

ORDINANCE 86 - 37

To Amend Chapter 20.08.03.00 of Title 20 of the Bloomington Municipal Code

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

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

SECTION I. Section 03 Height, Bulk and Density Table be amended to read as follows:

Zone	Min. Lot Area	1st DU	Addn. Apt.	Addn. Town-House	Max. Ht.	Min. Width Lot	Side Least	Yard Comb.	Rear	Additional Side Yard Each Story Over One	Max. Lot Coverage	Usable Open Space Per DU
RH	5,000	5,000	2,000	2,000(2)	80'	50'	6'(17)	15'	X(17)	FAR	FAR	800


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

SECTION III. 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 30 day of July, 1986.

  
 JAMES REGISTER, President  
 Bloomington Common Council


ATTEST:

  
 PATRICIA WILLIAMS, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 31 day of July, 1986.

  
 PATRICIA WILLIAMS, City Clerk

SIGNED and APPROVED by me upon this 31 day of July, 1986

  
 TOMILEA ALLISON, Mayor  
 City of Bloomington

### SYNOPSIS

Approval of this amendment to the City of Bloomington Municipal Code would eliminate the footnote (1) in the Usable Open Space Per DU column for the RH zone in Chapter 20.08.03.00 (Height, Bulk and Density Table). The effect of this ordinance would be to require 800 square feet per unit for both apartments and townhouse units (1200 sq. ft. of open space per unit for townhouses was the previous requirement in the RH zone).

\*\*\*\*ORDINANCE CERTIFICATION\*\*\*\*

In accordance with IC 18-7-4-508, I hereby certify that the attached Ordinance Number \_\_\_\_\_, is a true and complete copy of Plan Commission Case Number MP-19-86 which was given a recommendation of approval by a vote of 6 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on April 7, 1986.

*Timothy A. Mueller*  
 Planning Director

Date: July 1, 1986

Tim Mueller, Secretary  
 Plan Commission

Received by the Common Council Office this 1 day of July 1986,

*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 _____

Municipal Code Amendment

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 X

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

No services will be added as a direct result of this ordinance.

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

Agency submitting legislation Planning

By Tim Mueller Date July 1, 1986

MP-19-86  
STAFF REPORT  
April 7, 1986  
Code Amendment Regarding  
Open Space Requirements in the RH zone.

In the course of the recent Varsity Villas townhouse condominium site plan review, the Commission became concerned about the fact that the RH zone open space requirements create a dis-incentive for townhouse developments.

As you can see in the attached Height, Bulk, & Density Table, the RL zone provides for both a density and open space incentive for townhouse development. The RM zone provides a density incentive for townhouses and the open space requirements are the same for both apartments and townhouses.

The RH zone, however, provides no density incentive and actually provides an open space dis-incentive. The RH zone requires 800 sq. ft. of open space per apartment unit and 1,200 sq. ft. of open space per townhouse unit.

Staff recommends that the open space requirement in the RH zone be changed to require 800 sq. ft. per unit for both apartments and townhouse units.

20.08.04.00 Special conditions for bulk, density, height, area, and aesthetic requirements. (1) Townhouse developments require a minimum of 1,200 square feet of usable open space per townhouse unit.

(2) In the RM zone four units are permitted on the first 8,000 square feet of lot; each unit thereafter shall require an additional area as specified in the table.

(3) Requirements as stated in notes for special conditions in Chapter 20.07.

(4) If side yard is provided, it shall be at least six feet. If across a street from or abutting a residential zone, side yard shall be ten feet and shall be a landscaped buffer.

(5) No rear yard is required where lots abut a public alley in a B or M zone. Where lot is abutting an R zone, the rear yard shall be twenty-five feet and shall be a landscaped buffer strip.

(6) In any zone except BD, MQ, or SI where the average setback of all structures on a block on which fifty percent or more of the lots are improved with buildings is less than one-half the required setback or is ten feet or more greater than the required setback, then the setback required shall be equal to the average setback already established, but in no case less than ten feet or greater than one hundred feet.

(7) Side and rear yards are not required, unless abutting a residential zone. Side and rear yards abutting a residential zone shall be twenty-five feet in width except that parking spaces having access directly from an alley need have no setback. In such cases, landscaping equivalent to required buffer shall be incorporated in the parking area.

