

**ORDINANCE 21-22**  
**TO AMEND TITLE 20 (UNIFIED DEVELOPMENT ORDINANCE)**  
**OF THE BLOOMINGTON MUNICIPAL CODE –**  
**Re: Removal of Residential Estate (RE) and Amendment to Residential Large Lot (R1)**  
**Zoning Districts Set Forth in BMC 20.02, 20.03, 20.04, 20.05, 20.06, 20.07**

WHEREAS, the Common Council, by its Resolution 18-01, approved a new Comprehensive Plan for the City of Bloomington, which took effect on March 21, 2018; and

WHEREAS, thereafter the Plan Commission initiated and prepared a proposal to repeal and replace Title 20 of the Bloomington Municipal Code, entitled “Unified Development Ordinance” (“UDO”); and

WHEREAS, on December 18, 2019 the Common Council passed Ordinance 19-24, to repeal and replace the UDO; and

WHEREAS, on January 14, 2020 the Mayor signed and approved Ordinance 19-24; and

WHEREAS, on April 15, 2020, the Common Council passed Ordinance 20-06 and Ordinance 20-07; and

WHEREAS, on April 18, 2020, the Unified Development Ordinance became effective; and

WHEREAS, the Plan Commission certified this proposed ordinance to the Common Council with a favorable recommendation on April 5, 2021, after providing notice and holding public hearings on the proposal as required by law; and

WHEREAS, in preparing and considering this proposal, the Plan Commission and Common Council have paid reasonable regard to:

- 1) the Comprehensive Plan;
- 2) current conditions and character of current structures and uses in each district;
- 3) the most desirable use for which land in each district is adapted;
- 4) the conservation of property values throughout the jurisdiction; and
- 5) responsible development and growth; and

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

SECTION I. Title 20, entitled “Unified Development Ordinance”, is amended.

SECTION II. An amended Title 20, entitled “Unified Development Ordinance”, including other materials that are incorporated therein by reference, is hereby adopted. Said replacement ordinance consists of the following documents which are attached hereto and incorporated herein:

1. The Proposal forwarded to the Common Council by the Plan Commission with a favorable recommendation, consisting of:
  - (A) ZO-08-21, (“Attachment A”)
2. Any Council amendments thereto (“Attachment B”)

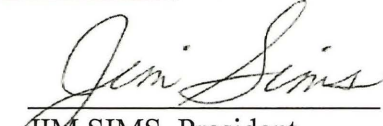
SECTION III. The Clerk of the City is hereby authorized and directed to oversee the process of consolidating all of the documents referenced in Section II into a single text document for codification.

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


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

SECTION VI. The Clerk of the City is directed to enter the effective date of the ordinance wherever it appears in the body of the ordinance.


PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 21 day of April, 2021.

  
\_\_\_\_\_  
JIM SIMS, President  
Bloomington Common Council

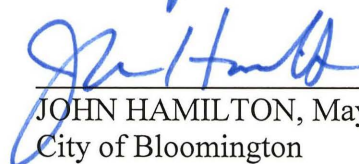
ATTEST:

  
\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 22 day of April, 2021.

  
\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

SIGNED AND APPROVED by me upon this 23<sup>rd</sup> day of April, 2021.

  
\_\_\_\_\_  
JOHN HAMILTON, Mayor  
City of Bloomington

#### SYNOPSIS

This petition removes the RE zoning district regulations from the UDO and combines the uses of the RE and R1 zoning districts into the R1 zoning district.

Distributed to Clerk, Council Attorney, Legal, Mayor, and Planning and Transportation Department.

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

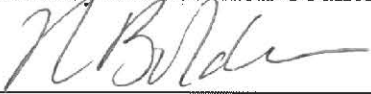
In accordance with IC 36-7-4-604 I hereby certify that the attached Ordinance Number 21-22 is a true and complete copy of Plan Commission Case Number ZO-08-21 which was given a recommendation of approval by a vote of 9 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on March 22, 2021.

Date: April 5, 2021



\_\_\_\_\_  
Scott Robinson, Secretary  
Plan Commission

Received by the Common Council Office this 5th day of April, 2021.



\_\_\_\_\_  
Nicole Bolden, City Clerk

Appropriation Ordinance # _____	Fiscal Impact Statement Ordinance # _____	Resolution # _____
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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

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.

Approval of case ZO-08-21 amends various chapters of the 2020 Unified Development Ordinance (UDO), by adding, removing, and editing existing text to clarify and amend the RE and R1 zoning districts, by the Bloomington Plan Commission. This ordinance is in accordance with Indiana Code 36-7-4-600.

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.)

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# Chapter 20.02: Zoning Districts

## 20.02.010 Zoning Districts Established

### (a) Summary Table of Zoning Districts

The following zoning districts are established as shown in Table 02-1. All development shall comply with all other applicable regulations in this UDO including, without limitation, Chapter 20.03: (Use Regulations) and Chapter 20.04: (Development Standards & Incentives).

**Table 02-1: Summary Table of Zoning Districts**

Prior District Name	District Name
<b>Residential</b>	
<del>RE - Residential Estate</del>	<del>RE - Residential Estate</del>
<del>RE - Residential Estate</del>	R1 - Residential Large Lot [New]
RS - Residential Single-Family	R2 - Residential Medium Lot
RC - Residential Core	R3 - Residential Small Lot
---	R4 - Residential Urban [New]
RM - Residential Multifamily	RM - Residential Multifamily
RH - Residential High-Density Multifamily	RH - Residential High-Density Multifamily
MH - Manufactured/Mobile Home Park	RMH - Manufactured/Mobile Home Park
<b>Mixed-Use</b>	
---	MS - Mixed-Use Student Housing
CL - Commercial Limited	MN - Mixed-Use Neighborhood-Scale
CG - Commercial General	MM - Mixed-Use Medium-Scale
CA - Commercial Arterial	MC - Mixed-Use Corridor
BP - Business Park	ME - Mixed-Use Employment
IN - Institutional	MI - Mixed-Use Institutional
CD - Commercial Downtown	MD - Mixed-Use Downtown
MD - Medical	MH - Mixed-Use Healthcare
<b>Nonresidential</b>	
IG - Industrial General	EM - Employment
QY - Quarry	
---	PO - Parks and Open Space [New]
<b>Planned Development District</b>	
PUD - Planned Unit Development	PUD - Planned Unit Development
<b>Overlay Zoning Districts</b>	
CSO - Courthouse Square	DCO - Downtown Character Overlay
DCO - Downtown Core Overlay	
UVO - University Village Overlay	
DEO - Downtown Edges Overlay	
DGO - Downtown Gateway Overlay	
STPO - Showers Technology Park Overlay	

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## 20.02.020 Residential Zoning Districts

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### ~~(a) RE: Residential Estate~~

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#### ~~(1) Purpose~~

~~The RE district is intended to provide residential development on large lots while allowing for limited agricultural and civic uses and protecting sensitive environmental resources.~~



Figure 1: Illustrative Scale and Character

# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## (2) Dimensional Standards

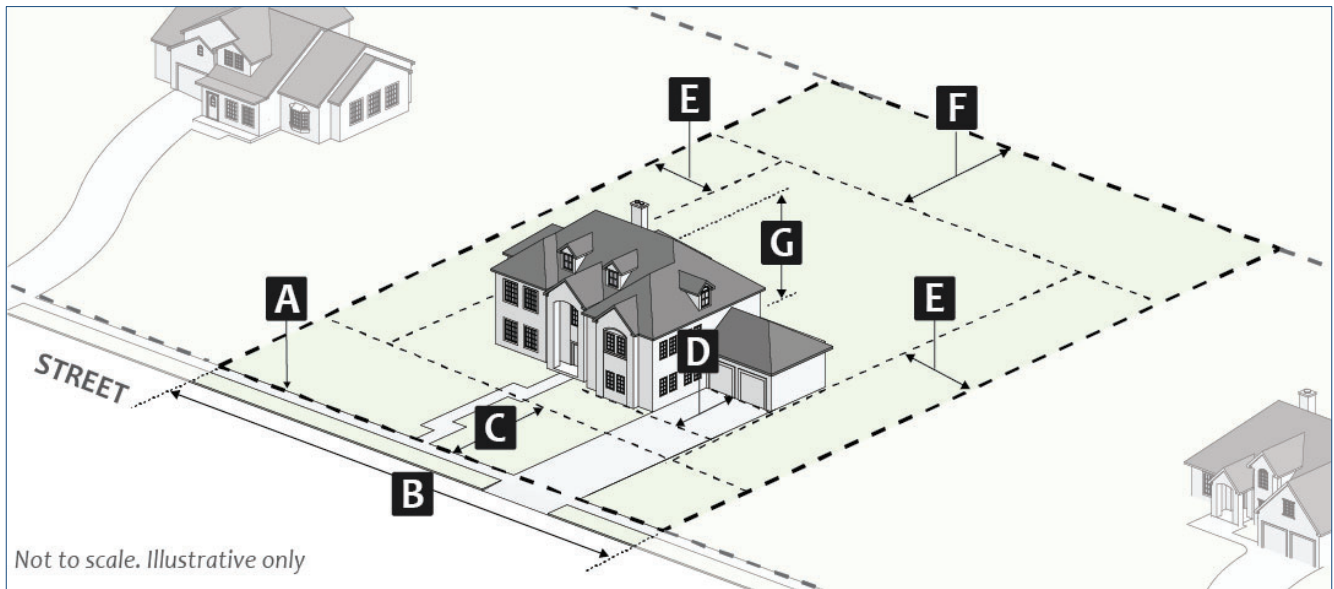
The following table is a summary of the district-specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**Table 02-2: RE District Dimensional Standards**

Lot Dimensions (Minimum, only for lots created after the effective date)		
A	Lot area	108,900 square feet (2.50 acres)
B	Lot width	200 feet
Building Setbacks (Minimum)		
C	Front	30 feet
D	Attached front-loading garage or carport	30 feet [1]
E	Side	30 feet
F	Rear	60 feet
Other Standards		
	Impervious surface coverage (maximum)	15%
G	Primary structure height (maximum)	40 feet
	Accessory structure height (maximum)	30 feet

**Notes:**

[1] Or equal to the setback of the primary structure, whichever is greater.



