IL District subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this zoning ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards

found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of 20.05.04.06 where those standards are set forth.

Auditoriums (L)
Automotive Repair
Churches (E)
Convalescent, nursing or rest home (L)
Historic adaptive reuse (D)
Kennels
Limited commercial (G)
Off-site parking (S)
Outdoor storage yards which are accessory to permitted uses that are conducted principally within enclosed buildings (I)
Rehabilitative facilities (F)
Relocation of off-premise signs (Z)
Shared parking (R)

20.07.11.04 Accessory Uses

Accessory uses and structures customarily incidental to the principal use and/or structure shall be permitted subject to site plan requirements, all necessary permits and approvals, and other applicable requirements, provided, however, outdoor storage shall be allowed only as a conditional use pursuant to 20.07.11.05.A. Certain accessory uses or structures are subject to special conditions or limitations. Those special conditions, if any, may be found in Table 7-4 in Section 20.07.16.03.

20.07.11.05 Bulk Controls

Except as may be otherwise provided in Tables 7-1 through 7-4 in Section 20.07.16.03, all structures in the IL district are subject to the following bulk controls.

A. Minimum Lot Area: There is no minimum lot area requirement in the IL district.
B. Minimum Lot Width: Each lot in an IL district shall be no less than sixty (60) feet in width.
C. Maximum Height: The maximum height shall be fifty (50) feet. Up to twenty percent (20%) of the footprint of the building may extend to a maximum height of eighty (80) feet.
D. Minimum Yard Requirements
   1. Street Setback: The minimum street setback is determined by the classification of the street upon which the lot is located. The street classification shall be as shown on the Master Thoroughfare Plan. These standards are set forth in Table 7-3 in Section 20.07.16.02.
   2. Minimum Side Yards:
      a: Structures: The minimum width of each side yard shall be twelve (12) feet when adjacent to a non-residential district except where rail sidings abut the yard, in which case there is no minimum requirement. Where an IL district abuts a residential district, a side yard of no less than twenty (20) feet shall be provided along the abutting side lot line except where rail sidings abut the yard, in which case there is no minimum requirement.
      b: Parking: The minimum width of each parking side yard shall be six (6) feet when adjacent to a non-residential district. Where an IL district abuts a residential district, a minimum parking side yard of ten (10) feet shall be provided.

3. Rear Yard:
   a. Structures: The minimum rear yard in the IL district shall be twelve (12) feet when adjacent to a non-residential district except where rail sidings abut the yard, in which case there is no minimum requirement. Where an IL district abuts a residential district, a minimum rear yard of twenty (20) feet shall be provided except where rail sidings abut the yard, in which case there is no minimum requirement.
   b. Parking: The minimum parking rear yard in the IL district shall be six (6) feet when adjacent to a non-residential district. Where an IL district abuts a residential district, a minimum parking side yard of ten (10) feet shall be provided.

E. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed fifty percent (50%) of the lot area.

F. Floor Area Ratio: The maximum floor area ratio shall be 1.5:1.

20.07.11.06 Performance Controls

Industrial uses in the IL district shall conform to the industrial performance standards of 20.06.05.01 in addition to the generally applicable standards of this ordinance.

20.07.12.00 GENERAL INDUSTRIAL

20.07.12.01 Purpose and Intent

This district accommodates those uses with one or more of the following characteristics: intensive use of property, open uses and/or storage, industrial processes which may involve significant amounts of heat, mechanical and chemical processing, and other heavy industrial processes. It is the specific intent of this district to:

A. Accommodate heavy industrial development.

B. Create industrial environments which accommodate heavy industrial uses.

C. Provide for limited commercial opportunities which serve the surrounding industrial area.

20.07.12.02. Permitted Uses

The following uses are permitted in the IG District subject to site plan requirements, all necessary permits and approvals, the performance controls of 20.06.05.00, and other applicable requirements. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in brackets. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this zoning ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Beverage bottling
Building trade shops
Business service
Fire stations
Heavy manufacturing
Light manufacturing
Machinery and equipment repair
Offices - limited to corporate offices, contractor's offices, business services, and other non consumer-oriented office use
Police stations
Print shops
Research laboratories
Solid waste/recycling centers (12)
Utility substations and transmission facilities (5)
Warehousing and storage (13)
Wholesale trade

20.07.12.03 Conditional Uses

The following uses may be permitted in the IG District subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this zoning ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of 20.05.04.06 where those standards are set forth.

Automotive Repair
Auto storage yards (Q)

Correctional facilities (P)
Historic adaptive reuse (D)
Industrial uses with potentially adverse effects (H)
Limited commercial (G)
Off-site parking (S)
Relocation of off-premise signs (Z)
Shared parking (R)

20.07.12.04 Accessory Uses

Accessory uses and structures customarily incidental to the principal use and/or structure shall be permitted subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Certain accessory uses or structures are subject to special conditions or limitations. Those special conditions, if any, may be found in Table 7-4 in Section 20.07.16.03.

20.07.12.05 Bulk Controls

Except as may be otherwise provided in Tables 7-1 through 7-4 in Section 20.07.16.03, all structures in the IG district are subject to the following bulk controls.

A. Minimum Lot Area: The minimum lot area in the IG district shall be twenty thousand (20,000) square feet.

B. Minimum Lot Width: The minimum lot width in the IG district shall be one hundred (100) feet.

C. Maximum Height: The maximum height in the IG district shall be sixty (60) feet. Up to twenty percent (20%) of the footprint of the building may extend to a maximum height of one hundred (100) feet.

D. Minimum Yard Requirements

1. Street Setback: The minimum street setback is determined by the classification of the street upon which the lot is located. The street classification shall be as shown on the Master Thoroughfare Plan. These standards are set forth in Table 7-3 in Section 20.07.16.02.

2. Minimum Side Yards:

a. Structures: The minimum width of each side yard shall be no less than twelve (12) feet when adjacent to a non-residential district, except where rail sidings abut the yard, in which case there is no minimum requirement. Where an IG district abuts a residential district, a yard of no less than one hundred (100) feet shall be provided, twenty-five (25) feet of which shall be a landscaped buffer. Where property zoned IG is separated from property in a residential district by a rail siding, there shall be no minimum requirement.

b. Parking: The minimum width of each side yard shall be six (6) feet when adjacent to a non-residential district. Where an IG district abuts a residential district, a side yard of a minimum of twenty-five (25) feet shall be required.

3. Rear Yard:

a. Structures: Each lot in an IG district shall contain a rear yard of no less than twenty (20) feet when adjacent to a non-residential district, except where rail sidings abut the yard, in which case there is no minimum requirement. Where an IG district abuts a residential district, a rear yard of no less than one hundred (100) feet shall be provided, twenty-five (25) feet of which shall be a landscaped buffer. Where property zoned IG is separated from property in a residential district by a rail siding, there shall be no minimum requirement.

b. Parking: The minimum parking rear yard shall be ten (10) feet when adiacent to a non-residential district. Where an IG district abuts a residential district, the minimum parking rear yard shall be twenty (20) feet.

E. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed seventy percent (70%) of the lot area.

F. Floor Area Ratio: The maximum floor area ratio shall be 2.0:1.

20.07.12.06 Performance Controls

Industrial uses in the IG district shall conform to the industrial performance standards of 20.06.05.01 in addition to the generally applicable standards of this ordinance.

20.07.13.00 BUSINESS PARK

20.07.13.01 Purpose and Intent

This district permits industrial parks for uses such as technology businesses and related office uses, including research and development. This district provides locations for commerce, service and employment activities having locations and site improvements that project a desirable appearance and that maintain compatibility with adjacent land uses. Aesthetic goals of the district include a park-like appearance, good architecture, clean uses, and avoiding large areas of parked trucks and equipment. It is the intent of this district to:

A. Provide a planned business park environment.

B. Assure control over the physical and visual design of the city's employment areas.

C. Provide flexibility to respond to the needs of local business without adversely impacting adjacent development or neighborhoods.

D. Provide for major development opportunity for economic development prospects.

20.07.13.02 Permitted Uses

The following uses are permitted in the BP district subject to site plan requirements, all necessary permits and approvals, the performance controls of 20.06.05.00, and other applicable requirements. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in brackets. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this zoning ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Commercial print shop, limited to maximum size of fifteen thousand (15,000) square feet
Conference center
Convalescent, nursing and rest homes
Day care centers
Government institutions
Hospitals
Offices
Research laboratories
Utility substations and transmission facilities (5)

20.07.13.03 Conditional Uses

The following uses may be permitted in the BP District subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this zoning ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of 20.05.04.06 where those standards are set forth.

Auditoriums (L)
Churches (E)
Community centers (L)
Historic adaptive reuse (D)

Hotels/motels (Y)
Light manufacturing and distribution facilities, limited to fifteen thousand (15,000) square feet (U)
Limited commercial (G)
Off-site parking (S)
Recreation centers (L)
Shared parking (R)

20.07.13.04 Accessory Uses

Accessory uses and structures customarily incidental to the principal use and/or structure shall be permitted subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Certain accessory uses or structures are subject to special conditions or limitations. Those special conditions, if any, may be found in Table 7-4 in Section 20.07.16.03.

20.07.13.05 Bulk Controls

Except as may be otherwise provided in Tables 7-1 through 7-4 in Section 20.07.16.03, all structures in the BP district are subject to the following bulk controls.

A. Minimum Lot Area: The minimum lot area in the BP district shall be twelve thousand (12,000) square feet.
B. Minimum Lot Width: The minimum lot width in the BP district shall be one-hundred (100) feet.
C. Maximum Height: The maximum height in the BP district shall be forty-five (45) feet.
D. Minimum Yard Requirements
   1. Street Setback: The minimum street setback is determined by the classification of the street upon which the lot is located. The street classification shall be as shown on the Master Thoroughfare Plan. These standards are set forth in Table 7-3 in Section 20.07.16.02.
   2. Minimum Side Yards:
      a. Structures: The minimum width of each side yard shall be fifteen (15) feet when adjacent to a non-residential district. Where a BP district abuts a residential district, a side yard of no less than twenty-five (25) feet shall be provided.
      b. Parking: The minimum width of each parking side yard shall be eight (8) feet when adjacent to a non-residential district. Where a BP district abuts a residential district, a minimum parking side yard of twelve (12) feet shall be provided.
   3. Rear Yard:
      a. Structures: The minimum rear yard shall be no less than thirty (30) feet.
      b. Parking: The minimum parking rear yard shall be fifteen (15) feet.
E. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed sixty percent (60%) of the lot area.
F. Floor Area Ratio: The maximum floor area ratio is 1.5:1.

20.07.13.06 Performance Controls

Industrial uses in the BP district shall conform to the industrial performance standards of 20.06.05.01 in addition to the generally applicable standards of this ordinance.

20.07.14.00 SPECIAL DISTRICTS

20.07.14.01 Institutional Uses District

A. Purpose: The Institutional district is established to provide regulations for institutionally owned lands, including state, county, and city facilities; social service oriented uses; and similar non-profit quasi-public institutions.

