

Passed 9/19/90
 Ayes 7 Nays 2
 (SH, RF)

ORDINANCE 90 - 41

TO AMEND THE TEXT OF TITLE 20 OF THE BLOOMINGTON MUNICIPAL CODE REGULATING MINIMUM LAND REQUIREMENTS FOR FARM ANIMALS

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

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

SECTION I. Section 20.07.04.00 Table of Permitted Uses, Residential, Uses Permitted shall be amended so that A. 2. reads: "Pasturage" and Residential, Class of Use shall be amended so that A. 2. "Pasturage" includes "1" under both the RE and MQ zones. [Please see below.]

USES PERMITTED	CLASS of USE	RE	RS	RL	RM	RH	BL	BG	BA	BD	ML	MG	MQ	SI	SM
20.07.04.00 RESIDENTIAL															
A. AGRICULTURAL															
1. Crops		0											0		
2. Pasturage		1											1		
3. Nurseries/Greenhouses		0							0						
4. Truck Garden		0	2	2	2	2							0		

SECTION II. Section 20.07.04.00 Notes for Special Conditions, Note 1 shall be amended to read as follows:

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, 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 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.


SECTION III. Section 20.04.01.00 Definitions shall be amended to add the following definition:

"Pasturage" means the keeping of livestock with routine access to open pasture land for feeding at densities not to exceed those specified in footnote 1 to the table of permitted uses, 20.07.04.00. 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.

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

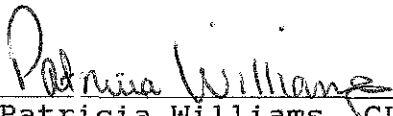
SECTION IV. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 20th day of SEPTEMBER, 1990.



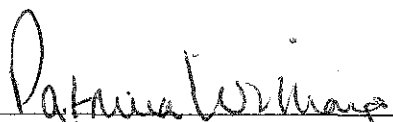
Iris Kiesling, PRESIDENT
Bloomington Common Council

ATTEST:



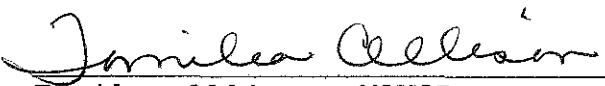
Patricia Williams, CLERK
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 21 day of September, 1990.



Patricia Williams, CLERK
City of Bloomington

SIGNED and APPROVED by me upon this 25 day of September, 1990.



Tomilea Allison, MAYOR
City of Bloomington

SYNOPSIS

This ordinance shall establish criteria for defining allowed uses involving farm animals in the RE and MQ zones. Animal densities for pasturage are established and a definition of pasturage is added to the Code.