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ORDINANCE OF THE CITY OF BLOOMINGTON
COUNTY OF MONROE, STATE OF INDIANA

ORDINANCE NO. 75-20

An Ordinance to Amend
The Zoning Ordinance of
the City of Bloomington, Indiana

WHEREAS, The City of Bloomington, Indiana, adopted on June 22, 1973, a new City Zoning Ordinance incorporated in the Bloomington Municipal Code as Title 20, and

WHEREAS, The City Planning Department which is responsible, in part, for the administration of said Zoning Ordinance, has recommended to the City Plan Commission that the regulations governing the BL-Limited Business District be amended and that the BI-Institutional Business District be repealed in its entirety, and

WHEREAS, The City Plan Commission has duly considered said proposed amendments pursuant to the regulations contained in Section 20.05.60.10 Amendments, Procedure and the requirements of IC 18-7-5-1 et. seg. and has recommended that said proposed amendments do pass.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, INDIANA,

Section 1. That Chapter 20.05 Zones be amended as follows, to-wit:

A. That Section 20.05.20.01 be deleted in its entirety, and the following Section 20.05.20.01 be substituted therefor, to-wit:

20.05.20.01 BL-Limited Business District.

The Limited Business (BL) district is established as the most restrictive commercial district in the Bloomington Planning jurisdiction. This zone is intended to achieve multiple and alternative objectives of providing retail goods and services which are required for the daily or regular convenience of the citizens of Bloomington, to provide a transition between residential sections of the community and more intense commercial or industrial land uses and to provide the opportunity for a mix of residential and commercial facilities within a single building or development complex. To aid in establishing a district transitory between residential and commercial districts the Limited Business (BL) District is designed with height, bulk and setback requirements similar to the multi-dwelling residential districts of the community.

B. That Section 20.05.20.02 BI-Institutional Business District be deleted in its entirety.

C. That the reference to BI-Institutional Business Zone in Section 20.05.60.02 and in all sections of the Zoning Ordinance be deleted.

Section 2. That Chapter 20.07 Land Use Regulations be amended as follows in accordance with the instructions included in Section 20.07.02.00, to-wit:

A. That Sections 20.07.04 through 20.07.07 of the Tabular Summary of Land Use Regulations be amended by deleting the present vertical column entitled BL and substituting therefor the following new column BL:

20.07.04.00 B. RESIDENTIAL

- 3. Duplex ----- Note 3
- 4. Townhouse ----- Note 3
- 5. Fourplex ----- Note 3
- 6. Apartments ----- Note 3
- 10. Home Occupations ----- Note 6

20.07.05.00 A. COMMERCIAL RETAIL

- 4. Apparel ----- Note 9
- 8. Bakery ----- Note 8 & Note 9
- 11. Dairy Products ----- Note 9
- 13. Drugstore, sundry ----- Note 9
- 16. Florist Shop ----- Note 9
- 18. Gift Shop ----- Note 9
- 19. Grocery and Meats ----- Note 9
- 20. Hardware ----- Note 9
- 21. Jewelry ----- Note 9
- 26. Shopping Center ----- Note 12
- 29. Variety Store ----- Note 9

20.07.05.00 B. COMMERCIAL TRADE

- 1. Small Appliance Repair ----- Note 9
- 7. Business and Professional Office -- X (permitted use)
- 9. Candy, Confectionary ----- Note 9
- 16. Laundry, Dry Cleaning ----- Note 9 & Note 14
- 17. Personal Service ----- X (permitted use)

20.07.07.00 INSTITUTIONAL

A. PUBLIC, QUASI-PUBLIC

- 3. Cultural Facilities ----- X (permitted use)

C. MEDICAL FACILITIES

- 2. Doctor and Dentist Offices ----- Note 9 & Note 23

B. That Sections 20.07.04 through 20.07.07 of the Tabular Summary of Land Use Regulations be amended by deleting the present vertical column entitled BI.