B. Permitted Uses: The following uses are permitted in the I District subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in brackets. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this zoning ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Auditoriums
Cemeteries
Churches
Colleges or universities
Community centers
Convalescent, nursing or rest homes
Cultural facilities
Day care centers
Emergency shelters
Fire stations
Government institutions
Offices
Parks and playgrounds
Police stations
Recreation centers
Schools, elementary, middle, and high
Schools, trade and business
Social service uses
Sororities and fraternities
Utility substations and transmission facilities (5)

C. Conditional Uses: The following uses may be permitted in the I District subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this zoning ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of 20.05.04.06 where those standards are set forth.

Correctional facilities (P)
Downtown development opportunity (X)
Historic adaptive reuse (D)
Off-site parking (S)
Rehabilitative facilities (F)
Shared parking (R)

D. Accessory Uses: Accessory uses and structures customarily incidental to the principal use and/or structure shall be permitted subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Certain accessory uses or structures are subject to special conditions or limitations. Those special conditions, if any, may be found in Table 7-4 in Section 20.07.16.03.

E. Bulk Controls: Except as may be otherwise provided in Tables 7-1 through 7-4 in Section 20.07.16.03, all structures in the I district are subject to the following bulk controls.

1. Minimum Lot Area: The minimum lot area in the I district shall be five thousand (5000) square feet.
2. Minimum Lot Width: There is no minimum lot width requirement in the I district.
3. Maximum Height: The maximum height in the I district shall not exceed eighty (80) feet.
4. Minimum Yard Requirements
   a. Street Setback: The minimum street setback is determined by the classification of the street upon which the lot is located. The street classification shall be as shown on the Master Thoroughfare Plan. These standards are set forth in Table 7-3 in Section 20.07.16.02.
   b. Side Yard:
      1. Structures: The minimum width of each side yard shall be five (5) feet when adjacent to a non-residential district. Where abutting a residential district, the side yard shall be a minimum of fifteen (15) feet.
      2. Parking: The minimum parking side yard shall be five (5) feet when adjacent to a non-residential district. Where abutting a residential district, the parking side yard shall be a minimum of ten (10) feet.
   c. Rear Yard:
      1. Structures: The rear yard shall be a minimum of ten (10) feet when adjacent to a non-residential district, and a minimum of twenty (20) feet when adjacent to a residential district.
      2. Parking: The parking rear yard shall be a minimum of five (5) feet when adjacent to a non-residential district, and a minimum of ten (10) feet when adjacent to a residential district.
5. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed sixty percent (60%).
6. Maximum Floor Area Ratio: The maximum floor area ratio is 2.0:1.

20.07.14.02 Medical District

A. Purpose: Acknowledging the special nature of hospitals, the M district provides for the location and regulation of hospital uses and other medical uses appropriate to a hospital vicinity.

B. Permitted Uses: The following uses are permitted in the M District subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in brackets. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this zoning ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Convalescent, nursing and rest homes
Day care centers
Hospitals
Mental health facilities
Offices and clinics of physicians, dentists and other health care practitioners
Outpatient care facilities
Residential Care Homes for developmentally disabled individuals (2)
Residential Care Homes for mentally ill individuals (3)
Residential Care Homes for up to five (5) individuals other than those described above (4)
Single family detached dwellings

C. Conditional Uses: The following uses may be permitted in the M District subject to the issuance of a Conditional Use permit pursuant to Section 20.05.04.00 of this zoning ordinance. Conditional Uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of 20.05.04.06 where those standards are set forth.

Churches (E)
Commercial use as principal use (V)
Downtown development opportunity (X)
Emergency shelter facilities
Fire stations (J)
Historic adaptive reuse (D)
Off-site parking (S)
Parking garages as principal use
Police stations (J)
Rehabilitative facilities (F)
Shared parking (R)

D. Accessory Uses: Accessory uses and structures customarily incidental to the principal use and/or structure shall be permitted subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Certain accessory uses or structures are subject to special conditions or limitations. Those special conditions, if any, may be found in Table 7-4 in Section 20.07.16.03.

E. Bulk Controls: Except as may be otherwise provided in Tables 7-1 through 7-4 in Section 20.07.16.03, all structures in the M district are subject to the following bulk controls.

1. Minimum Lot Area: The minimum lot area requirement for the M district shall be ten thousand (10,000) square feet.
2. Minimum Lot Width: There is no minimum lot width requirement in the M district.
3. Maximum Height: The maximum height in the M district shall not exceed eighty (80) feet.
4. Minimum Yard Requirements
   a. Street Setback: The minimum street setback is determined by the classification of the street upon which the lot is located. The street classification shall be as shown on the Master Thoroughfare Plan. These standards are set forth in Table 7-3 in Section 20.07.16.02.
   b. Side and Rear Yards:
      1. Structures: Side and rear yards are not required except where abutting a residential district, in which case the minimum side or rear yard shall be twenty-five (25) feet.
      2. Parking:
         a. Side: If a parking side yard is adjacent to a non-residential district, the minimum side yard shall be .05 times the lot width (rounded to next highest integral number of feet) or three (3) feet, whichever is greater, up to a maximum of ten (10) feet. If a parking side yard is adjacent to a residential district, the minimum side yard shall be ten (10) feet.
         b. Rear: If a parking rear yard is adjacent to a non-residential district, the minimum rear yard shall be six (6) feet. If adjacent to a residential district the minimum parking rear yard shall be ten (10) feet.
5. Maximum Building Coverage: The surface coverage of all principal and accessory buildings shall not exceed sixty percent (60%).
6. Maximum Floor Area Ratio: The maximum floor area ratio for the M district is 2.0:1.

20.07.14.03 Airport District

A. Purpose: The Airport district is intended to protect the airport from encroaching land uses which would hamper its operation and to protect those land uses from negative impacts associated with safety and noise. Additionally, the Airport district allows for uses appropriately associated with an airport.

B. Permitted Uses: The following uses are permitted in the AP District subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in brackets. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this zoning ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Aircraft maintenance and storage facilities
Aircraft servicing and fueling facilities subject to locational requirements of the FAA
Airports and heliports, including runways, pads, control towers, terminals and hangar facilities
Auto rental
Cultural facilities
Fire stations
Government institutions
Hotels/motels
Offices
Parks and playgrounds
Police stations

C. Conditional Uses: The following uses may be permitted in the AP District subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this zoning ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of 20.05.04.06 where those standards are set forth.

Commercial use as principal use (V)
Historic adaptive reuse (D)
Off-site parking (S)
Outdoor storage yards accessory to permitted principal use (I)
Shared parking (R)

D. Accessory Uses: Accessory uses and structures customarily incidental to the principal use and/or structure shall be permitted subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Certain accessory uses or structures are subject to special conditions or limitations. Those special conditions, if any, may be found in Table 7-4 in Section 20.07.16.03.

E. Bulk Controls: Except as may be otherwise provided in Tables 7-1 through 7-4 in Section 20.07.16.03, all structures in the AP district are subject to the following

bulk controls.

1. Minimum Lot Area: There are no minimum lot area requirements in the AP district.
2. Minimum Lot Width: There is no minimum lot width requirement in the AP district.
3. Maximum Height: Maximum height in the AP district shall not exceed forty-five (45) feet, except where further limited by FAA regulations.
4. Minimum Yard Requirements
   a. Street Setback: The minimum street setback is determined by the classification of the street upon which the lot is located. The street classification shall be as shown on the Master Thoroughfare Plan. These standards are set forth in Table 7-3 in Section 20.07.16.02.
   b. A yard of no less than twenty-five (25) feet, shall be provided along the side and rear perimeters for all uses located in the AP district. For any yard in the AP district abutting a residence or residential district the perimeter yard shall be no less than fifty (50) feet.
5. Maximum Building Coverage: Maximum surface coverage of all principal and accessory buildings shall not exceed fifty percent (50%).

20.07.14.04 Quarries District

A. Purpose: Bloomington maintains several limestone quarries of significance. This district will protect these quarries from encroaching land uses that would hamper their operations, while providing appropriate standards to protect the surrounding land uses from quarrying activities.

B. Permitted Uses: The following uses are permitted in the Q District subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Some uses are permitted only under specific conditions or with certain limitations. For such uses a number or numbers will appear in brackets. Refer to said number(s) in Table 7-2 found in Section 20.07.16.01 of this zoning ordinance, to ascertain what conditions or limitations may apply to that use in this zoning district.

Crops and pasturage (1)
Quarries and other excavation activities
Stone processing activities
Utility substations and transmission facilities (5)

C. Conditional Uses: The following uses may be permitted in the Q District subject to the issuance of a conditional use permit pursuant to Section 20.05.04.00 of this zoning ordinance. Conditional uses are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Unless otherwise specified, all conditional uses must meet the general standards found in Section 20.05.04.05, as well as any specific standards which may be applicable to that particular use. If a use is subject to specific standards, a reference will appear to the subsection of 20.05.04.06 where those standards are set forth.

Cultural facilities
Historic adaptive reuse (D)
Parks and playgrounds

D. Accessory Uses: Accessory uses and structures customarily incidental to the principal use and/or structure shall be permitted subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. Certain accessory uses or structures are subject to special conditions or limitations. Those special conditions, if any, may be found in Table 7-4 in Section 20.07.16.03.

E. Bulk controls: Except as may be otherwise provided in Tables 7-1 through 7-4 in Section 20.07.16.03, all structures in the Q district are subject to the following bulk controls.

1. Minimum Lot Area: The minimum lot area in the Q District shall be forty thousand (40,000) square feet.
2. Minimum Lot Width: The minimum lot width in the Q District is two hundred (200) feet.
3. Maximum Height: The maximum height in the Q district shall be forty-five (45) feet.
4. Minimum Yard Requirements:
   a. Street Setback: The minimum street setback is determined by the classification of the street upon which the lot is located. The street

classification shall be as shown on the Master Thoroughfare Plan. These standards are set forth in Table 7-3 in Section 20.07.16.03.

b. Side Yards: The minimum width of each side yard shall be fifty (50) feet. No quarry pit or mechanical operation shall be permitted within two hundred (200) feet of any residential district.

c. Rear Yard: The minimum rear yard shall be fifty (50) feet.

5. Maximum Building Coverage: Maximum surface coverage of all principal and accessory buildings shall not exceed fifty percent (50%).

20.07.15.00 OVERLAY DISTRICTS

20.07.15.01 Planned Residential Overlays

A. Purpose: The Planned Residential Overlay is a series of three "performance" overlay districts intended to permit maximum residential densities recommended by the Comprehensive Plan on large sites which may be near properties previously developed to lower density standards or where such densities are appropriate with adequate buffering and mitigation of impacts. The intent is to allow mixed residential uses at an average overall density.

B. Application of the Planned Residential Overlays: Planned Residential Overlays may be designated and mapped on the Official Zoning Map in conjunction with the following residential zoning districts:

1. The PRO6 overlay may be overlaid only upon the RS3.5 Single Dwelling Residential Districts.

2. The PRO12 overlay may be overlaid only upon the RT7 Townhouse Residential and RM7 Multiple Dwelling Residential Districts.

3. The PRO20 overlay may be overlaid only upon the RM15 Multiple Dwelling Residential District.

C. Uses Permitted Within the Planned Residential Overlays: The uses permitted within planned residential overlays shall include the same uses allowed as permitted uses, as conditional uses and as accessory uses in the underlying district, and in all PRO overlay districts the following uses shall be permitted: Detached single family homes, duplexes, townhouses, and apartments.

