

ORDINANCE NO. 73-11
SITE PLANNING ORDINANCE

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
BLOOMINGTON, MONROE COUNTY, INDIANA:

SECTION I. That the Bloomington Municipal Code be amended by inserting Title 21, which shall include the following:

01.01 Title

01.01.01 This ordinance shall be known and may be cited as "The Regulations for the Planning and Development of land within the City of Bloomington, Indiana and its Territorial Jurisdiction."

01.01.02 The short title for this ordinance shall be known as "Site Planning Regulations."

01.02 Purpose

The purpose of these regulations shall be to insure that each development site in territorial jurisdiction of the City be developed in accordance with the best site planning principles considering the conditions and capability of the land for the proposed development, the effect of the development upon other lands within the city jurisdiction, the adequacy of the drainage systems, the prevention of erosion, the access (both ingress and egress) from public thoroughfares, vehicular and pedestrian safety within the development, the siting and landscaping of structures, facilities, the adequacy of parking facilities and the relationship of the development to its site and adjacent developments.

01.03 Necessity

These regulations are necessary in order to:

01.03.01 protect adjacent properties from excessive run-off

01.03.02 protect the watercourses of the community from excessive silt and other products of erosion.

- 01.03.03 Insure the adequacy of public facilities.
- 01.03.04 Insure the safety of vehicles and pedestrians.
- 01.03.05 Maintain the capacity of public thoroughfares.
- 01.03.06 Insure the siting of the development in the best public interest.
- 01.03.07 Insure compatibility with surrounding areas.

01.04 Enactment

Except as hereinafter provided no building permit shall be granted within the territorial jurisdiction of the city until and unless the site plan for such building, structure or development shall first have been reviewed and approved by the city Plan Commission, and such approval shall have been entered in writing upon the development plan by the president and secretary of the Plan Commission.

01.05 Applicability

Except as otherwise provided all proposed developments within the territorial jurisdiction of the city shall be subject to the provisions of these regulations whether residential, commercial or industrial in character, except as provided below:

- 01.05.01 Any land subject to the subdivision regulations of the City of Bloomington shall not be governed by these regulations.
- 01.05.02 Any residential lot of record zoned for single family purpose having frontage on an existing street and having an area of less than 15,000 square feet at the time of adoption of these regulations shall be excluded from these regulations.

02. Definitions

- 02.01 Alley. "Alley" means a permanent service way providing a secondary means of access to abutting lands.
- 02.02 Building setback line. "Building setback line" means the line nearest the front and across a lot establishing the front line of a building and structure.
- 02.03 Butt lot. "Butt lot" means a lot laid out to front on a street intersecting the streets on which the majority of the lots within the block front.
- 02.04 City. "City" means the City of Bloomington, Indiana.
- 02.05 Commission. "Commission" means the Bloomington City Plan Commission.
- 02.06 Cul-de-sac "Cul-de-sac (court or dead end street)" means a short street having one end open to traffic and being permanently terminated by a vehicle turnaround.
- 02.07 Development plan. A plan for the siting and servicing of one or more structures, including considerations of building arrangements, circulation, public facilities and land-structure relationship.
- 02.08 Easement. "Easement" means a grant by the property owner of the use of a strip of land by the public, a corporation or persons for specified purposes.
- 02.09 Drive. A vehicular access to a development site other than one which has or shall be dedicated to the public, including private streets or roads. Regulations and standards for public streets shall apply to drives. A driveway to a single family residence shall be excluded.
- 02.10 Lot. "Lot" means a portion of a subdivision, or other parcel of land intended as a unit for transfer of ownership or for development.
- 02.11 Master plan. "Master plan" means the complete plan, or any of its parts, for the development of the city, prepared by the commission and legally adopted.