C. That the entire horizontal column item 20.07.05 B. 10. Eating, drinking (not drive-in) be deleted.

D. That the item 20.07.05 B.11. be changed from Eating, drinking (drive-in and carry out) to read Eating, drinking (restaurant), and permit restaurants in the BD zone.

E. That items 20.07.05.00 B.11. through 25 be renumbered to read 10 through 24.

F. That the Notes for Special Conditions be amended by deleting the present Note (3) in its entirety and substituting the following:

Note (3) Residential units may be permitted as conditional use subject to provisions of Section 20.10.09.00.

G. That a new Special Condition Note (23) be added to the Tabular Summary of Land Use Regulations to read as follows:

Note (23) Permitted when principal access to use is from an arterial street.

Section 3. That Chapter 20.08 Bulk, Height and Area Provisions be amended as follows in accordance with instructions contained in Section 20.08.02.00, to-wit:

A. That Section 20.08.03.00, the chart showing Bulk, Density, Height and Area Provisions be amended by deleting the entire horizontal line entitled BI.

B. That Section 20.08.04.00 Special Conditions for Bulk, Density, Height and Area Regulations be amended by deleting the special condition numbered 3 and substituting therefor the following special condition:

3. Requirements as stated in conditional uses regulations in Section 20.10.09.00.

Section 4. That Chapter 20.10 Regulations for Conditional Uses be amended by adding the following as Section 20.10.09.00 Residential Uses Within the Limited Business (BL) Zone, to-wit:

- A. Residential uses proposed in upper stories of structures may be permitted if the non-residential functions within the structure front on an arterial or major collector street.
- B. Principal access to a building complex including residential units shall be from an arterial street or major collector street.
- C. Bulk and density requirements of the entire development, both residential and non-residential, shall be as follows:
 1. Where any lot within BL districts is adjacent to any RS district along more than 10% of its perimeter boundary the bulk and density regulations applicable to the RM district shall apply to that lot.
 2. Where a lot within a BL district is adjacent to the BD district along more than 10% of its perimeter boundary the setbacks and lot coverage of the BL district shall apply to the building complex and in addition the lot area and open space requirements for residential units in the BD district shall apply.
 3. In all other instances where residential units are provided in the BL district the height, bulk, density and setback requirements as permitted in the RH zoning districts shall apply to those residential structures and the height, bulk, density and setback requirements permitted in the BL districts shall apply to all non-residential uses.
- D. Off street parking must meet the total parking required in Chapter 20.14 as the sum of residential and non-residential uses.
- E. Adequate access is provided to an arterial street or major collector and traffic is not required to travel through a residential district.

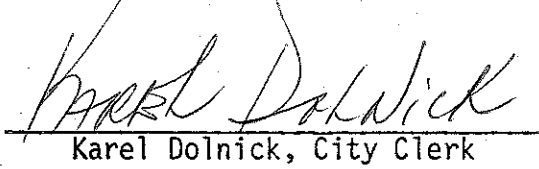
Section 5. That this ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Passed and adopted by the Common Council of the City of Bloomington, Indiana, on the 19th day of June, 1975.



Brian C. De St. Croix, President
Common Council

ATTEST:

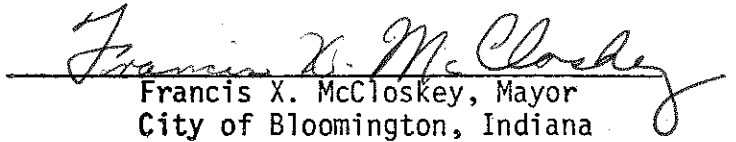

Karel Dolnick, City Clerk

ATTEST:

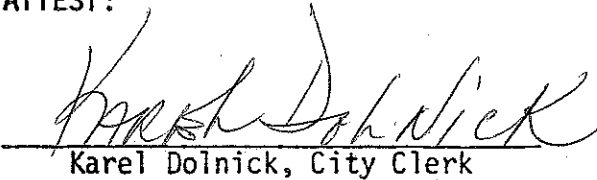
Presented by me to the Mayor of the City of Bloomington, Indiana, on the 28 ~~July~~ day of August, 1975.