D. Approval: Within the Planned Residential Overlay, developments shall be subject to the following approval process:

1. Any development conforming to the permitted uses and development standards of the underlying district shall be subject to the normal procedures of this zoning ordinance and, where applicable, to the normal procedures for subdivision approval as specified in Title 19 of the Bloomington Municipal Code, Subdivisions, and the Rules of Procedure of the Plan Commission.

2. Any development which includes uses other than those permitted in the underlying district or lot sizes smaller than those permitted in the underlying district, or densities greater than those permitted in the underlying district shall be subject to site plan review by the Plan Commission, and to the standards of 20.07.15.01.E, and, where additional density is desired, to the provisions of 20.07.15.01(F) herein.

   a. The Plan Commission shall consider the spatial arrangement of the uses on the site, and the relationship of the uses to site features and surrounding land uses, in addition to the scope of review and standards specified in Section 20.05.08.02.

   b. The Plan Commission shall verify the density which results from the formulae set forth in Section 20.07.15.01.G and subject to the limits of Section 20.07.15.01.F, but shall have no authority to further limit density.

c. If requested by the applicant, the Plan Commission shall consider a conceptual site plan drawn to a sufficient level of detail to enable determination of compliance with the requirements of the Planned Residential Overlay District, and verification of the density bonuses. Upon approval of such a conceptual site plan, a full site plan conforming to all of the requirements of Section 20.05.08.03.A shall be approved by the Plan Commission or Planning Staff, as provided in Section 20.05.08.03, before any permits are issued.

d. The full site plan specified in "c" above may encompass a portion of the conceptual plan initially approved by the Plan Commission, but only where the implementation of the amenities for which density bonus has been granted is assured to the satisfaction of the approving authority by a financial guarantee and/or by inclusion in a final phase of sufficient size to warrant such assurance. The approving authority is not required to approve the site plan in phases unless it determines that adequate assurance is possible and has been provided.

e. Subdivision approval, where specified under Title 19 of the Bloomington Municipal Code, shall be required in addition to the site plan approval specified herein; however, such approvals may be scheduled for simultaneous consideration.

E. Mandatory Site Development Standards: Mandatory site development standards apply to any development described in 20.07.15.01.D.2 and shall include the following:

1. In the PRO 6 overlay, any area within 150 feet of a residential development existing on the date of adoption of this zoning ordinance shall not exceed a gross density of 25% in excess of that of the adjacent existing development; any area within the next 150 feet of such adjacent development shall not exceed a density of 50% in excess of that of the adjacent existing development; any portion of the site over 300 feet from such adjacent existing development may be developed at a gross density which results in the permitted gross density for the entire site.

   For the purpose of this requirement, the density of the adjacent development shall be the gross density of the nearest tier of lots calculated to the centerline of the street serving said lots, or the gross density of the area within four hundred (400) feet of the common boundary, whichever is greater.

   This requirement shall not apply to the frontage of an arterial street as designated on the Thoroughfare Plan; to adjacent areas which consist of residences on unplatted parcels having lot size of at least two times the required minimum lot size in the underlying district; or to undeveloped land.

2. Landscaping: Wherever the boundary of a proposed use other than platted lots for single family detached residences abuts a platted single family area, such interface shall have a landscape density value of 1.5 times that required by Section 20.06.04.02(E)(9) or 20.06.04.02(E)(10)(c). The remainder of the area within the Planned Residential overlay shall be subject to the requirements of Section 20.06.04.00.

3. Mature tree crown coverage shall be retained to the maximum extent possible.

4. Development within the PRO overlay shall be subject to the development regulations and standards found in Chapter 20.06.

F. Achieving Density Bonuses: The standards in Section 20.07.15.01.G establish certain actions or development standards a petitioner may take or provide to warrant added density. These standards, if met, shall result in incremental additional density up to but not exceeding the following maximum average gross density for the entire development site; density of portions of a site may exceed these density limits.

1. PRO6: Six (6) units per acre
2. PRO12: Twelve (12) units per acre
3. PRO20: Twenty (20) units per acre

G. Density Bonus Standards: When the following standards are met, average gross density limits for the entire site shall be increased by the amount indicated herein, over the base gross density of 3.5 units per acre in the PRO6 overlay, 7.0 units per acre in the PRO12 overlay, and 15 units per acre in the PRO20 overlay. However, in no case shall aggregate gross density exceed the maximum provided for in F, above. Provided further, no density shall be awarded for meeting standards otherwise required by this zoning ordinance.

1. Landscaping: Landscaping exceeding the requirements of Sections 20.06.04.02 and 20.07.15.01.E shall warrant additional density as provided below:

   a. Shade trees, selected from the list of "Large Trees, 40' and over", in Table A in Section 20.06.04.02, shall warrant a density bonus of one dwelling unit for every additional four (4) shade trees, up to a maximum bonus of .75 unit per acre in the PRO6 overlay, or a maximum bonus of 1.50 units per acre, in the PRO12 and PRO20 overlays.

   b. Preservation of an existing woodlot of a minimum size of one-half (½) acre, containing a significant proportion of trees with a minimum trunk caliper of five (5) inches in an undisturbed state shall warrant a density bonus of 20 dwelling units for each acre preserved up to a maximum bonus of 1.0 unit per acre. The density bonus for fractional acres over the ½ acre minimum size shall be prorated.

   c. Provision of a planted evergreen screen or a combination of screen and earth berm at the interface with existing development or along existing abutting street frontage shall warrant a density bonus of one (1) dwelling unit for every 150D of density value (pursuant to Section 20.06.04.02(E)(1), up to a maximum density bonus of 1 unit per acre in the PRO6 overlay, or two (2) units per acre in the PRO12 and PRO20 overlays.

2. Amenities: The amenities listed below shall warrant a density bonus as set forth below:

   a. Provision of a bike/pedestrian trail developed to City standards shall warrant one additional dwelling unit for every 25 lineal feet of such trail provided the trail is linked to an existing or proposed trail or otherwise provides linkage between local streets and destinations such as parks, schools, shopping areas, or other streets. If no such link is provided or if such a link is not possible but a bicycle/pedestrian trail is provided for recreational use by the residents, additional density warranted shall be one (1) dwelling unit per 50 feet of trail. The maximum bonus for the provision of a trail shall be 1.25 units per acre in the PRO6 overlay or 2.5 units per acre in the PRO12 and PRO20 overlays.

b. When community facilities such as a swimming pool, tennis courts, park, or club/meeting facilities are provided within the development, a density bonus shall be warranted as follows:

A fully enclosed, all-season community building for recreation or other gatherings of the residents of the development shall warrant a density bonus of one (1) unit for every 15 sq. ft. of gross floor area of such building up to a maximum density bonus of .75 units per acre in the PRO6 overlay or 1.5 units per acre in the PRO12 and PRO20 overlays.

A paved tennis court or full basketball court shall warrant a density bonus of 25 units per court.

Other recreation facilities, such as pools or playgrounds, shall warrant a density bonus based on the construction costs adjusted annually from the 1995 base year per the construction cost index as reported in the Engineering News Record. The density bonus shall be one (1) dwelling unit per $1,000 of construction cost.

The maximum aggregate density bonus for all outdoor recreation facilities shall be 1.0 units per acre in the PRO6 overlay or 2.0 units per acre in the PRO12 and PRO20 overlays.

c. When land is dedicated for public facilities such as schools, fire or police stations, public recreation centers or libraries, a density bonus of 25 units for each acre dedicated shall be warranted in the PRO6 district, or 50 units for each acre in the PRO12 or PRO20 overlays. When such land is reserved for future purchase, a density bonus of one-half (½) of that specified above shall be warranted. Bonus for such Dedication or reservation shall be subject to the agreement to the reservation or dedication by the city, county, or other public agency responsible for the facility.

Such dedicated or reserved land shall be included in the calculation of gross density.

3. Affordability: When affordable units are provided, a density bonus of two (2) dwelling units shall be warranted for each affordable unit which is provided for a period of no less than 17 years. The applicant must be participating in a local, state, or federal program with monitoring capability in order to qualify for this density bonus.

4. Handicapped Accessibility: A density bonus of one (1) dwelling unit shall be warranted by the provision of two (2) handicapped accessible units but only to the extent that such handicapped accessibility is not required by state or federal law. The maximum density bonus for provision of handicapped accessibility shall be 0.75 units per acre in the PRO6 zone or 1.5 units per acre in the PRO12 and PRO20 zones.

5. Mitigating Off-Site Impacts: Where the applicant proposes to mitigate an off-site impact expected to be generated by the proposed development (or an impact imposed on the proposed development by off site conditions) a density bonus of one (1) dwelling unit per $1,000 of construction cost of the mitigation measure adjusted annually from a 1995 base year per the construction cost index as reported in the Engineering News Record, shall be granted provided that such

mitigation measures are determined to be needed, feasible, and of acceptable design, by the appropriate public agency up to a maximum density bonus of 1.25 units per acre in the PRO6 overlay or 2.5 units per acre in the PRO12 and PRO20 overlays.

6. Aesthetic Features: Where aesthetic features are provided, such as entryways, special street lighting, ponds, or other such features, a density bonus of one (1) dwelling unit per $1,000 of construction cost of the aesthetic feature adjusted annually from a 1995 base year per the construction cost index as reported in the Engineering News Record, shall be granted by the Plan Commission up to a maximum density bonus of .75 units per acre in the PRO6 overlay or 1.5 units per acre in the PRO12 and PRO20 overlays.

20.07.15.02 Special Industrial Overlay

A. Purpose. This industrial overlay is intended for those locations within Bloomington where industrial uses exist in close proximity to residential uses. The community recognizes the need to retain these industrial uses which generate substantial employment for residents of Bloomington and the surrounding area. However, the community also recognizes the need to control development in these locations to protect surrounding residential land uses. The special industrial overlay is intended to provide for the continued vitality of those industrial uses located within the established neighborhoods of Bloomington while protecting surrounding areas from inappropriate future change in use through planned unit development review of such changes.

B. Permitted Uses. Permitted uses in the Special Industrial overlay district (IS) shall be limited to the following two types of uses:

1. The current use of the property on the effective date of the ordinance placing the overlay upon the property. Expansion of the current use of the property shall be permitted subject to the height, bulk, and density requirements of the IL zoning district.
2. All other uses may be permitted as a planned development.

C. Conditional Uses. None.

D. Performance Standards. Industrial uses in the BP district shall conform to the industrial performance standards of 20.06.05.01 in addition to the generally applicable standards of this ordinance.

20.07.15.03 Lake Watershed Areas

Bloomington's water is supplied by lakes. The purpose of this overlay is to protect these lake watersheds from nearby development which could have adverse effects upon the lakes. The following standards shall supplement the use and development standards of the underlying districts within the Lake Watershed Area Overlay District:

A. Single family detached dwellings on lots of record shall not be subject to the requirements of this overlay district.

B. Site plans, subdivision plats, and planned unit development plans shall be designed by a Professional Engineer, registered in the State of Indiana, and shall include reports by a geo-technical consultant regarding stormwater detention, soil stabilization, erosion/siltation control, and stormwater runoff quality mitigation. The reviewing authority shall determine whether such plans are adequate and shall not approve such plans unless the applicant has demonstrated that the proposed design and mitigation measures will adequately protect the public health, safety, and welfare.