- 02.12 Monument. A concrete marker used to identify the perimeter boundaries of property.
- 02.13 Plat. "Plat" means a map or chart indicating the subdivision or resubdivision of land, intended to be filed for record.
- 02.14 Site plan. That portion of a development plan illustrating the circulation system siting of buildings and landscape features.
- 02.15 Street. "Street" means a right-of-way, dedicated to the public use, which affords the principal means of access to abutting property.
- 02.16 Subdivision. "Subdivision" means a division of a lot, tract or parcel of land into two or more lots or other divisions of land for the purpose, immediate or future, of transfer of ownership, or development, including all changes in street or lot lines. Divisions of land for agricultural purposes in parcels of ten or more acres, not involving any new street or easement of access, shall not be interpreted as a subdivision.
- 02.17 Territorial jurisdiction. "Territorial jurisdiction" includes the city and such contiguous area as shown on a map on file with the county recorder, Monroe County, Indiana, as does now or hereafter may have legal effect.
- 02.18 Thoroughfare plan. "Thoroughfare plan" means the part of the master plan which sets forth the location, alignment and classification of existing and proposed public streets.
- 02.19 Word Construction. Words used in the present tense include the future tense. The term "shall" is always mandatory.

.03 Plan Approval Generally

In considering the approval of a development plan the Planning Department shall determine that the criteria set out in these regulations have been met.

03.01 Conditions of land--drainage and subsoil.

No land shall be developed if such land is considered by the Commission to be unsuitable for such development by reason of flooding or improper drainage, objectionable earth and rock formation topography or any other feature harmful to the health and safety of the community as a whole.

03.02 Compliance with thoroughfare plan and master plan.

All proposed development plans shall conform to the thoroughfare plan, and the material adopted thereby. Whenever a tract to be developed embraces any part of a major street, boulevard or parkway so designated on the thoroughfare plan, such part of such proposed public way shall be platted by the developer in the locations and of the width indicated on the thoroughfare plan. Due consideration shall also be given by the developer and owners of adjoining property for the provision of any public facilities designated on the master plan or required by the proposed development.

03.03 Blocks.

In any development structures shall be so sited and streets or drives so arranged that:

- a) No block having more than one structure fronting on that street or drive shall exceed fourteen hundred (1400) feet in length.
- b) No dead end drive or street shall exceed eight hundred (800) feet in length.
- c) In any development providing employee or customer service facilities (such as restaurants) cross walks shall be provided in the middle of any block exceeding one thousand (1,000) feet in length.

03.04 Building site. All building sites shall be arranged so that each building or structure has adequate space for light, air, fire protection and landscaped open space and each building shall be so sited to provide convenient access to the frontage street or drive and to parking facilities.

- a) Where more than one structure exists on any lot such structure may be connected by a common wall or contact point. However, if separate structures are planned such structure shall be separated by at least twelve (12) feet at the closest point.
- b) Yard, setback, height, and bulk requirements established by the Zoning Ordinance for the City of Bloomington shall govern siting on individual lots.
- c) The depth to width ratio of the usable area of a lot shall be a maximum of four point zero to one.
- d) Side lines of lots shall be at right angles or radial to street lines.
- e) Every lot shall abut on a street.
- f) Through lots having frontage on two parallel or approximately parallel streets shall be discouraged.
- g) Except where alleys are provided for the purpose, each building site shall have an easement for utility lines provided in the site plan. No easement shall be less than ten (10) feet wide. Additional easement width shall be established when sanitary sewer depths exceed five (5) feet.
- h) When the terrain so requires additional easements for sanitary sewers shall be provided as required to serve the development.

03.05 Public spaces. Whenever park, recreation area, school sites or other open space shown on the master plan is located in whole or in part in the proposed development, the Commission may require the dedication or reservation of those spaces when the future population of the city requires the

establishment of such recreational and educational facilities.