Karel Dolnick, City Clerk

This ordinance approved and signed by me on the 2nd day of September, 1975, at the hour of 10:00 o'clock a.m.


Francis X. McCloskey, Mayor
City of Bloomington, Indiana

ATTEST:


Karel Dolnick, City Clerk

I HEREBY MOVE THAT ORDINANCE 75-20

BE INTRODUCED AND READ AT FIRST READING AT THE

COUNCIL MEETING ON April 24, 1975

F. L. P. Jones

(Signature)

15-20
3609 Longview
Bloomington, Indiana 47401
April 21, 1975

Bloomington City Council
Bloomington City Hall
East Third Street
Bloomington, Indiana 47401

Dear Members of the City Council:

Before you is a proposal to change and up-date the BL(Limited Business) district in the proposed ordinance 75-20. It is to this proposed ordinance the Parkridge Association respectfully addresses you.

In the proposed 1974 ordinance for this zone, this association expressed concern on the purpose of the zone and the fact that high traffic generating establishments would be permitted in this zone. You tabled that 1974 proposed ordinance. In the 1975 proposed ordinance 75-20, this association is expressing concern on the fact that high traffic generating establishments would be permitted in this zone, that size restrictions would not be placed on all establishments per use in this district, and that Communications, Transmission has never been defined because it was never in the copies used for the work session or public meeting of the Planning Commission.

The proposed ordinance 75-20 states that the purpose of the BL(Limited Business) District -20.05.02.01 - is to be "the most restrictive commercial district"***, "to provide transition between residential sections of the community and more intense commercial or industrial land uses"*** and "for a mix of residential and commercial facilities".

The Parkridge Association would like to make the following recommendation and express concern on areas of the proposed ordinance - with those parts of the purpose of the district in mind.

The Parkridge Association would like to suggest that a size limitation of 3,000 square feet gross floor space for each permitted use under sections 20.07.04.00 through 20.07.07.00. It is big enough to fulfill the purpose of providing "retail goods and services which are required for the daily or regular convenience of the citizens"***, but not as intense as other zones.

The Table of Required Parking (20.14.02) designates those businesses which are considered as basically heavy traffic generators by the number of parking spaces required per 1,000 square feet of gross floor area, per chair, per doctor or per dentist. These spaces - one would assume - are for consumers using and establishment and are not basically counted to include the employers or employees of the establishment. These parking spaces do not reflect the turnover in consumers using those parking spaces within an hours time. But common sense indicates - to most - those establishments listed in the Tabular Summary of Land Use Regulations (20.07.04.00 through 20.07.07.00) which are even higher in traffic generation than the Table of Required Parking would indicate such as: 20.07.05 A. 19. Grocery and Meats - which would permit a complex as big as the Krogers in the Eastland Shopping Center, A. 26. Shopping Center - which would be permitted under PUD on less than 5 acres of land with establishments of BA (Arterial Business) intensity, or B. 4. Branch Banks on arterial streets - which is similiar in connotation to a drive-in restaurant in vehicle generation. All of this in a district defined to "provide the opportunity for a mix of residential and commercial facilities within a single building or development complex"***, with children as

residents, and to be "the most restrictive commercial district". Consequently, these and other high traffic generating establishments in this proposed BL district are of great concern to the Parkridge Association - which has several BL zones next to or in close proximity to its subdivision.

A definition is needed for Communications, Transmissions under 20.07.07.00 Institutional B. L.. This particular item was never on proposed ordinance 75-20 when it was before the Planning Commission for the work session or public meeting before being sent on to this Council. Does it mean just small relay buildings? Does it mean a tower or towers by itself, or on a relay building, or on a business structure or complex, or on a residential and business structure or complex? If a tower is included in the definition, shouldn't there be concern about the safety of the people who reside in residential parts of the building, or near the structure in residential buildings or homes to which the tower would abut?

While the Parkridge Association does agree with areas of the proposed ordinance, it felt it should express concern and recommendations regarding other parts of it.

Respectfully submitted,

Ronna Jenkinson

Ronna Jenkinson
Parkridge Association Secretary