C. Such plans shall locate structures and earth disturbance so as to avoid tree concentrations.

D. Streets, parking areas and building pads shall be designed so as to conform closely to existing contours and minimize grading.

E. Such plans shall incorporate redundant stormwater runoff quality mitigation measures. Plans shall also incorporate a binding, recordable commitment for ongoing maintenance of those facilities, including:

1. Periodic third party inspection and report;
2. Owner's association with financing capability;
3. City and county authorization to order maintenance;
4. City and county authorization to seek injunctive relief; and,
5. City and county authorization to perform necessary maintenance and charge the owner's association for the work.

F. Within the Lake Watershed Overlay District, the maximum slope on which buildings may be constructed shall be eighteen percent (18%).

20.07.15.04 Special Flood Hazard Areas

A. Purpose: The purpose of these regulations is to guide development in the flood hazard areas in order to reduce the potential for loss of life and property, protect the environmental integrity of flood hazard areas, reduce the potential for health and safety hazards, reduce the potential for extraordinary public expenditures for flood protection and relief, and to make federally subsidized flood insurance available for structures and their contents in the planning jurisdiction by fulfilling the requirements of the National Flood Insurance Program.

B. Intent of Regulations: The urban floodway, rural floodway, floodway fringe and floodplain districts are superimposed over the underlying zoning districts, and the regulations of this subsection shall be construed as supplementary to the underlying zoning regulations. In the event of conflict, the most restrictive combination of such regulations shall govern.

C. Warning and Disclaimer of Liability: It is not represented herein that flooding will be limited to those areas designated as flood hazard areas or to the conditions of the regulatory flood. It is asserted that there is no liability on the part of the City of Bloomington or the State of Indiana or any employee thereof for any flood damage that may occur as a result of reliance upon, or conformance with, these regulations.

D. Duties of Administrator: The Planning Director shall be the administrator of this section of the ordinance, as required by the Federal Emergency Management Agency (hereinafter referred to as FEMA).

E. Districts: For the purpose of these regulations, the following overlay districts are established:

UF - Urban Floodway - For regulating the use of floodway areas within the developed areas of the jurisdiction so as to prevent obstruction of the floodway and resultant reduction of floodwater storage capacity, with minimum disruption of established patterns of land use and activity.

RF - Rural Floodway - For regulating the use of floodway areas in the undeveloped and/or rural areas of the jurisdiction so as to prevent obstruction of the floodway and resultant reduction of floodwater storage capacity and to minimize the hazard of damage and loss due to flooding.

FF - Floodway Fringe - For regulating the use of flood hazard areas outside of the floodway so as to minimize the hazard of flood in the course of normal development of such areas.

FP - Floodplain - For regulating the use of flood hazard areas where a determination of the elevation of the regulatory flood has not been made so as to require review of specific proposals to insure that flood hazards are minimized and flood stages are not increased.

F. District Boundaries:

1. Location: The locations of the overlay district boundaries are based upon the regulatory flood profile, as delineated on the 100 year flood profiles in the Flood Insurance Study, dated June 17, 1991 and the corresponding FIRM dated June 17, 1991, prepared by the Federal Emergency Management Agency. The flood profiles delineated on those maps, and the boundaries of the overlay districts as delineated on a copy of the

FIRM, are a supplementary component of the official zoning map, including any future amendments to the FIRM. Where FEMA flood profiles are not available, the 100 year flood elevation and the required flood protection elevation shall be determined from the best available data by the Indiana Department of Natural Resources. Whenever a party disagrees with the best available data, the party submitting the detailed engineering study needs to replace existing data with better data and submit it to the Department of Natural Resources for review and approval.

2. Disputed Boundaries: Any person contesting the location of the district boundaries on the ancillary FIRM map may request interpretation by the plan commission or its agent. The elevation of the regulatory flood profile for the point in question shall be the governing factor in locating the boundary on the land. Any person contesting the location of the boundaries on the FIRM maps may apply to FEMA for a Letter of Map Amendment (LOMA) to establish that the property is not located in a SFHA. Any person who believes the FIRM maps to be in error in the location of the flood districts, delineations, and/or elevations may apply to FEMA for a Letter of Map Revision (LOMR) for an official revision to the FIRM maps.

4. Structures Located on Boundary Lines: Where a district boundary line divides a structure, these regulations shall apply to any portion of the structure that is less than 2' above the elevation of the regulatory flood profile.

G. Permitted Uses in Flood Hazard Districts: Only the uses designated in this section, where permitted and as regulated in the underlying district, shall be permitted upon issuance of applicable local permits.

1. UF- Urban Floodway, RF - Rural Floodway, and FP - Floodplain Districts: The following uses may be permitted, but shall not involve any structure, obstruction, deposit or excavation.
   a. Production of crops; pasturage
   b. Forestry, wildlife areas, nature preserves
   c. Parks and recreational open space uses
   d. Open areas used to meet yard, density and open space requirements for structures and uses located outside the floodplain or floodway boundaries

2. FF- Floodway Fringe District:

   a. Any nonresidential use provided that the lowest floor, including basement floor, for any building or structure shall be located at or above the flood protection grade.
   b. Residential structures provided that the lowest floor, including basement floor, shall be elevated at or above the flood protection grade.
   c. On-site waste disposal systems located so as to avoid impairment of them or contamination from them during the occurrence of the regulatory flood.
   d. New and replacement sanitary sewer lines and on-site waste disposal systems may be permitted providing all manholes or other above ground openings are located at or above the flood protection grade, or those which are located below the flood protection grade are watertight.

H. Conditional Uses in Flood Hazard Districts: Only the uses set forth in this section, where permitted and as regulated in the underlying district, may be granted a conditional use permit by the Board of Zoning Appeals. A conditional use may be approved only after a permit or letter of recommendation citing the 100 year flood elevation and the recommended flood protection grade has been received from the Department of Natural Resources and all conditions and specifications of these regulations have been met. Any structures or additions to structures shall have flood protection elevations at least two feet above the regulatory flood elevation and shall be constructed so as to minimize obstruction of flood flow. Development which increases the elevation of the regulatory flood shall not be permitted. On-site waste disposal systems shall be so located as to avoid impairment of them or contamination from them during the occurrence of the regulatory flood. New and replacement sanitary sewer lines and on-site waste disposal systems may be permitted providing all manholes or other above ground openings are located at or above the flood protection grade, or those which are located below the flood protection grade are watertight.

1. RF - Rural Floodway District:

   a. Water management and use facilities
   b. Transportation facilities, bridges, pipelines and utility facilities
   c. Water related urban uses, such as wastewater treatment facilities, storm sewers, electric generating and transmission facilities and water treatment facilities
   e. Recreation equipment and structures, other than buildings, provided that any such structure shall be floodproofed

2. UF - Urban Floodway District:

   a. Any conditional use permitted in the RF district
   b. Filling or depositing of materials
   c. Floodproofed nonresidential structures
   d. Any other flood-tolerant or open space uses, such as storage of materials not subject to flood damage

3. FP - Floodplain District:

   a. Any conditional use permitted in the RF or the UF districts.

I. Development Requirements in Special Flood Hazard Areas:

1. A residential or non-residential building may be elevated to a minimum of two feet (2') above the regulatory flood in accordance with the following:

   a. The building or improvements shall be elevated on posts, piers, columns, extended walls, or other types of similar foundation, provided:

      1. Walls of any enclosure below the elevated floor shall be designed to automatically equalize hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters, through providing a minimum of two openings (in addition to doorways and windows) having a total area of one (1) square foot for every two (2) square feet of enclosed area subject to flooding. The bottom of all such openings shall be no higher than one foot (1') above grade.

2. Any enclosure below the elevated floor may be used only for the storage of vehicles and for building access.

b. The foundation and supporting members shall be anchored and aligned in relation to flood flows and adjoining structures so as to minimize exposure to known hydrodynamic forces such as buoyancy, current, waves, ice, and floating debris.

c. All areas below the flood protection grade shall be constructed of materials resistant to flood damage. The top of the lowest floor (including basement) and all electrical, heating, ventilating, plumbing, and air conditioning equipment and utility meters shall be located at or above the flood protection grade. Water and sewer pipes, electrical and telephone lines, submersible pumps, and other waterproofed service facilities may be located below the flood protection grade.

2. A non-residential building may be floodproofed to the flood protection grade (in lieu of elevating) if done in accordance with the following:

a. A Registered Professional Engineer shall certify that the building has been designed so that below the flood protection grade, the structure and attendant utility facilities are watertight and capable of resisting the effects of the regulatory flood. The building design shall take into account flood velocities, duration, rate of rise, hydrostatic pressures, and impacts from debris or ice.

b. Floodproofing measures shall be operable without human intervention and without an outside source of electricity.

3. Developers shall record the 100 year flood elevation on all subdivision plats containing land within a flood hazard area prior to submitting the plats for approval by the Plan Commission.

4. Anyone who obtains a building permit for construction and/or substantial modification in a special flood hazard area shall be required to provide a survey which verifies that the "as-built" elevation of the top of the lowest floor (including basement) of the new and/or substantially modified buildings is at or above the flood protection grade prior to the issuance of an occupancy permit. Any such building shall be subject to inspections before, during, and after construction.

J. In the event that a proposed use for a property located in a SFHA is not listed as permitted or conditional above, or in the event that a proposed building or structure does not comply with the requirements of this section, the property owner may petition the Board of Zoning Appeals for variance from these provisions pursuant to Section 20.05.05. A variance, if approved, may not waive the requirement for permit from the DNR or to acquire a LOMA or LOMR from FEMA where appropriate.

K. Watercourse Alterations: No alteration shall be made to any watercourse in any flood hazard area as shown on the zoning map or any area otherwise subject to the jurisdiction of DNR or FEMA without first securing a Letter of Map Revision (LOMR) from FEMA, as well as any necessary permits and approvals from DNR. Adjacent communities shall be notified of any watercourse alterations and proof of such notification shall be submitted to DNR.

20.07.15.05 Downtown Development Opportunity

A. Purpose: The Downtown Development Opportunity overlay affords additional development opportunity over that provided by the underlying zoning regulations. The opportunity overlay is intended to encourage development by enabling taller structures at higher density with reduced off-street parking standards.

B. Application and effect: The use regulations of the underlying district shall remain in effect in any case. The opportunity overlay spans various underlying zoning districts. The development standards for these districts remain in effect within the opportunity overlay except as may be modified by conditional use approval granted hereunder. Alternatively, any property within the overlay may be developed in accordance with the development standards of the underlying district. The boundaries of the opportunity overlay are delineated on the map in Section 20.07.15.05.D and on the zoning map. The additional opportunity is considered and granted as a conditional use permit.