- 03.06 Monuments--Markers. Monuments shall be of concrete with dimensions of four inches by four inches at top, six inches by six inches at bottom and thirty-six inches long, with a copper dowel three-eighths of an inch in diameter, at least one and one-half inches in length imbedded so that the top of the dowel shall be flush with the surface and at the center of the monument.
- 03.03.06.01 Monuments shall be set so that the top is level with the established grade adjoining it and placed so that the marked point on the metal center coincides exactly with the intersection of street property lines, the intersection of all angles in the boundary line, at the beginning and ending of all curves along streets and alleys and where such curves intersect lot lines.
- 03.06.02 Lot corners not marked by concrete monuments as required above, shall be marked by galvanized or wrought iron pipe, or iron or steel bars at least three feet in length and not less than one inch in diameter, the tip of the pipe or bar to be set level with the established grade of the ground adjoining it.
- 03.07 Modification. Where the developer can show that a provision of these regulations would cause unnecessary hardship if strictly adhered to and where, in the opinion of the Commission because of topographical or other conditions peculiar to the site, a departure may be made without destroying the intent of such provision, the Commission may authorize a modification of plans. Any modification thus authorized is required to be entered in the minutes of the Commission and the reasoning on which the departure was justified set forth.

04. Circulation, Streets and Drives

04.01 Location and arrangement.

- a) The streets, drives, alleys and pedestrian ways shall be designed to meet the standard of the city. All streets or drives in commercial or industrial developments shall be governed by standards for major streets.
- b) Proposed streets shall be adjusted to the contour of the land so as to produce usable lots and streets of reasonable gradient.
- c) Certain proposed streets shall be extended to the boundary line of the tract to be developed so as to provide for normal circulation of traffic within the vicinity.
- d) Whenever there exists a dedicated or platted half street or alley adjacent to the tract to be developed, approved by the Commission, the other half shall be platted. Other half streets along the boundary of the land proposed for development will be permitted only if the owner of the adjoining undeveloped land simultaneously dedicates the other half of such street.
- e) Alleys may be provided where they are required for service access for commercial or industrial structures.

04.02 Minimum widths. Street and alley widths shall be as follows:

- a) Major streets shall have widths not less than eighty (80) feet or greater width as may be determined necessary by the Plan Commission;
- b) Other streets, sixty feet;
- c) Dead-end streets, forty feet. All dead-end streets shall terminate in a circular right-of-way within a minimum diameter of eighty feet, unless the Commission approves an equally safe and convenient form of space instead of the required turning circle;
- d) Alleys, twenty feet.

04.03 Grades. Street and alley grades shall be as follows:

- a) Major streets, not greater than six percent;
- b) Other streets and alleys, not greater than eight percent;
- c) The minimum grade of any street gutter shall not be less than one-half of one percent.

04.04 Vertical curves. Vertical curves shall be as follows:

- a) Major streets, minimum sight distance of six hundred (600) feet, measured between points five (5) feet above the centerline of roadway;
- b) Other streets, minimum sight distance of three hundred (300) feet measured between points five (5) feet above the centerline of roadway.

04.05 Minimum radii of curvature on the centerline. Where a deflection angle of more than ten degrees in the alignment of a street occurs a curve shall be introduced, for:

- a) Major streets, of eight hundred (800) feet;
- b) Other streets, of two hundred (200) feet.

04.06 Tangents. Between reversed curves there shall be not less than a minimum tangent for:

- a) Major streets, of two hundred (200) feet;
- b) Other streets, of one hundred feet (100).

04.07 Intersections.

- a) At street intersections, property line corners shall be rounded by an arc at least twenty (20) feet in radius.
- b) At alley intersections, property line corners shall be rounded at an arc at least fifteen (15) feet in radius.
- c) All streets intersecting a major street shall do so at right angles or as nearly so as is possible. Where the intersection angle is less than sixty degrees, the foregoing radii shall be increased not less than forty (40) percent and the Commission will require a grading plan showing existing and proposed contours, based on the city data, at one foot intervals.