**Figure 2: RE District Dimensional Standards**



# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## (2) Dimensional Standards

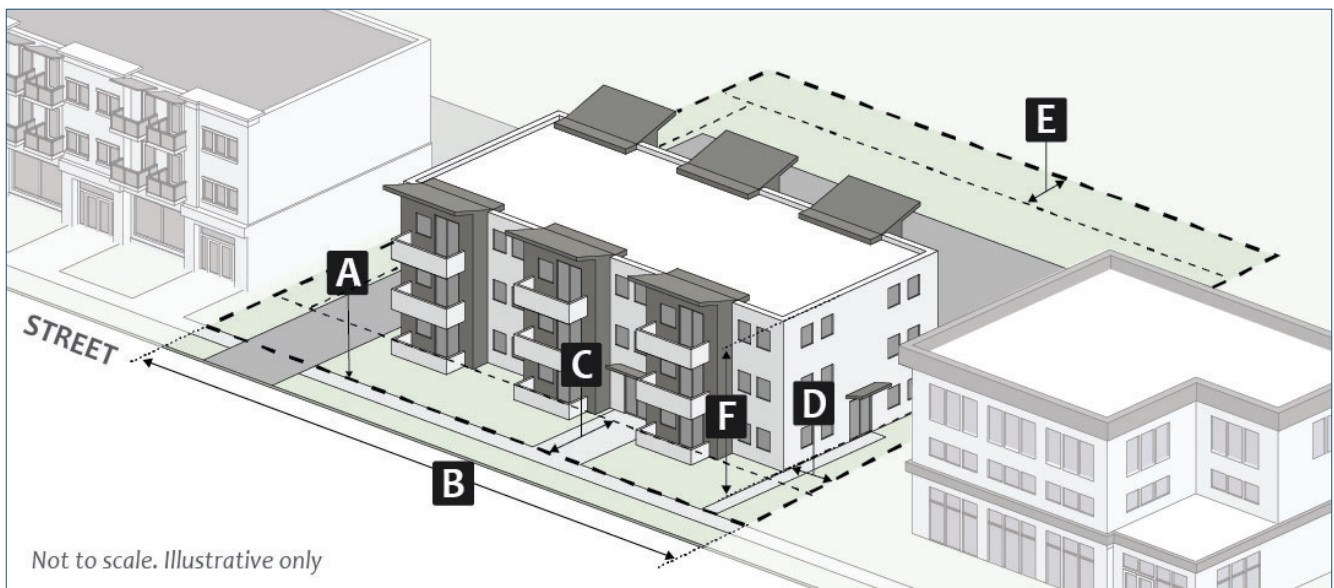
The following table is a summary of the district-specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**Table 02-6: RM District Dimensional Standards**

Lot Dimensions (Minimum, only for lots created after the effective date)		Multifamily Dwelling	Single-Family, Duplex, Triplex, or Fourplex Dwelling
<b>A</b>	Lot area	5,000 square feet (0.115 acres)	R4 district standards apply
<b>B</b>	Lot width	50 feet	
Building Setbacks (Minimum)			
<b>C</b>	Front	15 feet	R4 district standards apply
	Attached front-loading garage or carport	25 feet [1]	
<b>D</b>	Side	10 feet [2]	
<b>E</b>	Rear	10 feet [2]	
<b>Other Standards</b>			
	Front parking setback (minimum)	20 feet behind the primary structure's front building wall	R4 district standards apply
	Impervious surface coverage (maximum)	60%	
	Landscape area (minimum)	40%	
<b>F</b>	Primary structure height (maximum)	3 stories, not to exceed 40 feet [2] [3]	
	Accessory structure height (maximum)	20 feet	

**Notes:**

- [1] Or equal to the setback of the primary structure, whichever is greater.
- [2] Buildings abutting a property in the ~~RE~~, R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
- [3] See Section 20.04.110 (Incentives) for alternative standards.





# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## (2) Dimensional Standards

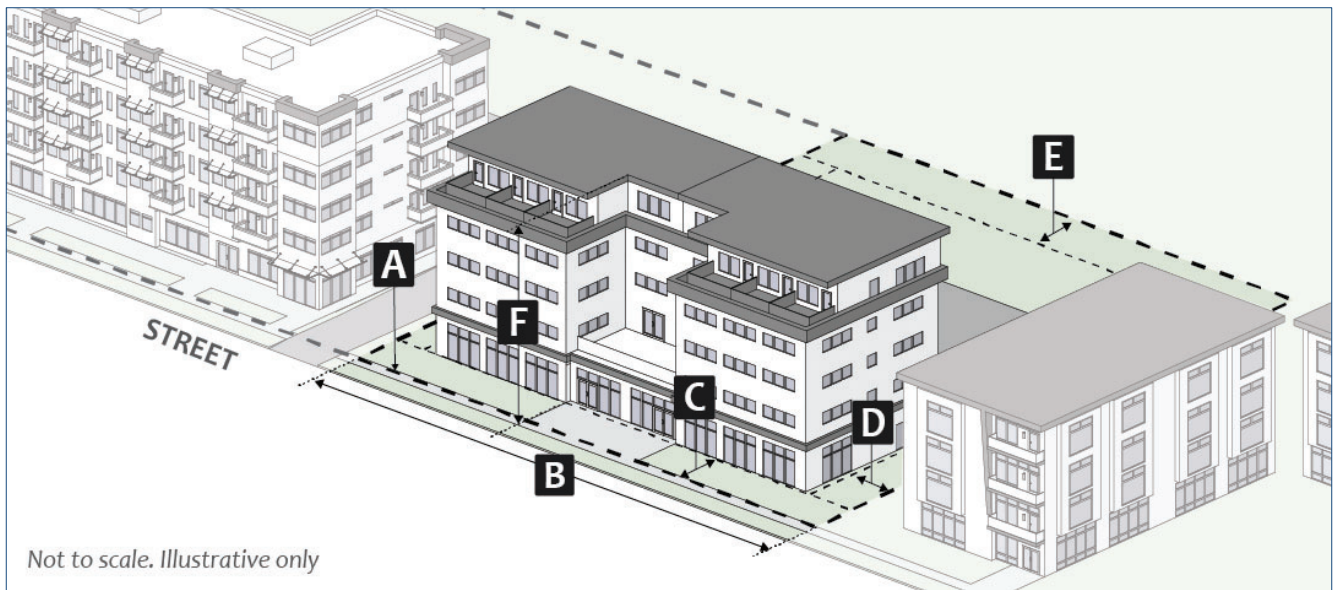
The following table is a summary of the district-specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**Table 02-7: RH District Dimensional Standards**

Lot Dimensions (Minimum, only for lots created after the effective date)		Multifamily Dwelling	Single-Family, Duplex, Triplex, or Fourplex Dwelling
A	Lot area	5,000 square feet (0.115 acres)	R4 district standards apply
B	Lot width	50 feet	
Building Setbacks (Minimum)			
C	Front	15 feet	R4 district standards apply
	Attached front-loading garage or carport	25 feet [1]	
D	Side	10 feet [2]	
E	Rear	10 feet [2]	
Other Standards			
	Front parking setback (minimum)	20 feet behind the primary structure's front building wall	R4 district standards apply
	Impervious surface coverage (maximum)	65%	
	Landscape area (minimum)	35%	
F	Primary structure height (maximum)	5 stories, not to exceed 63 feet [2] [3]	
	Accessory structure height (maximum)	20 feet	

**Notes:**

- [1] Or equal to the setback of the primary structure, whichever is greater.
- [2] Buildings abutting a property in the ~~RE~~, R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
- [3] See Section 20.04.110 (Incentives) for alternative standards.



**Figure 14: RH Dimensional Standards**

# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## (2) Dimensional Standards

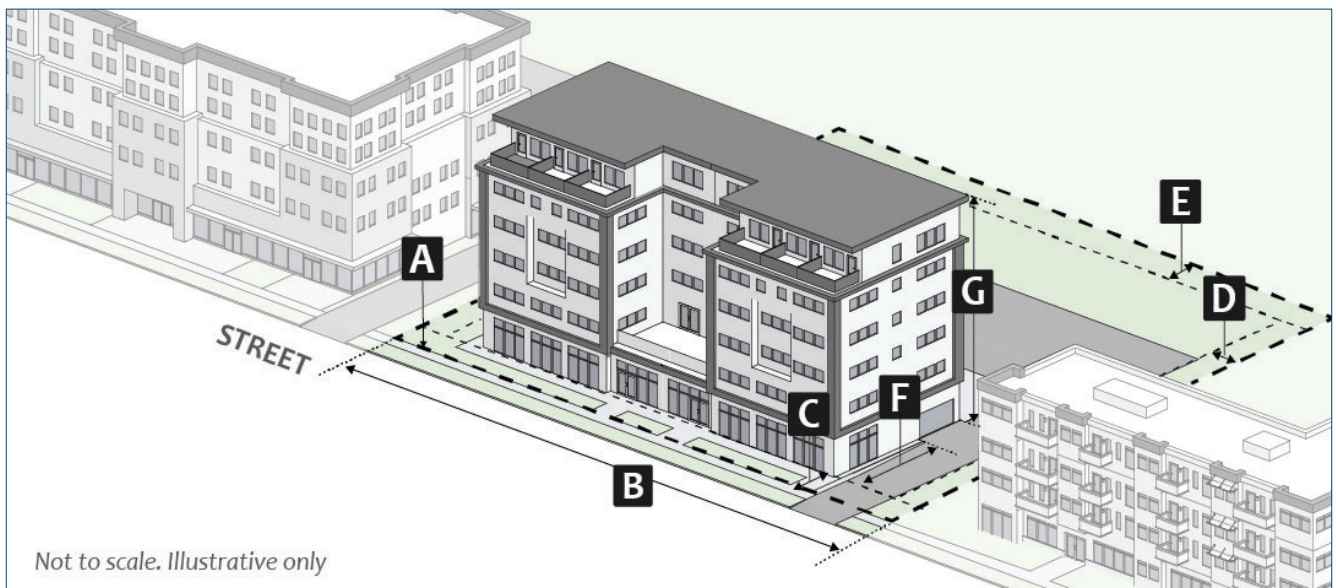
The following table is a summary of the district-specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**Table 02-9: MS District Dimensional Standards**

Lot Dimensions (Minimum, only for lots created after the effective date)		
<b>A</b>	Lot area	5,000 square feet (0.115 acres)
<b>B</b>	Lot width	50 feet
Building Setbacks (Minimum)		
<b>C</b>	Front	15 feet
<b>D</b>	Side	15 feet [1]
<b>E</b>	Rear	15 feet [1]
Other Standards		
<b>F</b>	Front parking setback (minimum)	20 feet behind the primary structure's front building wall
	Impervious surface coverage (maximum)	70%
	Landscape area (minimum)	30%
<b>G</b>	Primary structure height (maximum) [2]	6 stories, not to exceed 75 feet [1] [2]
	Accessory structure height (maximum)	20 feet

**Notes:**

- [1] Buildings abutting a property in the ~~RE~~-R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
- [2] Where a nonresidential use is proposed on the ground floor, the minimum floor to ceiling height on the ground floor shall be 12 feet.



**Figure 18: MS Dimensional Standards**

# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## (2) Dimensional Standards

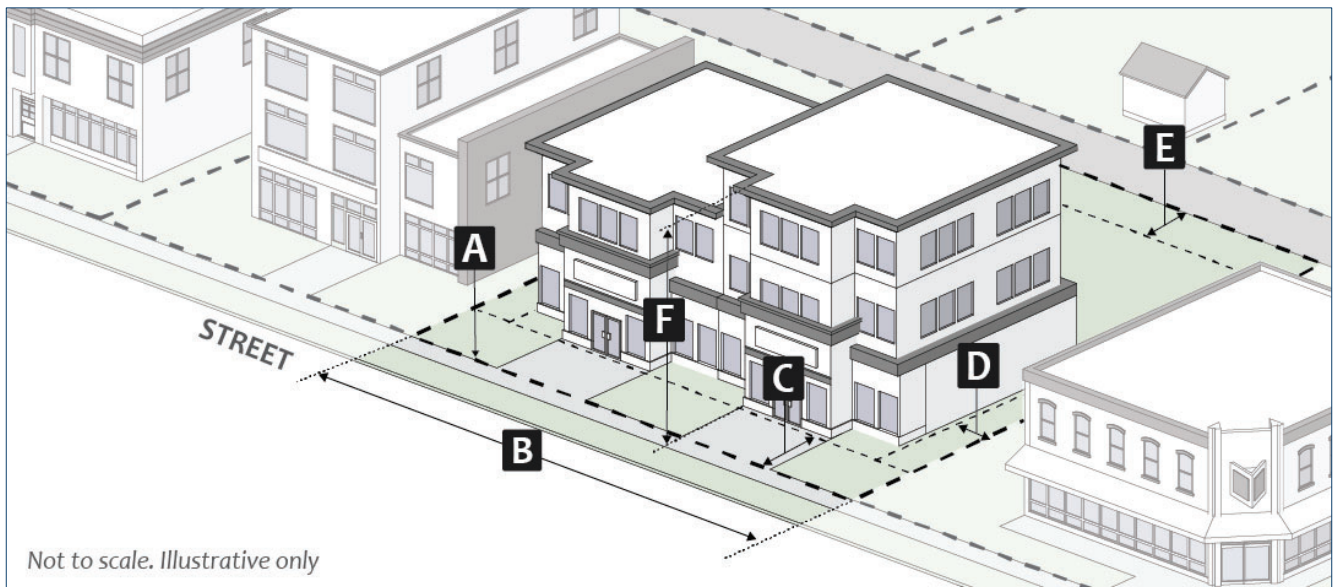
The following table is a summary of the district-specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**Table 02-10: MN District Dimensional Standards**