C. Additional opportunity: Any of the following may be granted, individually or in combination, as a conditional use permit on any property within the opportunity overlay:

1. Off-Street Parking in districts other than CD:

Type of Use	Reduced Standards of Overlay
a. Residential Uses:	
Lodging Houses	0.5 space per resident
Efficiency Apartments	0.5 spaces per dwelling unit
One Bedroom Apartments	0.8 spaces per dwelling unit
Two Bedroom Apartments	1.0 spaces per dwelling unit
Three Bedroom Apartments	1.5 spaces per dwelling unit
Apartments with more than Three Bedrooms	as required by section 20.06.02.02, Table 6-1
b. Non-Residential Uses:	
Retail, Restaurants, Theaters, Personal and Business Services, Banks, Offices, Bars and Taverns	Seventy-five percent (75%) of the requirement specified in Section 20.06
All Other	As required by Section 20.06.02.02, Table 6-1

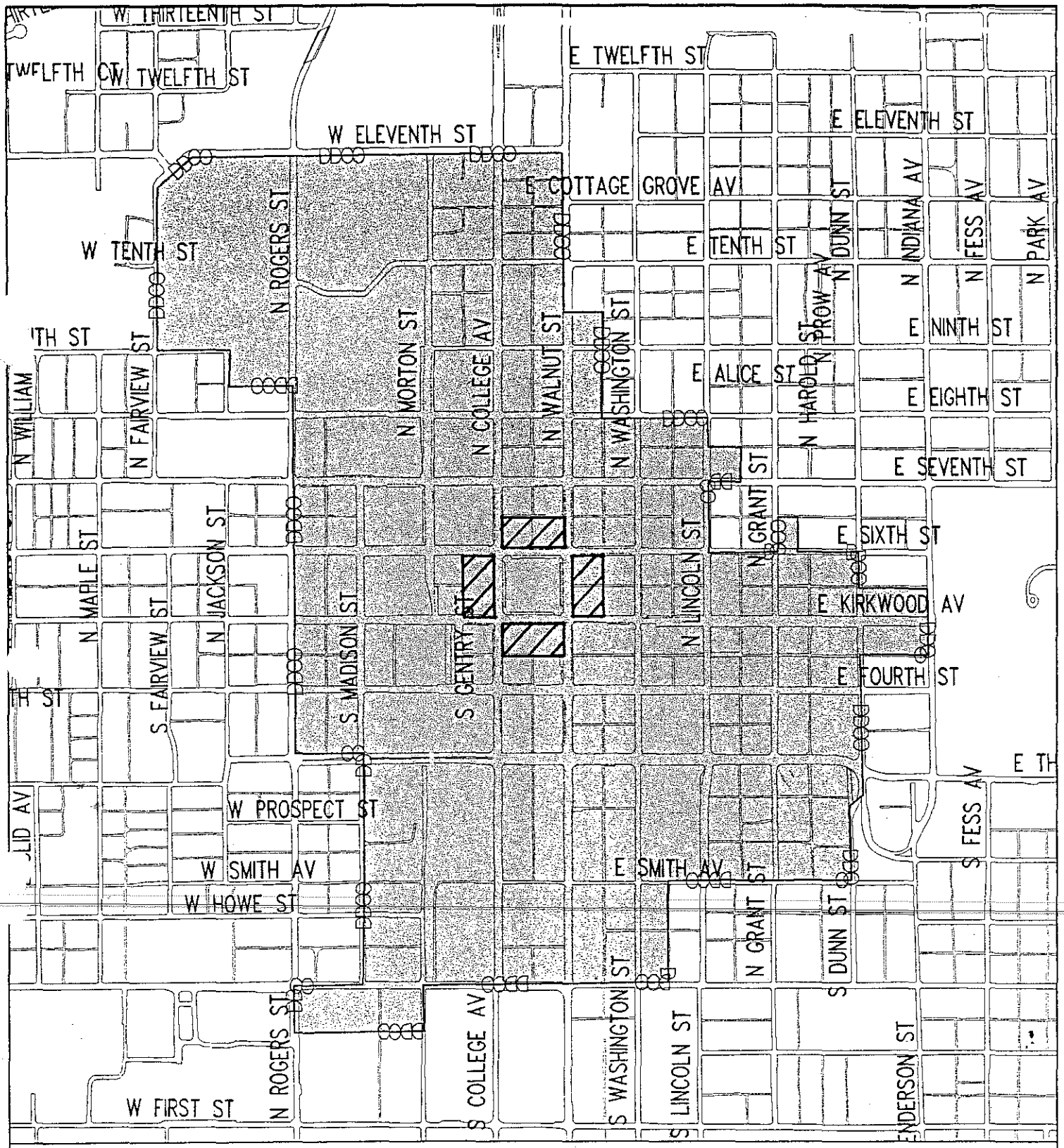
2. Yards and Street Setbacks:

a. Side and rear yards for all parking areas and for buildings adjacent to residential districts shall be as required by the underlying district.
b. Any portion of a building used for residential occupancy and having windows shall be at least ten (10) feet from side and rear property lines.
c. No side or rear yard is required for any other building, including stories used for parking or other non-residential uses below residential floors, except as required by 20.07.15.05.C.3.a, above.
d. Street setback for parking areas shall be at least five (5) feet.
e. This provision shall not apply in the CD district. In other districts within this overlay district, a minimum street setback of 5' shall be provided for

buildings, in addition an open landscaped court shall be provided at each street frontage. Such court shall be at least five (5) square feet in area for each one (1) foot of lot width on the abutting street frontage. A single court at an intersection may be counted for both street frontages. Such open court area may be arranged as a court facing part of the street frontage or as additional setback facing the whole frontage and shall be unencumbered by any upper floor overhang. Such court may include walks and decorative features such as fountains or sculpture.

3. Density and Bulk Regulations: Conditional uses approved pursuant to this section are not subject to the lot area per unit, minimum usable open space per unit, maximum building coverage, or maximum floor area ratio standards found in Table 7-3 of Section 20.07.16.02 of this zoning ordinance, or the maximum residential density provisions of the underlying zoning district.

4. Landscaping: All courts, yards, setbacks and parking areas shall be landscaped to the satisfaction of the Board of Zoning Appeals. Such landscaping should meet the requirements of Section 20.06.04.02 of this zoning ordinance to the extent consistent with sound landscape design for the reduced spaces.



Downtown Development Opportunity

20.07.15.05

Scale: 1" = 700'

Denotes Areas of Additional Height Restriction

N

City of Bloomington
Planning Department

Geographic Information System

20.07.16.00 SUMMARY OF DISTRICT USES AND REGULATIONS

20.07.16.01 Summary of District Uses

Table 7-1 lists uses permitted within the City of Bloomington planning jurisdiction and in which districts they may be located. Conditions upon their use are also listed in Table 7-2, immediately following.

20.07.16.02 Summary of District Regulations

Table 7-3 contains a summary of development regulations for Bloomington's zoning districts.

20.07.16.03 Special Bulk, Height, Area, and Aesthetic Requirements

Table 7-4 lists special conditions or limitations which may apply to certain principal or accessory uses or structures.

TABLE 7-1
SUMMARY OF DISTRICT USES

TYPE OF USE	RE2.5	RE1	RS	RT7	RM	CL	CG	CA	CD	IL	IG	BP	I	M	AP	Q
Accessory gasoline uses						C										
Aircraft maintenance and storage facilities															P	
Aircraft servicing and fueling facilities subject to locational requirements of the FAA															P	
Airports and heliports including runways, pads, control towers, terminals and hanger facilities															P	
Amusement arcade							P	P	P							
Animal hospitals and veterinarians' offices							P	P								
Appliance and furniture repair							P									
Auditoriums						C	P	P	P	C		C	P			
Auto rental															P	
Auto storage yards											C					
Automotive repair							9	9		C	C					
Bars and Taverns							P	P	P							
Bed and breakfast	C	C	C	7	7	14	14	14	14							
Beverage bottling										P	P					
Building trade shops								P		P	P					
Bus terminals																
Business service								P	P		P					
Business services in enclosed buildings							P									
Car washes							P	P								
Cemeteries without funeral home or crematorium	P	P	C	C	C								P			
Churches	C	C	C	C	C	C	P	P	P	C		C	P	C		
Colleges or universities													P			
Commercial print shop												P				
Commercial use as principle use														C	C	
Community centers			C	C	C		P	P	P			C	P			
Conference center												P				
Contractors offices																
Convalescent, Nursing, or Rest Homes						C	P	P		C		P	P	P		
Correctional facilities								C			C		C			
Crematoriums																

TABLE 7-1
SUMMARY OF DISTRICT USES

TYPE OF USE	RE2.5	RE1	RS	RT7	RM	CL	CG	CA	CD	IL	IG	BP	I	M	AP	Q
Offices						P	P	P	P	P	P	P	P	P	P	
Outdoor retail and wholesale uses																
Outdoor Storage as an accessory use to a permitted use in enclosed building										C					C	
Outpatient care facilities														P		
Parking garages as principal use														C		
Parking lots and garages							15	15	P							
Parks and playgrounds	P	P	C	P	P	P							P		P	C
Personal services						P	P	P	P							
Police stations	C	C	C	C	C	C	P	P	P	P	P		P	C	P	
Print shops										P	P					
Public libraries and museums	C	C	C	C	C	C										
Quarries and other excavation activities																P
Radio/TV stations								P	P							
Recreation centers			C	C	C		P	P	P			C	P			
Rehabilitative facilities	C	C	C	C	C	C	C	C	C	C			C	C		
Relocation of off-premise signs							C	C		C	C					
Research laboratories										P	P	P				
Residential care homes for developmentally disabled individuals	2	2	2	2	2	2	2	2	2					2		
Residential care homes for mentally ill individuals	3	3	3	3	3	3	3	3	3					3		
Residential care homes for up to five individuals, other than the developmentally	4	4	4	4	4	4	4	4	4					4		
Restaurants							P	P	P							
Retail, outdoor								P								
Retail sales in enclosed buildings						P	P	P	P							
Rooming/lodging houses					P	P	P	P	P							
Schools: elementary, middle, and high	C	C	C	C	C	C	P	P		P			P			
Schools: trade and business								P	P	P			P			
Shared parking						C	C	C		C	C	C	C	C	C	
Single family detached dwellings	P	P	P	P	8		P	P						P		
Social Service uses						P	P									
Solid w[illegible]e/recycling centers											12					

TABLE 7-1
SUMMARY OF DISTRICT USES

TYPE OF USE	RE2.5	RE1	RS	RT7	RM	CL	CG	CA	CD	IL	IG	BP	I	M	AP	Q
Sororities and fraternities													P			
Stone processing activities																P
Taxi Stands									P							
Theaters, indoor							P	P	P							
Townhouses				P	P											
Utility substations and transmission facilities	5	5	5	5	5	5	5	5	5	5	5	5	5			5
Warehousing and storage											13					
Warehousing and storage, within enclosed buildings										P						
Wholesale in enclosed buildings							P									
Wholesale trade								P		P	P					

LEGEND

P = Permitted use in the zoning district

C = Conditional use approval required

Number = Use permitted with special conditions or restrictions, which may be found in Table 7-2 on page 182

19-Jan-95

TABLE 7-2
TABLE OF SPECIAL CONDITIONS

(1) Livestock shall be permitted only in a pasturage context subject to the following:

(a) Pasture use shall be limited to one unit per acre of land actually used as pasture and accessible to the livestock. Land with slope in excess of 15% shall not be considered in establishing the livestock limit for a pasture. Animal units per animal shall be determined as follows:

All larger animals, including cattle, horses, swine (excluding miniature pigs kept as pets), ponies, etc., 1.0 animal unit

Goats, sheep, miniature horses, etc., 0.5 animal unit

All smaller animals including fowl, 0.2 animal unit

All animals less than 4 months of age shall be calculated at 1/2 the unit value of their respective category above

(b) All other agricultural business involving livestock are prohibited, including but not limited to concentration point, confined feeding, feedlot, feeder pig operation, livestock auction, livestock dealer, sale barn, stock yard, transfer station.