05. Conservation Requirements

- 05.01 Drainage. All development proposals shall include a complete drainage plan showing a drainage system designed for a three-inch rainfall per hour and shall show the impact of drainage from that site on all downstream drainage facilities.
- a) Provisions shall be made to insure that rate of water flow onto adjacent property will not be significantly increased by nature of the development.
 - b) Any natural drainage ways or storm sewers on that site must be adequate for anticipated run-off.
 - c) The development may not cause any harmful modifications of any natural drainage system. The existing natural drainage system shall be used to the maximum extent possible.
 - d) Finished land grades shall be such so that there is no ponding of water on the land and that no surface water will cause serious erosion.
 - e) The natural vegetation shall be utilized where possible to prevent the concentration of surface water run-off.
 - f) Any planned drainage construction shall be integrated into the drainage pattern of surrounding properties.
- 05.02 Preservation of Existing Features. Existing features which would add value to residential development or natural or man-made assets of the County such as trees, streams, vistas, lakes, historically significant items, and similar irreplaceable assets, shall be preserved through harmonious and careful design of the unit or development.
- 05.03 Preservation of Natural Cover. Land to be developed shall be designed and improved as far as practical in conformity to existing topography in order to minimize grading, and cut and fill to retain the natural contours, to minimize storm water run-off, and to conserve the natural cover and soil.

- 05.04 Grading. No person shall do any mass grading, stripping, excavating or filling of land or create borrow pits, material processing facilities or any facility on any land area, without having first obtained grading plan approval by the City Engineer. Proposed plan approval for individual lots within a subdivision for which an overall grading plan has been approved will not be necessary.
- 05.05 Sediment control and erosion. Land to be developed shall be designed to minimize erosion and sufficient measures shall be taken to insure that sediment and erosion of soils and materials occurring as a result of the development or its construction shall not be deposited in excessive quantities on adjacent lands, in drainage systems or watercourses. A plan for the control of sediment and erosion shall be included with the general development plan.
- 05.06 Other conservation regulations. Any other conservation requirements for the development of land in the territorial jurisdiction of the city are herein adopted by reference.

06. Site Design

06.01 Landscaping. Each development plan shall include, as part of its site plan, an illustration of landscape features which will be used. Landscaping is required for, but not limited to, fronts of structures, approach drives, and parking areas. In no case shall any landscape feature be permitted in excess of four (4) feet in height in a triangular area twenty-five (25) feet along each of intersecting streets.

06.02 Access. In general access to structures in a development shall form streets or drives within the development. Insofar as possible direct access to major public thoroughfares shall be prohibited:

- a) Whenever possible the number of traffic access points for establishments fronting on major streets shall not exceed one (1) per six hundred (600) feet.
- b) Whenever possible, for establishments with frontage of more than one hundred (100) feet on a major road, a service road shall be provided of not less than two (2) lanes in width or a combined service road and parking area, parallel with and adjacent to, the street upon which the establishments front. However, in no case may parked vehicles be permitted to back into streets or drives. In the event the establishments front on more than one street, such service roads may be required on more than one (1) street frontage. In the event the property on both sides of the subject property has been developed without service roads, and if the frontage of the subject property does not exceed three hundred (300) feet, a service road shall not be required.
- c) Access to the required service road must be assured for planned future construction of connecting service roads.
- d) The service road or roads required by this section shall be effectively separated from the main road-way by a

minimum of a five (5) foot wide planing strip or other suitable delineation, and shall be designed and arranged so as to provide the principal means of access to abutting business establishments.

