

ORDINANCE 93-05

TO AMEND THE TEXT OF
TITLE 20 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED, "ZONING"
Re: Designating Certain Industrial Uses as Special Exceptions
that Will Require Approval by the Board of Zoning Appeals

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

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

SECTION I. Section 20.07.09.01 shall be amended to add the following item at the end of the list of Special Exceptions:

- (1) Industrial uses with potentially adverse effects

SECTION II. Chapter 20.11 Regulations for Special Exceptions is amended to add the following:

20.11.13.00 Industrial uses with potentially adverse effects.

20.11.13.01 The following uses may be approved as a special exception:

- (a) The manufacture of chemicals and chemical products;
- (b) The processing of meat, poultry, or seafood;
- (c) The manufacture of paper products from wood or pulp;
- (d) The manufacture of paving material or concrete block;
- (e) Motor or bus terminals.

20.11.13.02 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 report to the Board of Zoning Appeals.

20.11.13.03 Impacts. The applicant shall submit an impact statement which details the impacts of the proposed use in terms of noise, dust, odor, traffic, and discharges to the air, ground water, and surface water.

20.11.13.04 Mitigation. The Board may require mitigation measures such as placement on the site, means of reducing noise and emissions, and screening or setbacks in excess of MG minimum.

20.11.13.05 Compliance. The Board may require post-construction testing or inspection at appropriate times and intervals to insure ongoing compliance with the applicant's impact statement and the required measures.

SECTION III. Section 20.07.06.00, Tabular Summary of Land Use Regulations, Industrial, is amended as follows:

Uses Permitted	Class of Use	R E	R S	R L	R M	R H	B L	B G	B A	B D	M L	M G	M P	M Q	S I	S M
MANUFACTURING/PROCESSING																
4. Chemicals & Chemical Products	H											S	S			
11. Meat, Poultry, Seafood												S				
16. Paper Products from Wood or Pulp	H											S				

17. Paper Products other than above										o	o	o				
18. Paving & Concrete Block											S					
19. Printing/Newspapers	G						o	o	S	o	o	o				
20. Research Laboratories	G						o	S	o	o	o					
21. Service and Distribution Uses								S								
22. Miscellaneous Small Products												o				
23. Sporting Goods, Toys, Novelties												o				
INDUSTRIAL, NON-PROCESSING																
3. Motor and Bus Terminals											o	S				

SECTION IV. SEVERABILITY. If any section, sentence of 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 parts of this ordinance which can be given effect without the invalid part, and to this end the provisions of this ordinance are declared to be severable.

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

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 3rd day of February, 1993

[Handwritten Signature]
 JACK W. HOPKINS, President
 Bloomington Common Council

ATTEST:

[Handwritten Signature]
 PATRICIA WILLIAMS, Clerk
 City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 4th day of February, 1993.

[Handwritten Signature]
 PATRICIA WILLIAMS, Clerk
 City of Bloomington

SIGNED and APPROVED by me upon this 5th day of February, 1993.

[Handwritten Signature]
 TOMILEA ALLISON, Mayor
 City of Bloomington

SYNOPSIS

This ordinance designates the following industrial uses as special exceptions:

- The manufacture of chemicals and chemical products.
- The processing of meat, poultry, or seafood.
- The manufacture of paper products from wood or pulp.
- The manufacture of paving material or concrete block.
- Motor or bus terminals.

These uses are currently permitted by right in the MG zone. As special exceptions, they will require Plan Commission comment and Board of Zoning Appeals approval pursuant to criteria established in this ordinance.

signed copies to:
 E, MC
 CA/CA + Clerk
 Planning
 Legal (4)
 Code Enforcement
 BZA

ORDINANCE CERTIFICATION

In accordance with IC 36-7-4-605 I hereby certify that the attached Ordinance Number 93-05 is a true and complete copy of Plan Commission Case Number ZO-76-92 which was given a recommendation of approval by a vote of 8 Ayes, 2 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on January 11, 1993.

Timothy A. Mueller
Plan Commission

Date: January 12, 1993

Tim Mueller, Secretary
Plan Commission

Received by the Common Council Office this 12th day of January, 1993

Patricia Williams
Patricia Williams, City Clerk

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

Type of Legislation:

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

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

Cause of Request:

Planned Expenditure _____ Emergency _____
Unforeseen Need _____ Other _____

Funds Affected by Request:

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

Signature of Controller _____

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

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

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