(c) Livestock shall not be kept on any parcel of less than five (5) acres in area and 300 ft. in width, except that chickens and ducks may be kept within the density limits on parcels of two acres or more.

(d) Structures containing livestock or livestock waste shall meet the following minimum setbacks:

Front	75 ft.
Side	50 ft.
Rear	75 ft.

(2) As described in Ind. Code §12-28-4-8 and licensed by the State under a program authorized by Ind. Code §12-11-1.

(3) As described in Ind. Code §12-28-4-7 and licensed by the State pursuant to Ind. Code §12-22-2-3(2)-(6), provided that no such home shall be located within 3000 feet of any other residential care home, measured between lot lines.

(4) Provided all state licensing provisions are complied with, and provided that no such home shall be located within 3000 feet of any other residential care home, measured between lot lines.

(5) Shall provide vegetative buffer which shall completely screen fenced area around the facility.

(6) Shall be located on a street classified as collector or arterial--shall be adequately screened from adjacent residential uses.

(7) (a) The operator or manager of the facility must reside on the premises.

(b) Maximum of five (5) guest rooms

(8) Permitted only on lots of record established before the effective date of this zoning ordinance.

(9) All major overhaul, body and fender work, upholstering and welding shall be conducted within a completely enclosed building and all spray painting shall be conducted within an approved spray booth and, provided further, that no outdoor storage of automobile parts, discarded tires, or similar materials, or outdoor storage of more than three wrecked or temporarily inoperable vehicles awaiting repairs shall be permitted.

(10) (a) Shall not be provided with additional driveways except as authorized by the City Engineer.

(b) Design of maneuvering and stacking aisles shall not interfere with circulation or visibility for traffic either on or off site and shall be designed to minimize headlight glare to adjacent properties.

(c) The radius and width of maneuvering areas shall be as required by the City Engineer.

(11) (a) Outdoor storage of auto parts or supplies is prohibited.

(b) A maximum of three (3) cars awaiting repair may be stored outside.

(12) Recycling Conditions. Recyclable materials stored on site must be sorted and enclosed in buildings, appropriate containers, or bales no smaller than 400 pounds. All unprocessed materials must be stored in buildings or enclosed containers and may remain on site no longer than seven (7) working days. Processed materials are defined as baled materials, or materials in shippable containers. Unrecyclable materials must be stored in enclosed buildings.

(13) Outdoor storage yards shall be screened so as to mitigate the appearance and impact of the proposed storage use, and its level of activity, in a manner consistent with the purposes of the IG district.

(14) Resident manager not required; number of guest rooms limited only by parking and bulk constraints.

(15) If intended to be used to provide required off-street parking for a use on another lot, parking lots and garages are required to obtain conditional use approval.

(16) Must meet standards for home occupation as set forth in Section 20.05.04.06 (W). Commercial activity above and beyond those limits shall be subject to the requirements of the zoning district, including site plan review.

TABLE 7-3

HEIGHT, BULK AND DENSITY STANDARDS

LOT AREA REQUIREMENTS						YARD AND OPEN SPACE REQUIREMENTS								SETBACKS FROM CENTERLINE (25)										
Zone	Min. Lot Area	First DU	Addn. DU	Min. Lot Width	Max Ht.	Min. Side Yard (Structures)	Min. Rear Yard (Structures)	Add. side yard for each add. story	Max. Building Coverage	Usable open space per DU	FAR	Min Side Yard- Parking	Min. Rear Yard- Parking	Prin. Art. (11)(12) - Building	Prin. Art. - Parking	Sec. Art.(11)(12) - Building	Sec. Art. - Parking	Prin. Col.(11)(12 - Building	Prin. Col. - Parking	Sec. Col.(11)(12) - Building	Sec. Col. - Parking	[illegible]	from ROW - Local - Parking	Addn. Front Setback (14)
RE 2.5	108,900	108,900	x	200'	50'	30'	60'	4'	10%	x	x	x	x	80'	(26)	70'	(26)	65'	(26)	55'	(26)	[illegible]0'	(26)	x
RE 1	43,560	43,560	x	100'	45'	20'	50'	4'	20%	x	x	x	x	80'	(26)	70'	(26)	65'	(26)	55'	(26)	[illegible]0'	(26)	x
RS 2	18,000	18,000	x	80'	40'	8'	25'	4'	30%	x	x	x	x	75'	(26)	65'	(26)	60'	(26)	55'	(26)	[illegible]5'	(26)	x
RS 3.5	9,600	9,600	x	70'	40'	8'	25'	4'	35%	x	x	x	x	75'	(26)	65'	(26)	60'	(26)	55'	(26)	[illegible]5'	(26)	x
RS 4.5	7,200	7,200	x	60'	40'	8'	25'	4'	40%	x	x	5'	x	75'	(26)	65'	(26)	60'	(26)	55'	(26)	[illegible]5'	(26)	x
RT 7	7,200	7,200	6,000	80'	30'	8'	25'(10)	4'	40%	1,650	x	5'	(15)	75'	(26)	65'	(26)	60'	(26)	55'	(26)	[illegible]5'	(26)	x
RM 7	7,000	7,000	6,000	50'	35'	8'	25'(10)	4'	40%	1,350	x	(15)	(15)	75'	75'	65'	65'	60'	60'	55'	55'	[illegible]5'	25'	x
RM 15	5,000	5,000	2,750	50'	80'	8'	25'(10)	4'	FAR	1,000	0.6	(15)	(15)	75'	75'	65'	65'	60'	60'	55'	55'	[illegible]5'	25'	x
CL	x	7,000	6,000	x	35'	0'(1)	10'(2)(17)	4'	50%	1,350	x	(16)	(18)	60'	70'	50'	60'	45'	55'	40'	50'	[illegible]0'	20'	4'
CG	x	5,000	2,750	x	80'	0'(1)	10'(2)(17)	4'	60%	1,000	2.4	(16)	6'(1)	60'	70'	50'	60'	45'	55'	40'	50'	[illegible]0'	20'	4'
CA	x	5,000	2,750	x	80'	0'(1)	10'(2)(17)	4'	50%	1,000	1.5	(19)	6'(1)	60'	70'	50'	60'	45'	55'	40'	50'	[illegible]0'	20'	4'
CD	x	x	x	x	80'(20)	0'(4)	(13)	x	FAR	x	8	x	x	x	x	x	x	x	x	x	x	x	x	x
IL	x	x	x	60'	50'(21)	12'(3)(22)	12'(3)(16)	x	50%	x	1.5	6'(1)	6'(1)	75'	85'	65'	75'	60'	70'	55'	65'	[illegible]5'	35'	4'
IG	20,000	x	x	100'	60'(23)	12'(5)	20'(6)(5)	x	70%	x	2	6'(2)	10'(3)	75'	85'	65'	75'	60'	70'	55'	65'	[illegible]5'	35'	4'
BP	12,000	x	x	100'	45'	15'(2)	30'	x	60%	x	1.5	8'(24)	15'	75'	85'	65'	75'	60'	70'	55'	65'	[illegible]5'	35'	4'
I	5,000	x	x	x	80'	5'(7)	10'(3)	x	60%	x	2	5'(1)	5'(1)	65'	75'	55'	65'	50'	60'	45'	55'	[illegible]5'	25'	4'
M	10,000	x	x	x	80'	0'(2)	0'(2)	x	60%	x	2	16	6'(1)	65'	75'	55'	65'	50'	60'	45'	55'	[illegible]5'	25'	4'
AP	x	x	x	x	45'	25'(8)	25'(8)	x	50%	x	x	x	x	80'	90'	70'	80'	65'	75'	55'	65'	[illegible]0'	40'	x
Q	40,000	x	x	200,	45'	50'(9)	50'(9)	x	50%	x	x	x	x	80'	90'	70'	80'	65'	75'	55'	65'	[illegible]0'	40'	x

TABLE 7-3
SPECIAL CONDITIONS

(1) Landscaped ten (10) foot yard required if adjacent to a residential district.
(2) Landscaped twenty-five (25) foot yard required if adjacent to a residential district.
(3) Landscaped twenty (20) foot yard required if adjacent to a residential district.
(4) No side yard required for commercial development. Residential portions of new buildings must have minimum side yard setback of 6' from the property line or 20' from the nearest building, whichever is greater.
(5) One hundred (100) foot side yard required when adjacent to a residential district, with twenty-five (25) foot landscaped buffer. No side yard required if adjacent to a rail siding, regardless of adjacent zoning.
(6) No rear yard required if adjacent to a rail siding.
(7) Landscaped fifteen (15) foot side yard required if adjacent to a residential district.
(8) Landscaped fifty (50) foot yard required if adjacent to a residential district.
(9) No quarry pit or mechanical operation shall be permitted within 200' of a residential district.
(10) Or the same dimension as the height of the building, whichever is greater.
(11) In any residential district, the required street setback shall be the greater of the street setbacks of the buildings on the adjacent lots on the same block face.
(12) Setbacks from streets functioning as a one-way pair may be reduced from the stated setbacks shown in Table 7-3 by the following amounts, however no setback shall be less than ten feet (10') from the property line:

Street Classification	Parking Setback	Building Setback
Principal Arterial	10'	10'
Secondary Arterial	5'	10'
Principal Collector	5'	5'
Secondary Collector	0'	5'

(13) The rear yard shall be a minimum of twenty-five (25) feet when adjacent to a residential district.
(14) Additional front setback required for each additional story, or for each 10' or increment thereof of building height over 12', measured at the eave of the building.
(15) Rear parking setback is one-half (1/2) the building setback requirement or five (5) feet, whichever is greater.
(16) If adjacent to a non-residential district, side parking setback shall be .05 times the lot width (rounded to next highest integral number of feet) or three (3) feet, whichever is greater, up to a maximum of ten (10) feet. If adjacent to a residential district, side parking setback shall be ten (10) feet.
(17) Yard shall be measured to the centerline of any abutting alley.
(18) Rear parking setback shall be one-half (1/2) the building setback requirement, except that no parking rear yard adjacent to a residential district shall be less than ten (10) feet from the property line.
(19) If adjacent to a non-residential district, side parking setback shall be .05 times the lot width (rounded to next highest integral number of feet) or three (3) feet, whichever is greater, up to a maximum of twenty-five (25) feet. If adjacent to a residential district, side parking setback shall be ten (10) feet.
(20) Except as may be permitted by 20.07.15.05 and excepting those blockfaces facing the courthouse square, extending from the street frontage to the alley, where the maximum height shall be forty (40) feet.
(21) Up to twenty percent (20%) of the footprint of the building may extend to a maximum height of eighty (80) feet.
(22) No side yard required if adjacent to a rail siding.

(23) Up to twenty percent (20%) of the footprint of the building may extend to a maximum height of one hundred (100) feet.

(24) Minimum of twelve (12) feet required when adjacent to a residential district.

(25) In no case shall any setback be less than ten (10) feet from the property line.