- 06.03 Lighting. Any light used to illuminate shall be so arranged as to reflect the light away from adjoining premises in any residential area.
- 06.04 Parking Areas. All parking area regulations of the City of Bloomington shall be adhered to including all regulations for parking lot design standards contained in the city's Zoning Ordinance. All buffer areas, yard areas, parking aisle separations and boundaries of parking areas shall be landscaped with approved trees, shrubs or other landscape materials.
- 06.05 Street signs. The developer shall erect a street name sign standard at each intersection within the development, such standard must conform to the specifications as determined from time to time by the engineer's office of the city. The sign placed upon such standard shall indicate the name of the street, the adjacent block number, the direction of each street from the north-south, east-west quadrants of the central city areas.
- 06.06 Traffic signs. The developer shall provide and erect traffic control signs and devices according to specifications of the engineering department and shall mark curbs by painting such curbs yellow, all as may be directed by the Board of Public Safety.
- 06.07 Street trees. The developer shall provide the development with street trees selected from a list of trees recommended by the Director of Parks and Recreation at intervals of forty to sixty feet between street intersections and on both sides of each street. The position of the trees in the street right-of-way or along the streets shall be determined by the Board of Public Works.

07. Required Improvements

07.01 Streets, drives and alleys.

- a) Streets, drives and alleys shall be completed to grades shown on plans and profiles prepared by the developer and approved by the Board of Public Works.
- b) The streets and drives shall be paved for a minimum width, measured from gutter line to gutter line, of the dedicated street width, no pavement width shall be less than the following:
 - Major streets, forty-eight (48) feet;
 - Other streets, thirty (30) feet;
 - Dead-end streets, twenty-four (24) feet.
- c) The pavement shall consist of a base course and a surface course constructed according to specifications required by the Board of Public Works, but in no case shall the pavement consist of less than a six-inch thick compacted base and a two-inch thick hot asphaltic concrete surface, both as specified in the Standard Specifications of the State Highway Department of Indiana.
- d) Combined cement concrete curbs and gutters shall be constructed along all streets. The curbs and gutters shall be of a design approved by the Board of Public Works and shall be constructed in accordance with the Standard Specifications of the State Highway Department of Indiana for Concrete Curbs and Gutters.
- e) Concrete sidewalks shall be constructed according to specifications prepared by the engineering department of the city. Such sidewalks being not less than five feet in width shall be installed within the street right-of-way, parallel and adjacent to the property line.

07.02 Sewers. The developer shall provide the proposed development with a complete public sewer system, which shall connect with a sanitary sewer outlet. The plans for the public sewer system

shall be approved by the Board of Public Works and the State Board of Health. Single family residential lots without access to a public sanitary sewer are excluded if their sanitary system is approved by the Board of Health.

07.03 Water. The developer shall provide the development with a complete water main supply system which shall be connected with and become a part of the city, or community water supply system. Single family residential lots without access to a public water system shall be excluded.

07.04 Storm drainage. The developer shall provide the development with a storm water drainage system designed for a three-inch rainfall in one hour. The drainage system shall consist of the existing natural drainage ways and the concrete curbs and gutters along all streets and where required storm water sewer pipe and appurtenances, including inlets, catch basins and culvert headwalls. The construction of open ditches is specifically excluded from the drainage system and is prohibited. The plans for the storm water drainage system shall be approved by the Board of Public Works upon the recommendation of the Monroe County Soil and Water Conservation District.

08. Application for Approval

- 08.01 Application Submission. Whenever any development of land is proposed to be made the developer or his agent shall submit an application for a certificate of approval and two copies of the development plan with the Commission, at least ten days before the meeting at which the Commission is expected to consider such application and plan.
- 08.02 Application Content. The application shall specify the intent of the developer with respect to the land use, drainage, sewage disposal, water supply and street improvements proposed for the development; if any, deed restrictions are to be placed upon the property to be developed and the expected date of its development.
- 08.03 Charge ~~At the time of filing an application for approval of a~~ plat, the application shall be accompanied by an appropriate fee as determined by the Plan Commission. Upon the acceptance of the application by the Commission, the secretary shall surrender the check or money order to the City Controller for deposit in the general fund of the city.