(8) No minimum required for units in existing building space other than main floors; 1000 square feet of lot area per unit required for new construction of more than one unit.

(9) No side yard required by commercial use or for residential use of existing building space. Any residential portions of any new building must be set back at least six feet from the side lot line but in no case closer than twenty feet from any adjacent building wall.

(10) Any main or accessory building shall not be located closer than one hundred feet to any residentially zoned property. At least twenty-five feet adjacent to such residential property shall be a landscaped buffer.

(11) Except as covered in note (10), no rear yard shall be required when an industrial lot is served by a rail siding at the rear.

(12) Duplexes permitted as a conditional use in the RS zone shall have a minimum lot area of 8,500 square feet.

(13) All use bulk and density regulations are subject to the institutional plan for the area.

(14) No quarry pit or mechanical operation shall be permitted within two hundred feet of any residentially zoned lot.

(15) No alley, street or railroad right-of-way shall be considered in determining whether a business or manufacturing property abuts a residential zone.

20.08.03.00 HEIGHT, BULK AND DENSITY TABLE

Zone	LOT AREA PER DU:						YARD REQUIREMENT:							Setbacks from Centerline (16)								Setback from R.O.W. Line	
	Min. Lot Area	1st DU	Addn. Apt.	Addn. Town-House	Max. Ht.	Min. Width Lot	Side Least	Yard Comb.	Rear	Additional Side Yard Each Story Over One	Max. Lot Coverage	Usable Open Space Per DU	FAR	Principal Arterial (6)		Secondary Arterial (6)		Principal Collector (6)		Secondary Collector (6)		Local (6)	
														Prkg.	Bldg.	Prkg.	Bldg.	Prkg.	Bldg.	Prkg.	Bldg.	Prkg.	Bldg.
RE	40,000	40,000	X	X	30'	100'	20'	40'	50'	X	10%	X	X	XX	80	XX	70	XX	65	XX	60	XX	30
RS	(12)7,200	7,200(12)	(12)X	X	30'	60'	8'	20'	25'	4'	30%	X	X	XX	75	XX	65	XX	60	XX	55	XX	26
RL	6,000	6,000	4,000	3,000(2)	35'	60'	8'(17)	20'	25'(17)	4'	40%	1,500(1)	X	60	75	50	65	45	60	40	55	10	25
RM	6,000	5,000	4,000(2)	2,500(2)	35'	50'	6'(17)	15'	25'(17)	4'	40%	1,200(1)	X	55	65	45	55	40	50	35	45	5	15
RH	5,000	5,000	2,000	2,000(2)	80'	50'	8'(17)	X	X(17)	FAR	FAR	800	.80	60	65	50	55	45	50	40	45	10	15
BL	(3)	5,000(3)	2,000	X	35'	none	0(4)	0	15'(6)	X	50%	800	X	60	65	50	55	45	50	50	45	10	15
BG	X	X	X	X	80'	X	(7)	(7)	(7)	FAR	60%	X	2.4	60	75	50	65	45	50	40	45	10	15
BA	10,000	X	X	X	80'	60'	(7)	(7)	(7)	FAR	50%	X	1.5	60	75	50	55	45	50	40	45	10	15
BD	X	(8)	(8)	X	80'	X	(9)	(9)	(6)	X	80%	(18)	3.0	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX
ML	none	X	X	X	45'	60'	12'	24'	20'	4'	50%	X	1.5	60	75	50	65	45	60	40	55	10	25
MG	20,000	X	X	X	45'	100'	12'(10)	24'(10)	20'(10),(11)	4'	70%	X	2.0	60	75	50	65	45	60	40	55	10	25
MQ	40,000	X	X	X	45'	200'	50'(14)	100'(14)	50'(14)	X	X	X	X	80	100	50	80	45	85	40	80	10	100
SI	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)	(13)
SM	5,000	5,000	2,500	2,500	80'	X	(7)	(7)	(7)	FAR	FAR	800	1.5	60	75	50	65	45	60	40	55	10	25

FAR - Floor Area Ratio

All numbers in parentheses refer to Special Conditions Listed in Section 20.08

(Ord. 84-17 S3, 1984; Ord. 80-85 S1, 1980; Ord. 75-20 S3 (A), 1975; Ord. 73-3 S1(part), 1973).