(26) Parking for single family residential uses shall be prohibited within the setback between the street and the building except on a single driveway not exceeding the width of an attached garage facing the street or twenty-two (22) feet in width where there is no attached garage facing the street. Parking on any other portion of the setback between the street and the building or on a lawn shall be prohibited. Parking shall not be permitted in driveways serving parking lots.

TABLE 7-4

20.07.16.03 Bulk, Density, Height, Area, and Aesthetic Requirements

A. No yard, open space, or lot area required for a building or structure shall be occupied by, or counted as open space for, any other building or structure.

B. The following structures or parts of structures are exempt from the height limitations set forth in the zoning districts: Silos, windmills, chimneys, rooftop mechanicals, derricks, radio and television antennae and towers, observation towers, power transmission towers, and water towers. Height restrictions in the area of the Monroe County Airport are regulated by the Federal Aviation Administration.

C. Fences may be constructed in any yard if they are a maximum of eight (8) feet in height. Fences constructed at the building setback line or within the buildable area of the lot are subject to the height limitations of the zoning district. Barbed wire fences are prohibited within the corporate limits of Bloomington.

D. The following structures or facilities may be constructed in any yard: sidewalks, arbors and trellises, retaining walls, landscape features, and planting boxes.

E. Any substandard lot of record which was recorded prior to the effective date of this zoning ordinance shall be permitted to exist in its present dimensions. Such lots may have reduced side yard requirements as shown below:

In any RE district:	fifteen (15) feet minimum each side
In any RS district:	six (6) feet minimum each side

F. The following table shows dimensional and locational requirements which are exceptions to the general bulk controls applicable to each zoning district.

Where the symbol "NP" is seen, such object or structure is not permitted within that required setback.

Where the symbol "P" is seen, such object or structure is permitted subject to any other requirements in this zoning ordinance.

Type of Structure or Use Encroachment	Front Setback	Side Yard	Rear Yard
Air-conditioners which are window units may extend from the structure:	30"	30"	30"
Air-conditioners which are ground units may project into the required setback, providing they are properly screened, by:	5'	5'	5'
Antennae may be located no further from the principal structure than:	2'	2'	2'
Awnings and canopies may extend into the required setback by:	3'	3'	3'
Balconies, steps, decks, and porches may extend into the required setback by:	6'	6'	6'
Bay windows which are one story high and occupy no more than thirty-five (35) percent of the front building face may extend into the required setback by:	3'	3'	3'

Belt courses, window sills and other architectural features may extend into the required setback by:	3'	3'	3'
Chimneys which shall not occupy more than thirty-five (35) percent of the front building face may project into the required setback by:	3'	3'	3'
Clothes lines and poles shall be located no closer to a property line than:	35'	5'	5'
Cornices may extend from the structure no more than:	18"	18"	18"
Detached garages, carports, and storage sheds may be no higher than fifteen (15) feet and shall be located no closer to a property line than:	35'	5'	5'
Eaves may extend from the structure no more than:	3'	3'	3'
Entrance canopies no larger in horizontal area than one square foot per each two feet of lot frontage are permitted in non-residential districts subject to site distance regulations.	P	P	P
Fallout shelters (completely underground)	35'	5'	5'
Fire escapes may project from the structure no more than:	NP	6'	6'
Flagpoles may be no more than the permitted building height and shall be located no closer to an adjacent property line than:	12'	5'	5'
Marquees, at least 10' above the level of the sidewalk or right-of-way over which it projects, not beyond a line parallel to and 1' back of the back line of the curb fronting the property, no wider than the building to which it is attached, and any signage or device attached to such marquee may not extend below or above the vertical face of the marquee except that a sign or device not more than 48" in length and 13" high may be hung from the underside of the marquee if installed perpendicular to the adjacent property line and containing only the name of and nature of the business conducted in the adjacent property. Such sign must be in compliance with Section 20.06.06.00 of this zoning ordinance.			
Pool and filtering equipment shall be located proximate to the pool and no closer to an adjacent property line than:	35'	5'	5'
Public art (see Section 20.06.04.05)	15'	5'	5'
Recreational equipment, satellite dishes, pethouses and playhouses may be located no closer to a property line than:	35'	5'	5'

CHAPTER 20.08: NONCONFORMITIES

20.08.01.00 NON-CONFORMING STRUCTURES AND USES
20.08.02.00 CHANGES IN A NONCONFORMING USE OR STRUCTURE
20.08.03.00 ABANDONMENT OF NONCONFORMING USES
20.08.04.00 RESTORATIONS AND REPAIRS

20.08.01.00 NON-CONFORMING STRUCTURES AND USES

20.08.01.01 General

Any structure, or any use of land or structure, which does not conform with one or more provisions of this Zoning Ordinance, but which lawfully existed upon the effective date of the provisions of this Zoning Ordinance with which the structure or use does not conform, shall be a lawful nonconforming use or structure within the meaning of this chapter. A lawful nonconforming use or structure may continue except as provided in this Chapter and in Chapter 20.01.06.

20.08.01.02 Residential Occupancy

A. A nonconforming use involving use of a dwelling unit in a single family zone for occupancy by four or five adults and duly registered on or before October 1, 1985, in accordance with Ordinance 85-15, shall be deemed a lawful nonconforming use which may be continued under this zoning title, without further registration.

B. Where a dwelling unit was lawfully existing on the effective date of this ordinance and lawfully occupied by four or five adults, the property owner may register such property as a lawful non-conforming use. Forms for such registration shall be available in the planning department and must be completed by the property owner or agent and filed in the planning department within 180 days of the effective date of this zoning ordinance (May 1, 1995).

1. For existing structures, the use to be vested pursuant to this provision shall be the use lawfully in effect as of the effective date of this zoning ordinance or the predominant lawful use for the preceding five years, whichever is greater.

C. ~~A non-conforming use involving a dwelling unit intended to be constructed for occupancy~~ by four or five adults exists from the time a complete application, conforming to all applicable regulations in effect at the time of application, has been filed for a building permit with the City Engineering Department, provided the property owner's intention to accommodate four or five adults is stated in writing, and the property is registered pursuant to Section 20.08.01.02.B, within 180 days of the effective date of this zoning ordinance (May 1, 1995); provided further that the property was lawfully eligible for occupancy by four or five adults prior to the effective date of this zoning ordinance; and provided further that the building permit application was filed prior to the effective date of this zoning ordinance. However, in the event that said application or permit expires or is suspended or revoked as provided in Section 17.08.030(7) of the Bloomington Municipal Code, any new permit application shall be subject to the regulations in this zoning ordinance.

D. The provisions of 20.08.02.01, below, shall apply to all lawful nonconforming uses governed by A, B, or C above.

20.08.01.03 Certificate Of Nonconforming Use

In order to protect the lawful nonconforming status of a nonconforming use, a person who owns or operates a nonconforming use may request a certificate of nonconforming use from the planning staff on a form available in the planning department. The applicant shall demonstrate that the use is a lawful nonconforming use prior to the issuance of the certificate.

20.08.02.00 CHANGES IN A NONCONFORMING USE OR STRUCTURE

20.08.02.01 Changes in Use Restricted

A lawful nonconforming use, including a lawful non-conforming use involving occupancy by four or five adults, shall not be expanded, enlarged or relocated to another portion of the lot or another part of the structure, nor may the structure containing such use be expanded, altered so as to create additional habitable space, or enlarged.

A lawful nonconforming use may be changed to any conforming use, but shall not be changed to another nonconforming use.

20.08.02.02 Changes to a Nonconforming Structure

A nonconforming structure shall not be enlarged nor its use changed in any way which would either:

1. Create a new nonconformity; or

2. Increase the degree of nonconformity with respect to development regulations or off-street parking requirements, except that in the event existing parking areas are not directly involved in the change of use or enlargement, but compliance with yard or setback requirements would eliminate the only available required parking and thus preclude the change of use or expansion, then the number of parking spaces and/or the setback for said spaces shall be brought as nearly into compliance as possible. The Plan Commission or the planning staff shall make the determination of the extent of compliance required for parking and setback, however a separation between parking area and public way shall be provided.

20.08.02.03 Changes to Nonconforming Structures in Flood Hazard Areas

Any structure or use located in a flood hazard district shall be governed by the general regulations of this chapter to the extent that nonconformance is related to requirements other than those governing flood hazard areas. To the extent that nonconformance is related to the regulations of the flood hazard districts, modifications are governed by the following provisions.

A. Floodway: In any floodway district, a lawful nonconforming use or structure may undergo substantial modifications on a one-time only basis after a permit is issued by the Department of Natural Resources. Such modification may not increase the value of the structure, excluding the value of land, by more than forty percent of its pre-improvement market value unless such structure is brought into compliance.

B. Floodway Fringe: A lawful nonconforming use may undergo substantial modification or enlargement provided such modification or enlargement is on a one-time-only basis and further provided that such modification does not increase the value of the building by more than forty percent of its pre-improvement market value, excluding the value of land, unless such structure is brought into compliance.

C. Floodplain: A lawful nonconforming use in a floodplain district may undergo substantial modifications on a one-time-only basis after a permit is issued by the Department of Natural Resources. Such modification may not increase the value of the structure, excluding the value of land, by more than forty percent of its pre-improvement market value unless such structure is brought into compliance.

20.08.03.00 ABANDONMENT OF NONCONFORMING USES

20.08.03.01 Reestablishment Prohibited

A lawful nonconforming use which has been abandoned shall not be resumed or replaced by another nonconforming use.

20.08.03.02 Abandonment of a Nonconforming Use

A. Residential Occupancy: Where the lawful nonconforming use is habitation of a dwelling by four or five adults, and where such nonconforming use was registered under the provisions of Ordinance 85-15 or under the provisions of Section 20.08.01.02 (B) or (C) of this zoning ordinance, such use shall be permanent and not subject to cessation.

B. Other Nonconforming Uses: A lawful nonconforming use shall be deemed abandoned when the nonconforming use has been replaced by a conforming use or when the nonconforming use has ceased and has not been resumed for a continuous period of six (6) months, or when the furnishings have been removed and not replaced for a continuous period of six (6) months.

20.08.04.00 RESTORATIONS AND REPAIRS

A lawful non-conforming structure, or a structure containing a lawful nonconforming use, may be restored when the conditions enumerated below have been met regardless of other regulations in this Zoning Ordinance. Replacement, restoration, and repairs must conform to building code and other applicable regulations set forth by the Bloomington Municipal Code.

20.08.04.01 Structure Damaged or Destroyed

A lawful non-conforming structure or a structure which contains a lawful non-conforming use which has been partly or completely destroyed or removed by accidental cause, including Acts of God, may be replaced, provided the owner or agent makes application for a building permit within six months of the date of destruction or removal. The replacement structure must be placed on the footprint of the old structure, may not be higher than the old structure, and shall be substantially the same architecture and constructed of similar materials, to the extent possible and to the extent permitted by building code or other applicable regulation.

20.08.04.02 Repair

Nothing in this ordinance shall be interpreted to prevent normal maintenance and repair of lawful nonconforming structures or of structures which contain lawful nonconforming uses. Normal maintenance and repair does not include the razing of walls to the foundation and rebuilding, nor does it include altering a structure which contains a lawful non-conforming use in any way which results in additional habitable space.