09. Development Plans

- 09.01 Scale. The development plan shall be presented as follows:
The plat shall be drawn at a scale of one hundred feet to one inch on sheets twenty by twenty-four inches in size except that when the drawing at that scale requires more than two sheets, the plat may be drawn at a scale of two hundred feet to one inch.
- 09.02 Vicinity key map--existing and proposed streets. The plan referred to in this ordinance shall include a vicinity key map at an appropriate scale showing the layout of the proposed development and all existing development, street and tract lines of acreage, parcels of land immediately adjoining the proposed development and between it and the nearest existing thoroughfares. It shall also show how streets and alleys in the proposed development may connect with existing and proposed streets and alleys on the adjacent land to produce the most advantageous development of the entire area.
- 09.03 Information required. The plan shall contain the following information:
- a) Proposed name of the development;
 - b) Location by section, township and range, or by other legal description;
 - c) Name and address of developer;
 - d) Name, address and seal of registered professional engineer or land planner preparing the plat;
 - e) Scale of plat, north point and date;
 - f) Boundary line of proposed development indicated by solid heavy line;
 - g) Location, width and names of all existing or prior platted streets or other public ways, railroad and utility right-of-way, parks and other public ways, permanent buildings or structures, and section and municipal corporation lines, within or adjacent to the tract.

- h) Existing sewers, water mains, culverts or other underground facilities within the tract, indicating pipe sizes, grades and exact location, as obtained from public records.
- i) Contours, based on the city datum at not more than five feet nor less than the two feet vertical intervals as required by the Commission;
- j) Layout of streets or drives, their names and widths and also widths of alleys, crosswalks and easements. The names of the streets shall conform as far as practicable to the names of corresponding streets existing in the vicinity. The name of a new street, not an extension or a correspondent of an existing street, shall not duplicate that of an existing street in the city;
- k) Layout, dimensions and numbers of lots, or building sites;
- l) Parcels of land to be dedicated or temporarily reserved for public use or set aside for use of property owners in the development;
- m) The outline of each structure and its siting on the plan map;
- n) A landscape plan as required herein;
- o) A drainage plan as required herein;
- p) A sediment and erosion control plan as required herein.

09.04 Approval. The Commission shall consider the application and development plan not later than the second regular monthly meeting following its proper submittal. If the Commission is satisfied that all conditions have been satisfactorily met by the developer, it shall approve the application and proposed plan. Approval of the Plan Commission:

- a) Shall be based upon favorable review and comment of either technical advisory agency providing information to the Plan Commission.

- b) Shall have determined the standards and criteria required by these regulations have been met.
- c) May establish conditions specifically stated and made part of the approval. Any such conditions must be in accordance with criteria established in these regulations.
- d) Shall be effective for a maximum period of one year unless, upon application of the developer the Commission grants an extension.

09.05 Appeal. Any person feeling himself aggrieved at any action of the Commission upon any proposed development plan, may apply in writing to the Common Council, prior to its ~~regular~~ meeting, for modification of the action complained of, and such application shall be considered by the Common Council, at such time and in such manner as it may determine.

Nothing in this section shall be construed to allow any use not otherwise permitted in the district regulations for the zoning district in which a development site is located as provided in the Zoning Ordinance of the City of Bloomington.

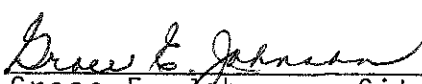
09.06 Severability. The declaration of the invalidity of any part of this ordinance shall not impair the validity of any part of the rest of this ordinance.

SECTION 2. 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 15 day of February, 1973.


Charlotte T. Zietlow,
Common Council President

ATTEST:


Grace E. Johnson, City Clerk

Presented by me to the Mayor of the City of Bloomington upon the 22 day of February, 1973, at the hour of 9 o'clock A.m.

Grace E. Johnson
Grace E. Johnson, City Clerk

This ordinance approved and signed by me upon the 22 day of February, 1973, at the hour of 9 o'clock A.m.

Francis X. McCloskey
Francis X. McCloskey, Mayor

INTORUDCED BY:

REFERRED TO COUNCIL COMMITTEE:

APPROVED AS TO LEGALITY:
