

To Add Section 20.10.09.00 Entitled "Higher Density Residential Development" to 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. Chapter 20.10, Regulations for Conditional Use, shall be amended to add the following new section:

20.10.09.00 Higher Density Residential Development. In recognition of the need for revitalization of the downtown area and the role of residential development in such revitalization and in recognition of the area, the proximity to services provided in the Central Business District and the accessibility to other community activities and in order to encourage and promote the efficient use of land, to maintain and enhance property values, to minimize travel needs and to promote the vitality of the downtown area, the Plan Commission may approve a proposal for residential development as provided below, after holding a public hearing. Development permitted under this section shall be subject to all of the requirements of the applicable zone, except that Lot Area per DU, Useable Open Space per DU, Maximum Lot Coverage, and FAR constraints shall not apply. Such hearing shall determine that:

- A. The site is in the area shown on the map (Attachment A). This section shall not be applicable to any site not so located.
- B. The design of the structure and site are compatible with the surroundings, with emphasis on the quality of architectural finish, landscaping, and the relationship to the design of existing buildings nearby.
- C. Off-street parking meets the requirements of Chapter 20.14, including any residential development in the BD zone approved pursuant to this section.
- D. Residential use in the BD or BG zones approved pursuant to this section shall not occupy the first floor unless specifically authorized by the Plan Commission in conformance with the Comprehensive Plan or the Redevelopment Plan for the downtown area.
- E. Storm water discharge from the site will not adversely affect surrounding property and any increase in the rate of discharge will not unduly contribute to adverse conditions down-stream. To this end, storm water retention may be required.
- F. The sanitary sewer and water distribution facilities in the area are adequate to serve the proposed development.
- G. On-site landscaping shall be provided at least $1\frac{1}{2}$ times the normally required Density Value (D Value). Additional plantings may be required in order to satisfy B above.

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 19 day of June, 1985.

Patricia A. Gross
PATRICIA GROSS, President
Bloomington Common Council

ATTEST:

Patricia Williams
PATRICIA WILLIAMS, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 20 day of June, 1985.

Patricia Williams
PATRICIA WILLIAMS, City Clerk

SIGNED and APPROVED by me upon this 20 day of June, 1985.

Tomilea Allison
TOMILEA ALLISON, Mayor
City of Bloomington

SYNOPSIS

This ordinance would introduce changes in the zoning ordinance establishing a new conditional use category permitting higher density residential development in the central area (Attachment A) than is currently permitted.

6/21/85 signed copies:

1. Planning
2. Legal
3. Admin.
4. Engineering
5. Mayor
- 6.

****ORDINANCE CERTIFICATION****

In accordance with IC 18-7-4-508, I hereby certify that the attached Ordinance Number 85- , is a true and complete copy of Plan Commission Case Number MP-16-85 which was given a recommendation of approval by a vote of 7 Ayes, 2 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on March 4 , 1985.

Timothy A. Mueller
Planning Director
Tim Mueller, Secretary
Plan Commission

Date: May 28 , 1985

Received by the Common Council Office this 5 day of May , 1985.

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 _____

Amendment to the Zoning Ordinance.

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 XX

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion. Does not create new lots, so it will not create new revenue and it will not cost the City any more because it is already receiving City services.

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 Department

By Timothy Mueller Date May 28, 1985