20.08.04.03 Replacement in a Flood Hazard Area

A lawful non-conforming structure or any structure which contains a lawful non-conforming use which has been partly or completely destroyed or removed by accidental cause, including Acts of God, may be replaced, provided the elevation of the lowest floor, including the basement floor, must be at least two (2) feet above the regulatory flood; all necessary permits must be obtained from the Department of Natural Resources; and that application for building permit must be made within six months of the date of destruction or removal.

CHAPTER 20.09: ENFORCEMENT

20.09.01.00 AUTHORITY
20.09.02.00 PENALTIES AND REMEDIES FOR VIOLATIONS

20.09.01.00 AUTHORITY

All departments, officials and public employees of the city which are vested with the duty or authority to review and/or issue permits shall conform to the provisions of this title and shall issue no permit for any use, building, or purpose which would be in conflict with the provisions of this title. Any permit or license issued in conflict with the provisions of this title shall be null and void. The Planning Director, or his designee, and the Code Enforcement Manager, or his designee, will be designated enforcement officials with full authority to investigate, issue notices of, and secure remedies, including but not limited to injunctive relief, for, any violation of this zoning ordinance.

20.09.02.00 PENALTIES AND REMEDIES FOR VIOLATIONS

20.09.02.01 Violations of any provision of this Zoning Ordinance or failure to comply with any of its requirements, including violations of any condition established in connection with approval of a variance, conditional use or other development approval, shall be subject to the same penalty as provided in Section 1.01.130 of the Bloomington Municipal Code.

20.09.02.02 Each day that any violation continues shall be considered a separate offense for purposes of the penalties and remedies specified in this Section.

20.09.02.03 The Corporation Counsel may, when a violation of this Zoning Ordinance is referred to the legal department, institute appropriate action to prevent, enjoin, abate or remove any violation of this Zoning Ordinance.

20.09.03.00 ADMINISTRATION

The Planning Director, Code Enforcement Manager, and Corporation Counsel shall maintain a record and tabulation of all complaints and investigations, and the resolutions of those complaints, whether made by citizens or by staff; communicate on a regular basis with citizen complainants about the progress being made in investigating and resolving their complaints; and, report to the Common Council on a semi-annual basis as to the number and type of complaints and the outcome of each.

CHAPTER 20.10: APPENDIX

20.10.01.00
20.10.01.01 Indiana University Campus Boundaries
20.10.01.02 Historic Properties and Districts

20.10.01.00

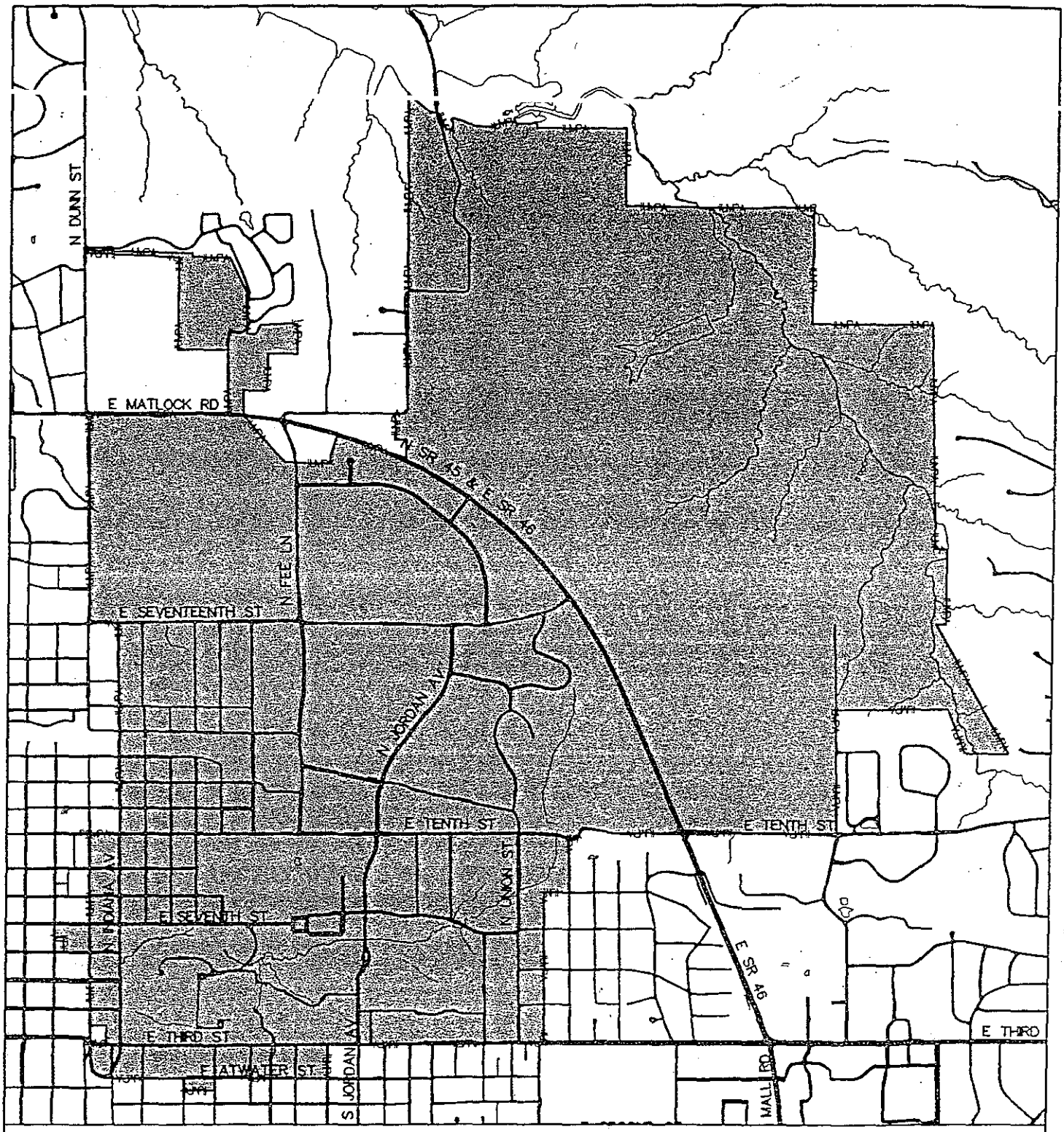
Certain maps are included in this zoning ordinance as an information reference. These maps are not part of the zoning map and do not in any manner alter the regulation of land thereon by this zoning ordinance.

20.10.01.01 Indiana University Campus Boundaries

Indiana University Campus Boundaries are as shown on the Indiana University Master Plan. The area within these boundaries has been identified as area expected to be acquired by Indiana University or supporting organizations. Property owned by Indiana University is exempt from this zoning ordinance by state law.

20.10.01.02 Historic Properties and Districts

The properties identified on this map are designated Historic Districts pursuant to Title 8 of the Bloomington Municipal Code, Historic Preservation and Protection Districts, or its predecessor. Such designation imposes restrictions on exterior modifications and may also result in the allowance of adaptive re-use not otherwise permitted in the zoning district. The map also identifies properties and districts which are listed in the National Register of Historic Places.



Indiana University Master Plan Area

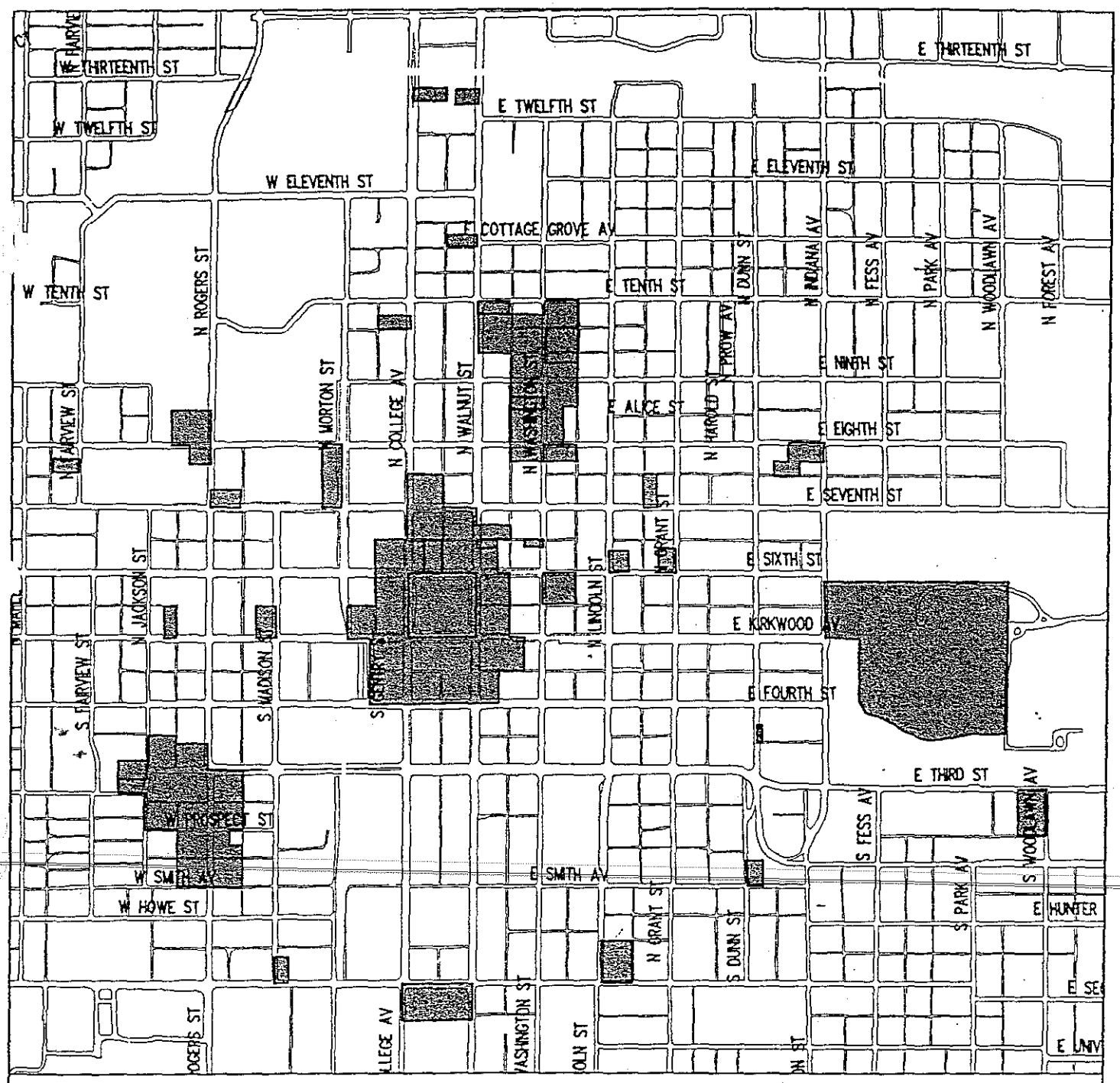
20.10.01.01

Scale: 1" = 1800'

City of Bloomington
Planning Department

Geographic Information System

NOTE: The historic designations at 2910 E. 10th Street and E. Hawthorne Drive Sidewalks are not represented on this map



Historically Designated Properties

20.10.01.02

Scale: 1" = 800'

City of Bloomington
Planning Department

Geographic Information System