Lot Dimensions (Minimum, only for lots created after the effective date)		
<b>A</b>	Lot area	5,000 square feet (0.115 acres)
<b>B</b>	Lot width	50 feet
Building Setbacks (Minimum)		
<b>C</b>	Front build-to range	15 to 25 feet
	Front building façade at build-to range (minimum)	70%
<b>D</b>	Side	7 feet [1]
<b>E</b>	Rear	10 feet [1]
Other Standards		
	Front parking setback (minimum)	20 feet behind the primary structure's front building wall
	Impervious surface coverage (maximum)	60%
	Landscape area (minimum)	25%
	Area of any individual commercial tenant (maximum)	5,000 square feet gross floor area
<b>F</b>	Primary structure height (maximum)	3 stories, not to exceed 40 feet [1] [2] [3]
	Accessory structure height (maximum)	20 feet

**Notes:**

- [1] Buildings abutting a property in the ~~RE~~, R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
- [2] Where a nonresidential use is proposed on the ground floor, the minimum floor to ceiling height on the ground floor shall be 12 feet.
- [3] See Section 20.04.110 (Incentives) for alternative standards.



**Figure 20: MN Dimensional Standards**

# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## (2) Dimensional Standards

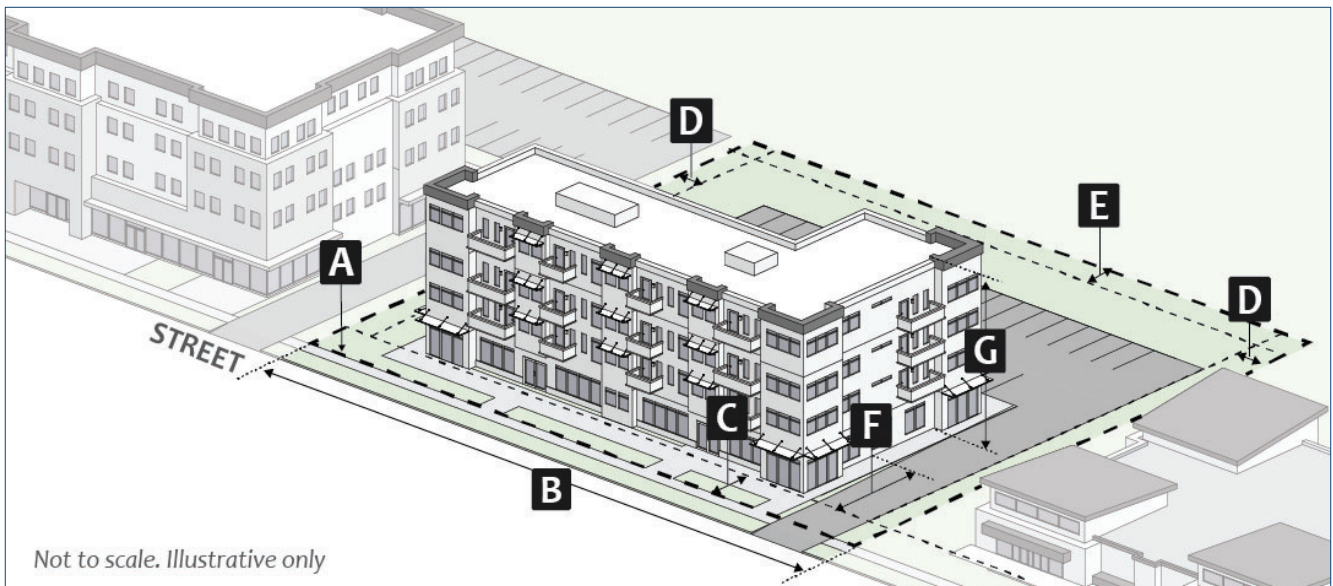
The following table is a summary of the district-specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**Table 02-11: MM District Dimensional Standards**

Lot Dimensions (Minimum, only for lots created after the effective date)		
A	Lot area	5,000 square feet (0.115 acres)
B	Lot width	50 feet
Building Setbacks (Minimum)		
C	Front build-to range	15 to 25 feet
	Front building façade at build-to range (minimum)	70%
D	Side	7 feet [1]
E	Rear	7 feet [1]
Other Standards		
F	Front parking setback (minimum)	20 feet behind the primary structure's front building wall
	Impervious surface coverage (maximum)	60%
	Landscape area (minimum)	40%
G	Primary structure height (maximum)	4 stories, not to exceed 50 feet [1] [2] [3]
	Accessory structure height (maximum)	30 feet

**Notes:**

- [1] Buildings abutting a property in the ~~RE~~-R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
- [2] Where a nonresidential use is proposed on the ground floor, the minimum floor to ceiling height on the ground floor shall be 12 feet.
- [3] See Section 20.04.110 (Incentives) for alternative standards.



**Figure 22: MM Dimensional Standards**



# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## (2) Dimensional Standards

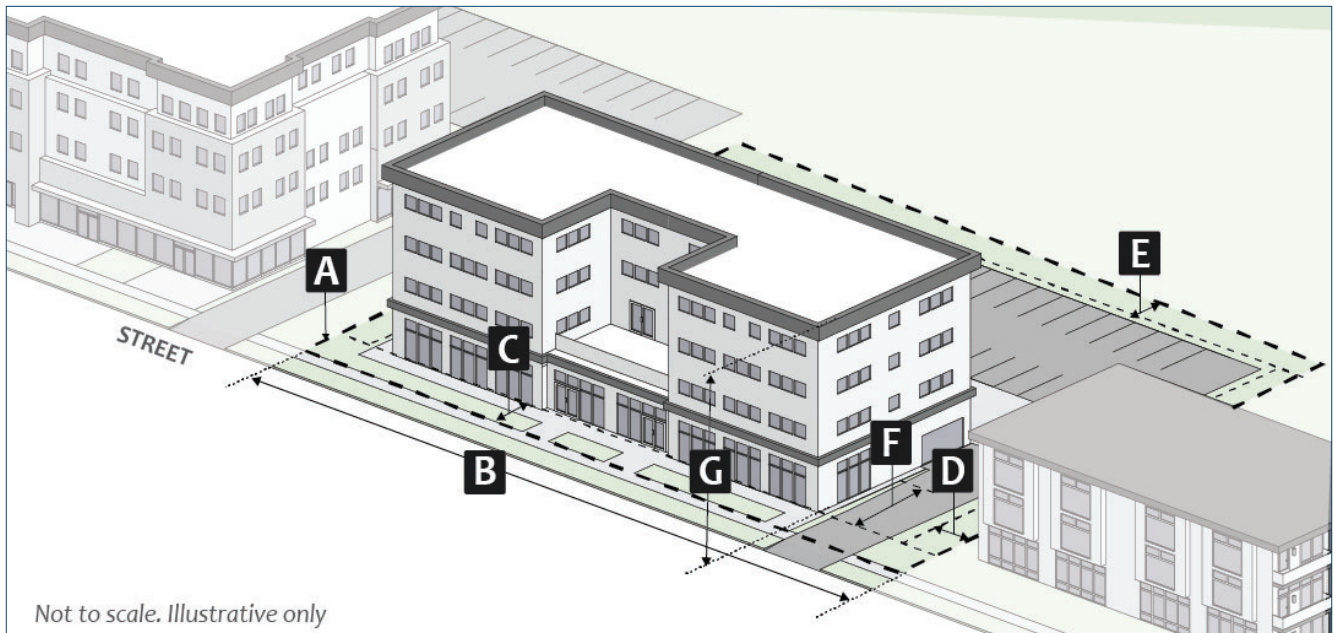
The following table is a summary of the district-specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**Table 02-12: MC District Dimensional Standards**

Lot Dimensions (Minimum, only for lots created after the effective date)		
<b>A</b>	Lot area	5,000 square feet (0.115 acres)
<b>B</b>	Lot width	50 feet
Building Setbacks (Minimum)		
<b>C</b>	Front	15 feet
<b>D</b>	Side	7 feet [1]
<b>E</b>	Rear	7 feet [1]
Other Standards		
<b>F</b>	Front parking setback (minimum)	20 feet behind the primary structure's front building wall
	Impervious surface coverage (maximum)	60%
	Landscape area (minimum)	40%
<b>G</b>	Primary structure height (maximum)	4 stories, not to exceed 50 feet [1] [2] [3]
	Accessory structure height (maximum)	30 feet

**Notes:**

- [1] Buildings abutting a property in the ~~RE~~-R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
- [2] Where a nonresidential use is proposed on the ground floor, the minimum floor to ceiling height on the ground floor shall be 12 feet.
- [3] See Section 20.04.110 (Incentives) for alternative standards.



**Figure 24: MC Dimensional Standards**

# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## (2) Dimensional Standards

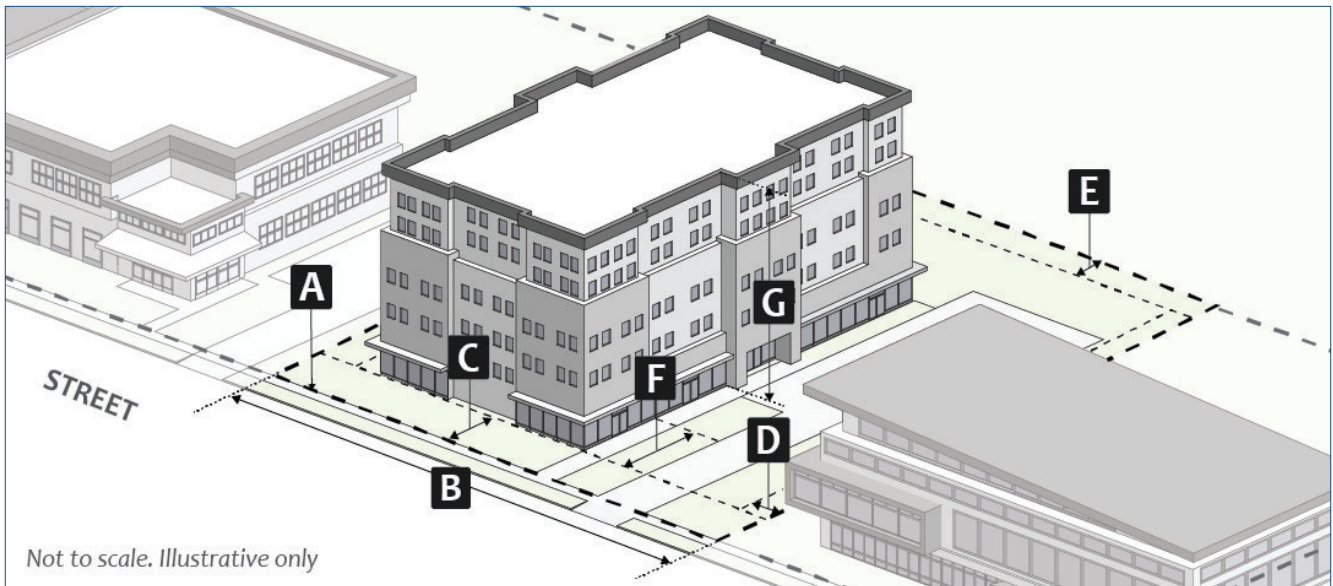
The following table is a summary of the district-specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**Table 02-13: ME District Dimensional Standards**

Lot Dimensions (Minimum, only for lots created after the effective date)		
A	Lot area	5,000 square feet (0.115 acres)
B	Lot width	50 feet
Building Setbacks (Minimum)		
C	Front	15 feet
D	Side	10 feet [1]
E	Rear	10 feet [1]
Other Standards		
F	Front parking setback (minimum)	20 feet behind the primary structure's front building wall
	Impervious surface coverage (maximum)	70%
	Landscape area (minimum)	30%
G	Primary structure height (maximum)	5 stories, not to exceed 63 feet [1] [2] [3]
	Accessory structure height (maximum)	30 feet

**Notes:**

- [1] Buildings abutting a property in the ~~RE~~-R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
- [2] Where a nonresidential use is proposed on the ground floor, the minimum floor to ceiling height on the ground floor shall be 12 feet.
- [3] See Section 20.04.110 (Incentives) for alternative standards.



**Figure 26: ME Dimensional Standards**



# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## (2) Dimensional Standards

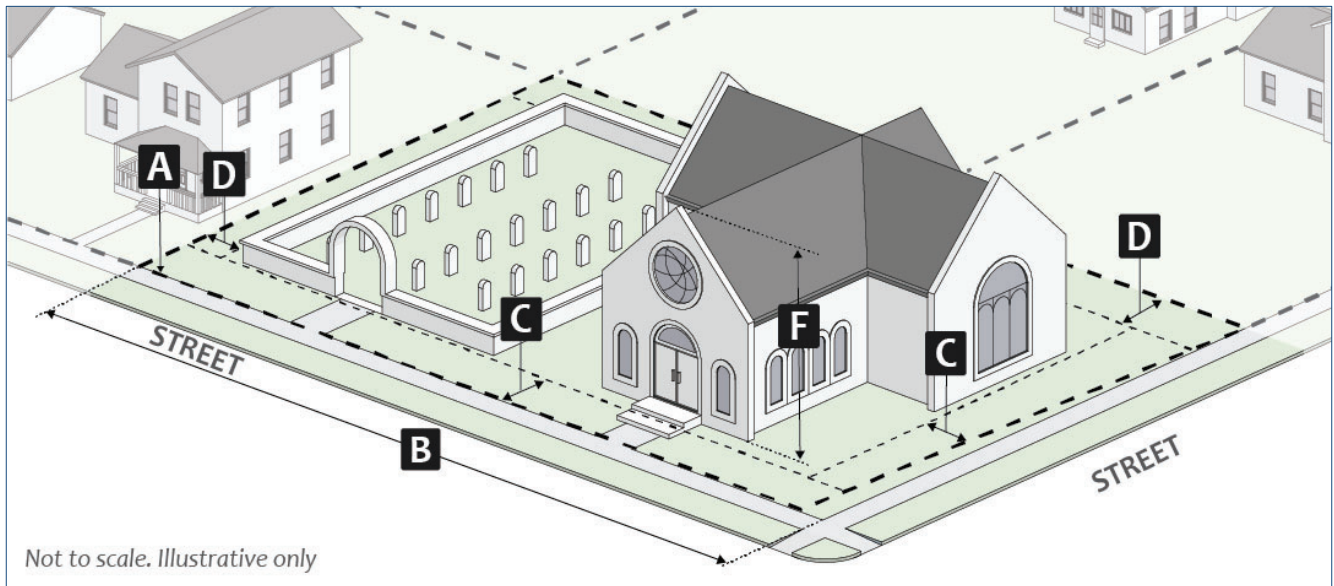
The following table is a summary of the district-specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**Table 02-14: MI District Dimensional Standards**

Lot Dimensions (Minimum, only for lots created after the effective date)		
<b>A</b>	Lot area	5,000 square feet (0.115 acres)
<b>B</b>	Lot width	50 feet
Building Setbacks (Minimum)		
<b>C</b>	Front	15 feet
<b>D</b>	Side	10 feet [1]
	Rear	10 feet [1]
Other Standards		
	Front parking setback (minimum)	20 feet behind the primary structure's front building wall
	Impervious surface coverage (maximum)	60%
	Landscape area (minimum)	40%
<b>F</b>	Primary structure height (maximum)	4 stories, not to exceed 50 feet [1] [2] [3]
	Accessory structure height (maximum)	30 feet

**Notes:**

- [1] Buildings abutting a property in the ~~RE~~-R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
- [2] Where a nonresidential use is proposed on the ground floor, the minimum floor to ceiling height on the ground floor shall be 12 feet.
- [3] See Section 20.04.110 (Incentives) for alternative standards.



**Figure 28: MI Dimensional Standards**

# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## (B) Dimensional Standards

The following table is a summary of the district-specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**Table 02-15: MD-CS Dimensional Standards**

Building Setbacks		
<b>A</b>	Build-to range	0 to 5 feet
<b>B</b>	Building façade at build-to range (minimum)	90%
	Front (maximum)	None
	Side (minimum)	None [1]
	Rear (minimum)	None [1]
Other Standards		
	Front parking setback (minimum)	20 feet behind the primary structure's front building wall
	Impervious surface coverage (maximum)	100%
<b>C</b>	Primary structure height (maximum)	3 stories, not to exceed 40 feet [1] [2] [3] [4]
	Primary Structure height (minimum)	25 feet
	Accessory structure height (maximum)	25 feet

**Notes:**

- [1] Buildings abutting a property in the ~~RE~~-R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
- [2] Where a nonresidential use is proposed on the ground floor, the minimum floor to ceiling height on the ground floor shall be 12 feet.
- [3] See Section 20.04.110 (Incentives) for alternative standards.
- [4] Buildings that include one or more dwelling units that meet the definition of "Student Housing or Dormitory" shall be subject to the maximum building heights established in Section 20.03.030(b)(13) (Student Housing or Dormitory).



**Figure 30: MD-CS Downtown Character Overlay Dimensional Standards**

# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## (B) Dimensional Standards

The following table is a summary of the character area specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

<b>Building Setbacks</b>		
<b>A</b>	Build-to range	0-5 feet
<b>B</b>	Building façade at build-to range (minimum)	70%
	Adjacent to B-Line (minimum)	10 feet
	Side (minimum)	None [1]
	Rear (minimum)	None [1]
<b>Other Standards</b>		
	Front parking setback (minimum)	20 feet behind the primary structure's front building wall
	Impervious surface coverage (maximum)	100%
<b>C</b>	Primary structure height (maximum)	4 stories, not to exceed 50 feet [1] [2] [3] [4]
	Primary Structure height (minimum)	35 feet
	Accessory structure height (maximum)	25 feet

### Notes:

- [1] Buildings abutting a property in the ~~RE~~-R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
- [2] Where a nonresidential use is proposed on the ground floor, the minimum floor to ceiling height on the ground floor shall be 12 feet.
- [3] See Section 20.04.110 (Incentives) for alternative standards.
- [4] Buildings that include one or more dwelling units that meet the definition of "Student Housing or Dormitory" shall be subject to the maximum building heights established in Section 20.03.030(b)(13) (Student Housing or Dormitory).

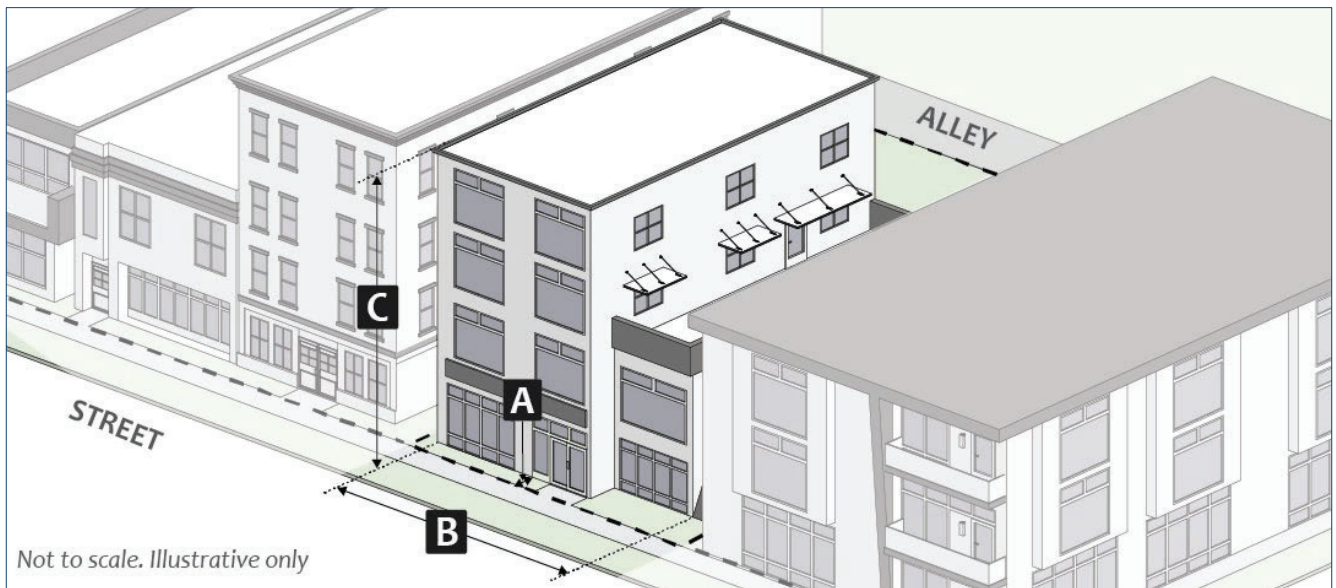


Figure 32: MD-DC Downtown Character Overlay Dimensional Standards

# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## (B) Dimensional Standards

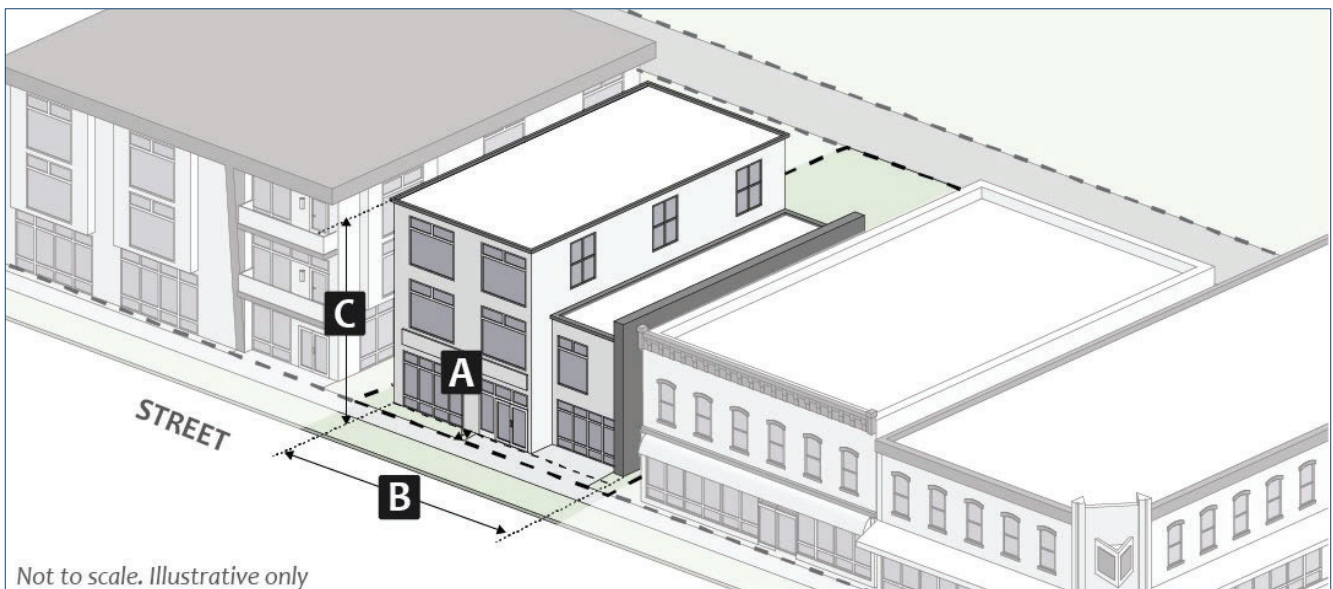
The following table is a summary of the character area specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**Table 02-17: MD-UV Dimensional Standards**

Building Setbacks				
<b>A</b>	Build-to range	0 to 15 feet		
<b>B</b>	Building façade at build-to percentage (minimum)	70%		
	Side (minimum)	None [1]		
	Rear (minimum)	None [1]		
Other Standards		General	Kirkwood Corridor	Restaurant Row
	Front parking setback (minimum)	20 feet behind the primary structure's front building wall		
	Impervious surface coverage (maximum)	85 %	100 %	85%
	Landscape area (minimum)	15%	n/a	15%
<b>C</b>	Primary structure height (maximum)	3 stories, not to exceed 40 feet [1] [2] [3] [4]	3 stories, not to exceed 40 feet [1] [2] [3] [4]	3 stories, not to exceed 35 feet [1] [2] [3] [4]
	Primary Structure height (minimum)	25 feet	25 feet	20 feet
	Accessory structure height (maximum)	25 feet		

**Notes:**

- [1] Buildings abutting a property in the ~~RE~~-R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
- [2] Where a nonresidential use is proposed on the ground floor, the minimum floor to ceiling height on the ground floor shall be 12 feet.
- [3] See Section 20.04.110 (Incentives) for alternative standards.
- [4] Buildings that include one or more dwelling units that meet the definition of "Student Housing or Dormitory" shall be subject to the maximum building heights established in Section 20.03.030(b)(13) (Student Housing or Dormitory).



**Figure 34: MD-UV Downtown Character Overlay Dimensional Standards**



# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## (B) Dimensional Standards

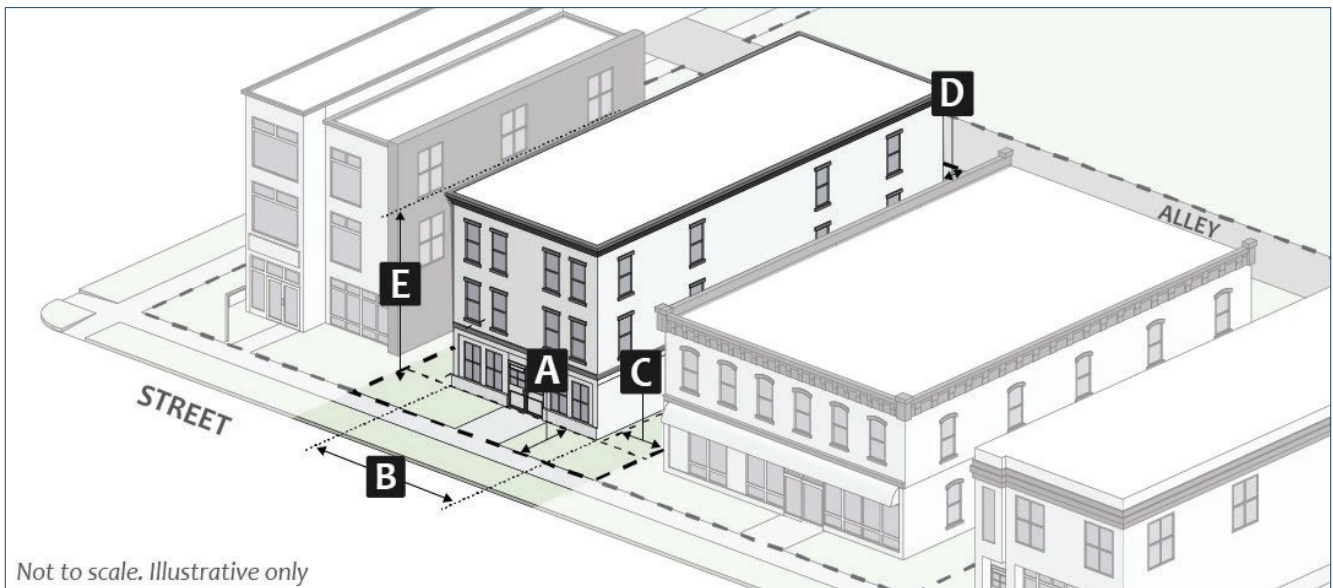
The following table is a summary of the character area specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**Table 02-18: MD-DE Dimensional Standards**

Building Setbacks		
<b>A</b>	Build-to range	0 to 15 feet
<b>B</b>	Building façade build-to percentage (minimum)	70%
<b>C</b>	Side (minimum)	7 feet [1]
<b>D</b>	Rear (minimum)	10 feet [1]
Other Standards		
	Front parking setback (minimum)	20 feet behind the primary structure's front building wall
	Impervious surface coverage (maximum)	75%
	Landscape area (minimum)	25%
<b>E</b>	Primary structure height (maximum)	3 stories, not to exceed 40 feet [1] [2] [3] [4]
	Primary Structure height (minimum)	20 feet
	Accessory structure height (maximum)	25 feet

**Notes:**

- [1] Buildings abutting a property in the ~~RE~~-R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
- [2] Where a nonresidential use is proposed on the ground floor, the minimum floor to ceiling height on the ground floor shall be 12 feet.
- [3] See Section 20.04.110 (Incentives) for alternative standards.
- [4] Buildings that include one or more dwelling units that meet the definition of "Student Housing or Dormitory" shall be subject to the maximum building heights established in Section 20.03.030(b)(13) (Student Housing or Dormitory).



**Figure 36: MD-DE Downtown Character Overlay Dimensional Standards**

# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## (B) Dimensional Standards

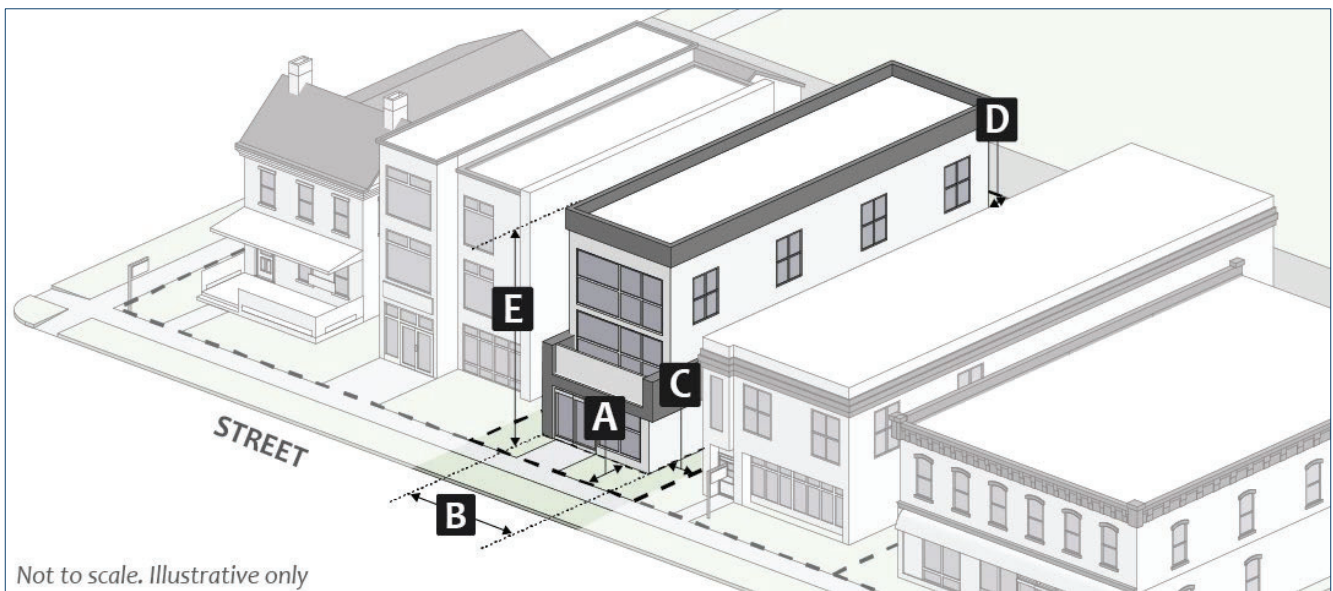
The following table is a summary of the character area specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**Table 02-19: MD-DG Dimensional Standards**

Building Setbacks		
A	Build-to range	0 to 15 feet
B	Building façade build-to percentage (minimum)	70%
C	Side (minimum)	5 feet [1]
D	Rear (minimum)	5 feet [1]
Other Standards		
	Front parking setback (minimum)	20 feet behind the primary structure's front building wall
	Impervious surface coverage (maximum)	75%
	Landscape area (minimum)	25%
E	Primary structure height (maximum)	3 stories, not to exceed 40 feet [1] [2] [3] [4]
	Primary Structure height (minimum)	25 feet
	Accessory structure height (maximum)	30 feet

**Notes:**

- [1] Buildings abutting a property in the ~~RE~~-R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
- [2] Where a nonresidential use is proposed on the ground floor, the minimum floor to ceiling height on the ground floor shall be 12 feet.
- [3] See Section 20.04.110 (Incentives) for alternative standards.
- [4] Buildings that include one or more dwelling units that meet the definition of "Student Housing or Dormitory" shall be subject to the maximum building heights established in Section 20.03.030(b)(13) (Student Housing or Dormitory).



**Figure 38: MD-DG Downtown Character Overlay Dimensional Standards**



# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## (B) Dimensional Standards

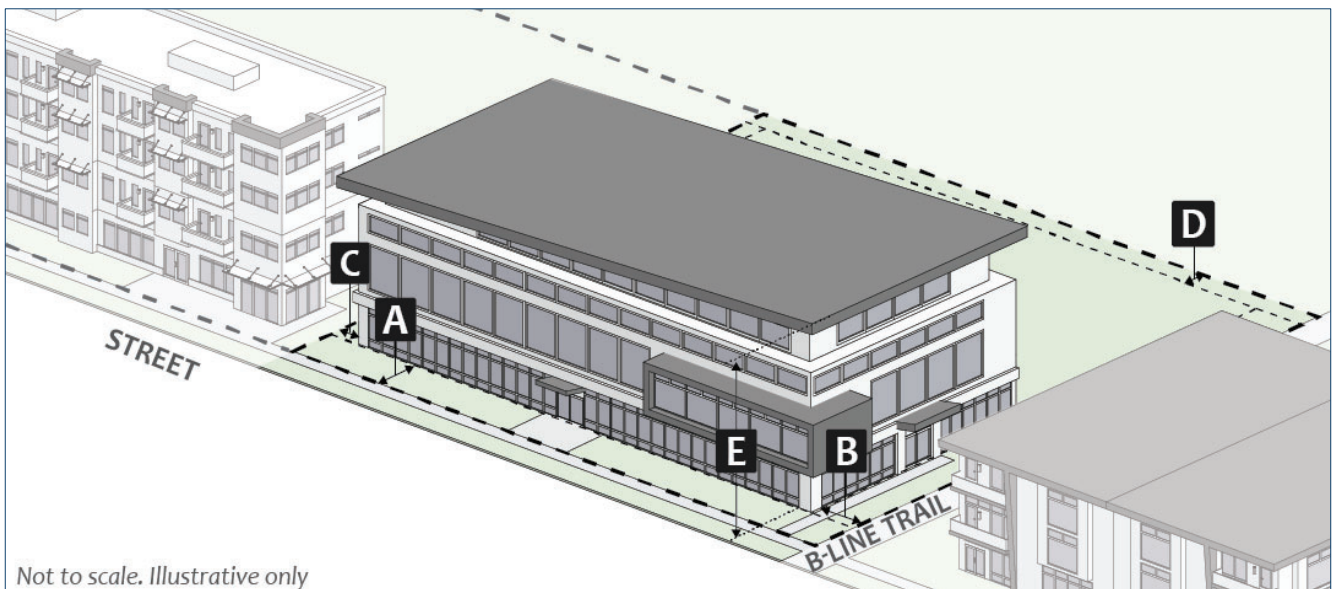
The following table is a summary of the character area specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**Table 02-20: MD-ST Dimensional Standards**

Building Setbacks		
A	Front (maximum)	15 feet
B	Adjacent to B-Line (minimum)	15 feet
C	Side building setback (minimum)	5 feet [1]
D	Rear building setback (minimum)	5 feet [1]
Other Standards		
	Front parking setback (minimum)	20 feet behind the primary structure's front building wall
	Impervious surface coverage (maximum)	75%
	Landscape area (minimum)	25%
E	Primary structure height (maximum)	4 stories, not to exceed 50 feet [1] [2] [3] [4]
	Primary Structure height (minimum)	25 feet
	Accessory structure height (maximum)	30 feet

**Notes:**

- [1] Buildings abutting a property in the ~~RE~~-R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
- [2] Where a nonresidential use is proposed on the ground floor, the minimum floor to ceiling height on the ground floor shall be 12 feet.
- [3] See Section 20.04.110 (Incentives) for alternative standards.
- [4] Buildings that include one or more dwelling units that meet the definition of "Student Housing or Dormitory" shall be subject to the maximum building heights established in Section 20.03.030(b)(13) (Student Housing or Dormitory).



**Figure 40: MD-ST Downtown Character Overlay Dimensional Standards**

# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## (2) Dimensional Standards

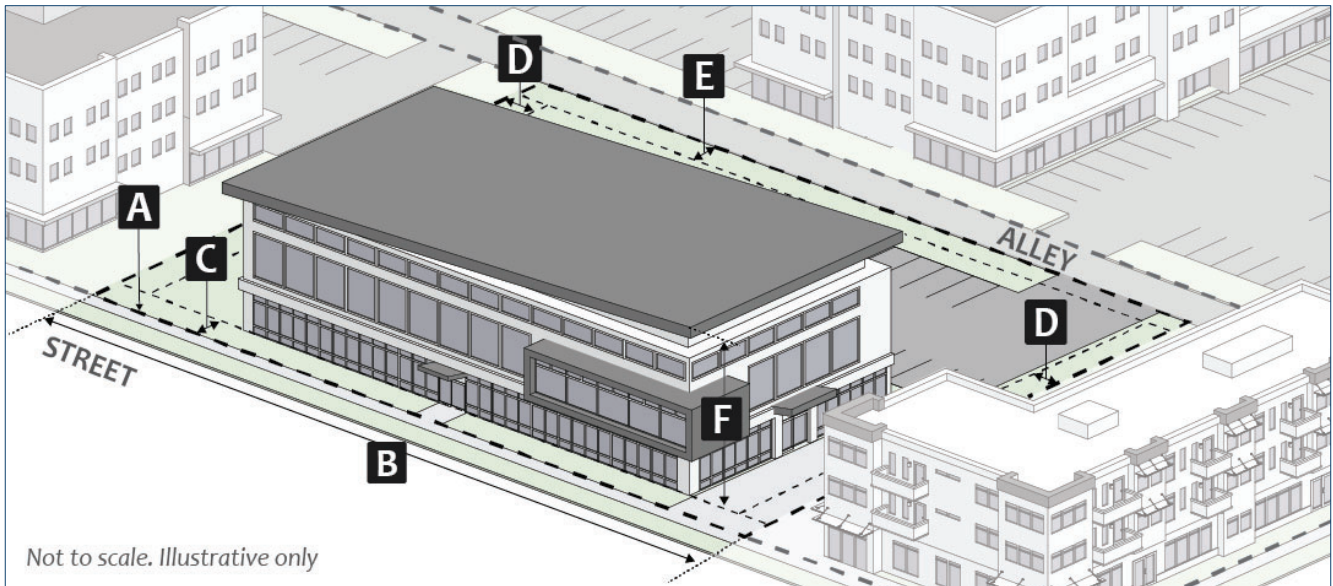
The following table is a summary of the district-specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**Table 02-21: MH District Dimensional Standards**

Lot Dimensions (Minimum, only for lots created after the effective date)		
A	Lot area	10,890 square feet (0.250 acres)
B	Lot width	65 feet
Building Setbacks (Minimum)		
C	Front	25 feet
D	Side	10 feet [1]
E	Rear	10 feet [1]
Other Standards		
	Front parking setback (minimum)	20 feet behind the primary structure's front building wall
	Impervious surface coverage (maximum)	60%
	Landscape area (minimum)	40%
F	Primary structure height (maximum)	3 stories, not to exceed 40 feet [1] [2] [3]
	Accessory structure height (maximum)	25 feet

**Notes:**

- [1] Buildings abutting a property in the ~~RE~~, R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
- [2] Where a nonresidential use is proposed on the ground floor, the minimum floor to ceiling height on the ground floor shall be 12 feet.
- [3] See Section 20.04.110 (Incentives) for alternative standards.



**Figure 42: MH Dimensional Standards**

# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## (2) Dimensional Standards

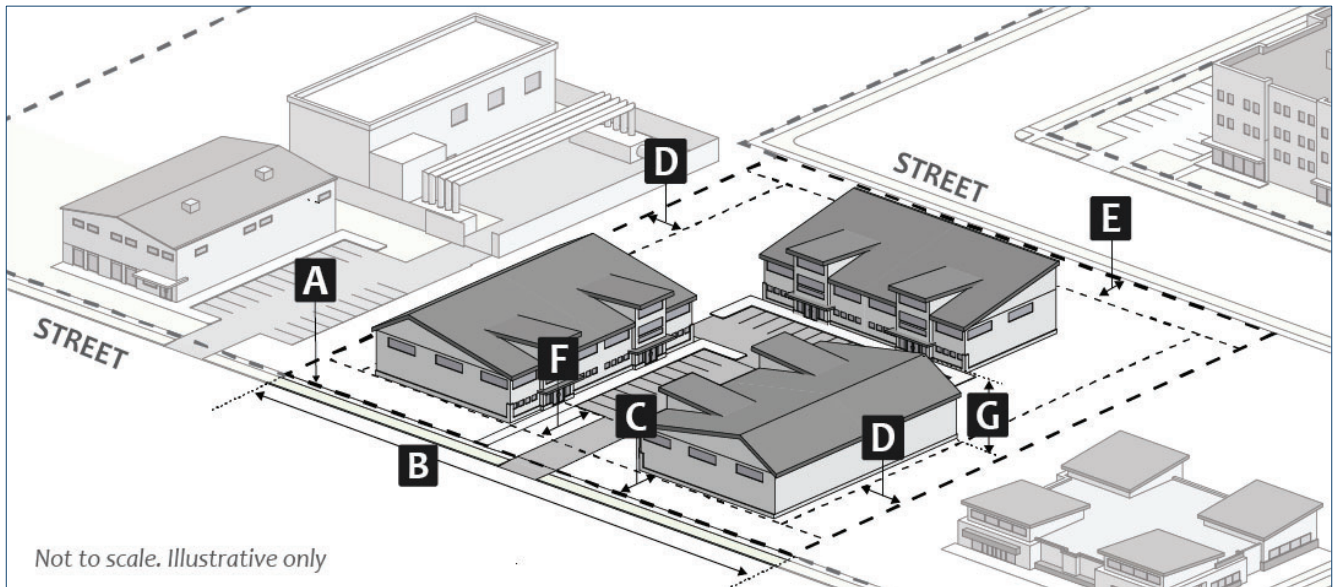
The following table is a summary of the district-specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**Table 02-22: EM District Dimensional Standards**

Lot Dimensions (Minimum, only for lots created after the effective date)		
<b>A</b>	Lot area	None
<b>B</b>	Lot width	100 feet
Building Setbacks (Minimum)		
<b>C</b>	Front	25 feet
<b>D</b>	Side	20 feet [1]
<b>E</b>	Rear	20 feet [1]
Other Standards		
	Front parking setback (minimum)	20 feet behind the primary structure's front building wall
	Impervious surface coverage (maximum)	70%
	Landscape area (minimum)	30%
<b>F</b>	Primary structure height (maximum)	4 stories, not to exceed 50 feet [1]
	Accessory structure height (maximum)	35 feet

**Notes:**

[1] Buildings abutting a property in the ~~RE~~, R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).



**Figure 44: EM Dimensional Standards**

## 20.03.020 Allowed Use Table

**Table 03-1: Allowed Use Table**

P = permitted use, C = conditional use permit, A = accessory use, T = temporary use, Uses with an \* = use-specific standards apply  
Additional uses may be permitted, prohibited, or require conditional use approval in Downtown Character Overlays pursuant to Section 20.03.010(e).

Use	Residential								Mixed-Use								Non-Residential		Use-Specific Standards
	RE	R1	R2	R3	R4	RM	RH	RMH	MS	MN	MM	MC	ME	MI	MD	MH	EM	PO	
<b>RESIDENTIAL USES</b>																			
<b>Household Living</b>																			
Dwelling, single-family (detached)	P	P	P	P	P	P*	P*	P	P	P	P*	P*	P*			P*			20.03.030(b)(1)
Dwelling, single-family (attached)			P*	P*	P*	P*	P*		P*	P*	P*				P*				20.03.030(b)(2)
Dwelling, duplex	C	C*	*	*	P*	P*	P*		P*	P*	P*	C*			P*				20.03.030(b)(3)
Dwelling, triplex		*	*	*	P*	P*	P*		P*	P*	P*	C*			P*				20.03.030(b)(4)
Dwelling, fourplex					C*	P*	P*		P*	P*	P*	P*			P*				20.03.030(b)(4)
Dwelling, multifamily					C*	P	P		P	P*	P*	P	P*	C	P*				20.03.030(b)(5)
Dwelling, live/work					C*	P*	P*			P*	P*	P*			P*				20.03.030(b)(6)
Dwelling, cottage development		C*	C*	C*	C*	C*	C*	C*		C*									20.03.030(b)(7)
Dwelling, mobile home								P*											20.03.030(b)(8)
Manufactured home park								P*											20.03.030(b)(9)
<b>Group Living</b>																			
Assisted living facility					C	P	P			C	P	P		P	P	P			
Continuing care retirement facility					C	P	P			C	P	P		P	P	P			
Fraternity or sorority house									P*					P*					20.03.030(b)(10)
Group care home, FHAA small	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		P*			20.03.030(b)(11)
Group care facility, FHAA large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			20.03.030(b)(11)
Nursing or convalescent home					C	P	P			C	P	P	P	P	P	P			
Opioid rehabilitation home, small	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		P*			20.03.030(b)(11)
Opioid rehabilitation home, large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			20.03.030(b)(11)
Residential rooming house						P*	P*		P	P*	P	P	C*						20.03.030(b)(12)
Student housing or dormitory						C*	P*		P	C*	P*	P*		P*	C*				20.03.030(b)(13)
Supportive housing, small							C			C	C	C		C	C	C			
Supportive housing, large											C	C		C	C	C			
<b>PUBLIC, INSTITUTIONAL, AND CIVIC USES</b>																			
<b>Community and Cultural Facilities</b>																			
Art gallery, museum, or library					C*	C	C			P	P	P		P	P				20.03.030(c)(1)
Cemetery or mausoleum														P					

**Table 03-1: Allowed Use Table**

P = permitted use, C = conditional use permit, A = accessory use, T = temporary use, Uses with an \*= use-specific standards apply  
Additional uses may be permitted, prohibited, or require conditional use approval in Downtown Character Overlays pursuant to Section 20.03.010(e).

Use	Residential								Mixed-Use								Non-Residential		Use-Specific Standards
	RE	R1	R2	R3	R4	RM	RH	RMH	MS	MN	MM	MC	ME	MI	MD	MH	EM	PO	
Club or lodge											P	P			P				
Community center			C	C	C	P*	P*			P	P	P		P	P			20.03.030(c)(2)	
Conference or convention center												P	P	P	P				
Crematory												C		C			C		
Day-care center, adult or child	A*	A*	A*	A*	A*	C*	C*	C*	P*	P*	P*	P*	C*	C*	P*	P*	A*	20.03.030(c)(3)	
Government service facility											P	P	P	P	P		P		
Jail or detention facility														C*			C*	20.03.030(c)(4)	
Meeting, banquet, or event facility											P	P	P	P	P				
Mortuary											P	P		P					
Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Place of worship	C	C	C	C	C	C	C	C	C	C	P	P	C	P	P	C			
Police, fire, or rescue station	C	C	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P		
Urban agriculture, noncommercial	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	20.03.030(c)(5)	
<b>Educational Facilities</b>																			
School, college or university												C	C	P					
School, public or private	C*	C*	C*	C*	C*	C*	C*	C*	C*	C*	P*	P*	C*	P*	P*			20.03.030(c)(6)	
School, trade or business											P	P	P	P	P		P		
<b>Healthcare Facilities</b>																			
Hospital														C		C			
Medical clinic										P	P	P	P	P	P	P			
Methadone treatment facility												P*		C*		C*		20.03.030(c)(7)	
Opioid rehabilitation facility											C*	C*	C*		C*	C*		20.03.030(c)(7)	
<b>COMMERCIAL USES</b>																			
<b>Agricultural and Animal Uses</b>																			
Crops and pasturage	P*	PA*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*		A*	A*		20.03.030(d)(1)	
Kennel													C*				C*	20.03.030(d)(2)	
Orchard or tree farm, commercial	P	PA*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	P	20.03.030(d)(3)	
Pet grooming										P*	P*	P*			P*		P*	20.03.030(d)(4)	
Plant nursery or greenhouse, commercial	C	C									P	P	P						
Veterinarian clinic										C*	P*	P*			P*			20.03.030(d)(4)	
<b>Entertainment and Recreation</b>																			

# ZO-08-21 Red-Line Amendments with Plan Commission Amendment

## Chapter 20.03: Use Regulations

20.03.020 Allowed Use Table

**Table 03-1: Allowed Use Table**

P = permitted use, C = conditional use permit, A = accessory use, T = temporary use, Uses with an \*= use-specific standards apply

Additional uses may be permitted, prohibited, or require conditional use approval in Downtown Character Overlays pursuant to Section 20.03.010(e).

Use	Residential								Mixed-Use								Non-Residential		Use-Specific Standards
	RE	R1	R2	R3	R4	RM	RH	RMH	MS	MN	MM	MC	ME	MI	MD	MH	EM	PO	
Amenity center	P*	P*	P*	P*	P*	P	P	P	A	P	P	P	P	P	P				20.03.030(d)(5)
Country club	€	€										P							
Recreation, indoor				P*	P*	P*	P*		A	C	P	P			P				20.03.030(d)(6)
Recreation, outdoor	€	€										C	P	P			C		
Sexually oriented business											C*	P*					P*		20.03.030(d)(7)
Stadium														C					
<b>Food, Beverage, and Lodging</b>																			
Bar or dance club									P		P	P			P				
Bed and breakfast	€*	C*	C*	C*	C*	C*	P			P	P	P			P				20.03.030(d)(8)
Brewpub, distillery, or winery									P*	P*	P*	P*	P*		P*		P*		20.03.030(d)(9)
Hotel or motel									P			P	C		P				
Restaurant						C*	C*		P	P	P	P	P*	A	P	A	A		20.03.030(d)(10)
<b>Office, Business, and Professional Services</b>																			
Artist studio or workshop	A*	A*	A*	A*	A*	P	P			P	P	P	C	C	P				20.03.030(d)(11)
Check cashing											C	C							
Financial institution									P		P	P	C		P		A		
Fitness center, small						A	A		P	P	P	P	A	A	P	A	A		
Fitness center, large									P	P	P	P			P	A			
Office										P	P	P	P	P	P	P*	P		20.03.030(d)(12)
Personal service, small						A	A		P	P	P	P	P	C	P				
Personal service, large									C	C	P	P	P		P				
Tattoo or piercing parlor											P	P			P				
<b>Retail Sales</b>																			
Building supply store											P	P					P		
Grocery or supermarket						A	A		P	P	P	P	P		P				
Liquor or tobacco sales											P	P			P				
Pawn shop											P	P			P				
Retail sales, small						C	C		P	P	P	P	P		P				
Retail sales, medium									P		P	P			P				
Retail sales, large											P				P				
Retail sales, big box											P						P		
<b>Vehicles and Equipment</b>																			
Equipment sales or rental										P*	P*	P*			P*		P*		20.03.030(d)(13)
Transportation terminal											P	P		P	P		P		



**Table 03-1: Allowed Use Table**

P = permitted use, C = conditional use permit, A = accessory use, T = temporary use, Uses with an \*= use-specific standards apply  
 Additional uses may be permitted, prohibited, or require conditional use approval in Downtown Character Overlays pursuant to Section 20.03.010(e).

Use	Residential								Mixed-Use								Non-Residential		Use-Specific Standards
	RE	R1	R2	R3	R4	RM	RH	RMH	MS	MN	MM	MC	ME	MI	MD	MH	EM	PO	
Vehicle fleet operations, small											P	P					P		
Vehicle fleet operations, large												P					P		
Vehicle fuel station											P*	P*	P*		P*		P*		20.03.030(d)(14)
Vehicle impound storage																	P*		20.03.030(d)(15)
Vehicle parking garage						A	A		A		P	P	P	A	P*	C			20.03.030(d)(16)
Vehicle repair, major												P*					P*		20.03.030(d)(17)
Vehicle repair, minor										C*	P*	P*			P*				20.03.030(d)(17)
Vehicle sales or rental											P	P	P						
Vehicle wash											P*	P*					P*		20.03.030(d)(18)

**EMPLOYMENT USES**

**Manufacturing and Processing**

Commercial laundry											P	P					P		
Food production or processing											C	C	C				C		
Manufacturing, artisan										P	P	P	C		P		P		
Manufacturing, light													P		C		P		
Manufacturing, heavy																	C		
Salvage or scrap yard																	C		

**Storage, Distribution, or Warehousing**

Bottled gas storage or distribution																	P		
Contractor's yard												P	C				P		
Distribution, warehouse, or wholesale facility												C	C				P		
Storage, outdoor														P*			P*	A*	20.03.030(e)(1)
Storage, self-service									A*	C*	P*	P*	P*	A*	P*		P*		20.03.030(e)(2)

**Resource and Extraction**

Gravel, cement, or sand production																	C*		20.03.030(e)(3)
Quarry																	C*		20.03.030(e)(3)
Stone processing																	P		

**UTILITIES AND COMMUNICATION**

Communication facility	C*	C*										C*	C*	P	C*	C*	P		20.03.030(f)(1)
Solar collector, ground- or building-mounted	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	P		20.03.030(f)(2)
Utility substation and transmission facility	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		20.03.030(f)(3)

**Table 03-1: Allowed Use Table**

P = permitted use, C = conditional use permit, A = accessory use, T = temporary use, Uses with an \*= use-specific standards apply  
Additional uses may be permitted, prohibited, or require conditional use approval in Downtown Character Overlays pursuant to Section 20.03.010(e).

Use	Residential								Mixed-Use								Non-Residential		Use-Specific Standards
	RE	R1	R2	R3	R4	RM	RH	RMH	MS	MN	MM	MC	ME	MI	MD	MH	EM	PO	
Wind energy system, large													P*				P*		20.03.030(f)(4)
Wind energy system, small	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	P*	P*	20.03.030(f)(5)
<b>ACCESSORY USES</b>																		20.03.030(g)(1)	
Chicken flock	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*		P*	20.03.030(g)(2)
Detached garage	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*								20.03.030(g)(3)
Drive-through											A*	A							20.03.030(g)(4)
Dwelling, accessory unit	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*		A*	A*			20.03.030(g)(5)
Electric vehicle charging facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Greenhouse, noncommercial	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Home occupation	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*			20.03.030(g)(6)
Outdoor retail and display										T*	T*	T*			T*		A*		20.03.030(g)(7)
Outdoor trash and recyclables receptacles						A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*		20.03.030(g)(8)
Recycling drop-off, self-serve						A	A		A	A	A	A	A	A	A	A	A		
Swimming pool	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	20.03.030(g)(9)
<b>TEMPORARY USES</b>																		20.03.030(h)(1)	
Book buyback									T*	T*	T*	T*		T*	T*				20.03.030(h)(2)
Construction support activities	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	20.03.030(h)(3)
Farm produce sales	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*			20.03.030(h)(4)
Real estate sales or model home	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*		20.03.030(h)(5)
Seasonal sales									T*	T*	T*	T*	T*	T*	T*	T*			20.03.030(h)(6)
Special event	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T		T	

## 20.03.030 Use-Specific Standards

### (a) Generally

- (1) The Use-Specific Standards listed in this Section 20.03.030 apply to those uses listed on the same line of Table 3-1, regardless of whether those uses are shown as Permitted, Conditional, Conditional Accessory, Accessory, or Temporary uses. These Use-Specific standards cannot be modified through the Conditional Use approval process in Section 20.06.050(b) (Conditional Use Permit), but relief may be granted through the Variance process in Section 20.06.080(b) (Variance).

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- i. A composite sample of the native soil, consisting of no less than five individual samples, has been tested for lead content and the lead content in the soil is determined to be at or below the residential screening levels for soil exposure, direct-contact for lead established by the Indiana Department of Environmental Management; and either:
  1. Proof through maps, deeds, prior permits or a combination of those sources that the site has only been used for residential or agricultural activities in the past; or
  2. A composite sample of the native soil, consisting of no less than five individual samples, has been tested for metal content using the US EPA 3050B, 3051, or a comparable method and that the metals arsenic, cadmium, mercury, molybdenum, nickel, selenium, and zinc are determined to be at or below the residential screening levels for soil exposure, direct-contact established by the Indiana Department of Environmental Management.
- ii. If metal content in soil exceeds established thresholds, food products may only be grown in raised beds filled with clean topsoil.
- iii. As an alternative to meeting the standards in (i) or (ii) above, food products may be grown in clean soil brought to the site without completing a soil test of the soil native to the site.

### (6) **School, Public or Private**

- (A) Each public or private high school shall be located on a site with direct access to an arterial or collector street.
- (B) Each public or private elementary or middle school located on a site adjacent to an arterial or collector street shall provide an automobile pick-up/drop-off area adequate to protect student safety with access from either a collector or local street, and shall provide a direct pedestrian connection to at least one local street adjacent to the site.

### (7) **Methadone Treatment Facility or Opioid Rehabilitation Facility**

- (A) Each clinic or facility shall be at least 1,000 feet from the nearest property line of a lot containing a primary use that falls under the Household Living category, Group Living category, a Place of Worship, or a Public or Private School;
- (B) Each clinic or facility shall include a waiting and departure lounge sufficient in size to accommodate all scheduled patrons, which shall be open to patrons at least one hour before and after any official business is to be conducted. Such areas shall include restroom facilities that shall be open at least one hour prior to the beginning of scheduled services.

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## (d) **Commercial Uses**

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### (1) **Crops and Pasturage**

#### (A) **Generally**

- i. Except in the R1E zoning district, this use shall be accessory to a principal use on the same lot or parcel.
- ii. Land with a slope in excess of 15 percent shall not be considered in determining the total pasture size and shall not be used for pasture purposes.
- iii. All outside pens, exercise areas, and pastures shall be fenced.

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### (3) **Orchard or Tree Farm, Commercial**

Commercial orchards and/or tree farms shall be limited to 25 percent of the lot area when allowed as an accessory use.

### (4) **Pet Grooming and Veterinarian Clinic**

If a pet grooming or veterinarian clinic has a kennel associated with it, then it shall comply with Section 20.03.030(d)(2) and the following standards:

- (A) In the MN, MM, and MD zoning districts, outdoor kennel facilities are not permitted.
- (B) In the MC zoning district, outdoor kennels shall require a conditional use permit pursuant to Section 20.06.050(b) (Conditional Use Permit).

### (5) **Amenity Center**

In the ~~RE~~-R1, R2, R3, and R4 zoning districts, an amenity center shall not be established on a lot or parcel larger than one acre. The amenity center shall not exceed 5,000 square feet of gross floor area.

### (6) **Recreation, Indoor**

In the R3, R4, RM, and RH zoning districts, indoor recreation facilities shall be permitted when created through the renovation of an existing building. If a recreation center requires new construction or a major addition to an existing structure (greater than 33 percent of the existing gross floor area), then the use shall be subject to a conditional use approval.

### (7) **Sexually Oriented Business**

#### (A) **Purpose**

Within the city it is acknowledged that there are some uses, often referred to as sexually oriented businesses, which because of their nature can have a negative impact on nearby property, particularly when these sexually oriented businesses are concentrated together or located in direct proximity to places where children congregate including but not limited to: residential uses; child care centers; places of worship; schools; libraries; playgrounds; and/or parks. Special regulations for these sexually oriented businesses are necessary to ensure that these adverse impacts will not contribute to the blighting of surrounding areas. The primary goal of these regulations is to prevent the concentration or location of these uses in a manner that would exacerbate their adverse effects.

#### (B) **Location**

A sexually oriented business shall not be located on a property within 500 feet (measured from the nearest property line of the property from which spacing is required to the nearest wall of the building or tenant space that houses the sexually oriented business use using a straight line, without regard to intervening structures or public rights-of-way) of any of the following:

- i. Place of Worship;
- ii. School, Public or Private (preschool, K-12);
- iii. Day care center, adult or child;
- iv. Park (including publicly owned multiuse trails);
- v. Library;
- vi. Homeless Shelter;
- vii. ~~RE~~-R1, R2, R3, R4, or RMH zoning district, including any portion of a Planned Unit Development designated for single-family residential use;

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- viii. RM or RH zoning district, including any portion of a Planned Unit Development designated for multifamily residential use; and
- ix. Another Sexually Oriented Business.

### (C) PUDs

For the purposes of this section, sexually oriented businesses shall be considered permitted uses in any PUD zoning district created before February 12, 2007, where the underlying zoning is MC, MM, and IN.

### (D) Exterior Display

No sexually oriented business shall be conducted in any manner that permits the observation from any right-of-way of material depicting specified sexual activities or specified anatomical areas by display, decoration, sign, show window or other opening.

## (8) Bed and Breakfast

- (A) In the ~~RE~~-R1, R2, R3, R4, and RM zoning districts, this use is limited to single-family detached dwellings.
- (B) In the ~~RE~~-R1, R2, R3, R4, and RM zoning districts, the maximum number of guest units for any bed and breakfast shall be three. In all other zoning districts, the maximum number of guest units for any bed and breakfast establishment shall be eight.
- (C) The business owner or manager of the bed and breakfast establishment shall be required to reside on the property or on an adjacent property.
- (D) Each guest stay shall be limited to a maximum of 30 consecutive days.
- (E) The exterior design of any exterior modification of the structure or premises shall include façade articulation, and numbers and locations of windows and building entrances on the primary building façade, that are similar to those in the surrounding area and neighborhood.

## (9) Brewpub, Distillery, or Winery

- (A) In the MN zoning district, brewpubs, distilleries, or wineries shall not manufacture more than 5,000 barrels of beverage (all beverages combined) annually.
- (B) In the MM, MD, and MC zoning districts, brewpubs, distilleries, or wineries shall not manufacture more than 20,000 barrels of beverage (all beverages combined) annually.
- (C) Brewpubs, distilleries, or wineries shall maintain copies of all reports filed with the bureau of alcohol, tobacco and firearms (ATF) and shall be able to demonstrate, upon request of the city, that they have not exceeded the annual beverage production limit in any 12-month period.
- (D) In the MN, MM, and MC zoning districts, brewpubs, distilleries, or wineries shall maintain at least 15 percent of the gross floor area of the facility or 500 square feet of floor space, whichever is greater, for public use as a tavern, restaurant, or tasting area.
- (E) In the MD zoning district, brewpubs, distilleries, or wineries shall maintain at least 50 percent of the gross floor area of the facility for public use as a tavern, restaurant, or tasting area.
- (F) Brewpubs may ship beverages for consumption at other sites, but only if it is demonstrated that:
  - i. The location and flow of shipping traffic does not impact access by other users; and
  - ii. The proposed shipping routes are designed to accommodate the weight of the delivery vehicles.

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### (10) Restaurant

- (A) In the current RM, RH, and ME zoning districts, the restaurant shall contain no more than 2,500 gross square feet of floor area. Such smaller establishments typically include but are not limited to cafes, coffee shops, delis, and small restaurants.
- (B) In the RM and RH zoning districts, structures containing this use shall be similar in appearance to the surrounding buildings with respect to architectural style, roof pitch, color and materials.

### (11) Artist Studio or Workshop

In the ~~RE~~, R1, R2, R3, and R4 zoning districts:

- (A) The artist studio shall be accessory to a residential use.
- (B) No retail activity shall be permitted in association with the artist studio.
- (C) No display of art pieces for public viewing, such as within a gallery, shall be permitted.
- (D) Use of the artist studio shall be limited to the production of art by the resident of the home in which the studio is located.

### (12) Office

In the MH zoning district, only office uses performing services related to the medical or health care industries are permitted.

### (13) Equipment Sales and Rental

- (A) Outdoor display of equipment for sale or rental shall only be permitted in the MC and EM zoning districts.
- (B) In the MC zoning district, all outdoor display of merchandise shall be contained on an improved surface such as asphalt, concrete, or pavers.
- (C) Any outdoor display area shall not block ADA-accessible parking areas, parking lot access aisles, or sidewalk areas, and shall not reduce the number of parking spaces below any minimum requirement for the use in this UDO.

### (14) Vehicle Fuel Station

- (A) In the MM, MD, and ME zoning districts, the use shall be limited to a total of four metered fuel dispenser units.
- (B) In the MM, MD, and ME zoning districts, major overhaul, body and fender work, upholstery, welding and spray painting shall be prohibited as an accessory use of a vehicle fuel station.
- (C) In the MM, MD, MC, and ME zoning districts, all activities other than vehicle fueling shall be conducted within a completely enclosed building.
- (D) In the MM, MD, MC, and ME zoning districts, no outdoor storage of automobile parts, discarded tires, or similar materials shall be permitted.
- (E) Outdoor storage of more than three wrecked or temporarily inoperable vehicles awaiting repairs shall be prohibited.
- (F) In the ME zoning district:
  - i. All structures including fuel canopies shall be similar in appearance to the surrounding development with respect to architectural style, color, and materials;
  - ii. Fuel canopies shall be located to the side or rear of properties to minimize visual impact from public streets; and



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### (G) **Abandoned Towers**

Any tower unused or left abandoned for six months shall be removed by the tower owner at the owner's expense. Should the communication tower owner fail to remove the tower after 30 days from the date a notice of violation is issued, the city may remove the tower and bill the owner for the costs of removal and cleanup of the site.

### (H) **Noncommercial Antennas**

Noncommercial antennas for individual, private use, including but not limited to, amateur radio antennas, shall be permitted as an accessory use in all residential districts, subject to the following standards:

#### i. **Height**

The height of a noncommercial antenna shall not exceed 75 feet, measured from the ground, whether the antenna is mounted on the roof or on the ground.

#### ii. **Setbacks**

No such antenna shall be located within a front setback and shall be set back at least five feet from any side or rear property line.

### (I) **Additional Standards for the MD Zoning District**

Communication facilities shall be strictly limited to antennas or other communication equipment accessory to the primary use of the building. No free-standing communication facilities are allowed.

- i. All antennas or other communication equipment shall be no taller than 10 feet above the height of the building to which they are affixed.
- ii. All communication facilities shall be mounted on a building of at least two stories in height.
- iii. Communication facilities shall be designed to blend into the surrounding environment through the use of color, camouflaging, materials, and/or architectural treatment, except in an instance where the color is dictated by federal or state authorities such as the Federal Aviation Administration (FAA).

### (2) **Solar Collector, Ground- or Building-Mounted**

- (A) Accessory solar collectors shall only be located behind the front yard setback or on rooftops.
- (B) In the ~~RE~~, R1, R2, R3, and R4 zoning districts, accessory building-mounted solar collectors may exceed the maximum building height requirement by a maximum of 36 inches. For all other zoning districts, accessory building-mounted solar collectors may exceed the maximum building height requirement by a maximum five feet.

### (3) **Utility Substation and Transmission Facility**

Utility substations and transmission facilities (not including sewer or water boost or lifting stations) shall be screened with a solid fence or wall at between eight and ten feet in height and shall provide at least one tree and three shrubs per 10 linear feet of fencing to minimize the visual impact of the use on surrounding properties, public streets, and public open spaces. Required plantings shall be located on the side of the fence closest to abutting properties.

**Table 03-4: Number and Size of Accessory Structures Permitted**

Zoning District	Maximum Number	Maximum Footprint (cumulative total)
RE	None	50 percent of the square footage of the primary structure
R1	2	1,000 square feet or 50 percent of the square footage of the primary structure, whichever is less
R2		840 square feet
R3		580 square feet
R4		400 square feet
RM, RH, RMH MS, MN, MM, MD, MC, ME, MH	None	15 percent of the cumulative square footage of the primary building(s) footprint.
MI, EM, PO	None	None

**(F) Location**

- i. Unless otherwise authorized in this UDO, accessory structures shall be located no closer than 35 feet from the front property line and five feet from side and rear property lines.
- ii. Flag poles shall be located no closer than 12 feet from the front property line and one foot from the side and rear property lines.

**(G) Design**

Accessory structures larger than 120 square feet shall incorporate materials, scale, colors, architectural details, and roof slopes that are compatible with the principal building(s).

**(2) Chicken Flocks**

One chicken flock as defined in the Bloomington Municipal Code Section 7.01.010, may be kept as an accessory use to a permitted principal use, provided that such use is permitted by and complies with all regulations of Title 7 (Animals) of the Bloomington Municipal Code, as amended. The regulations of Title 7 (Animals) of the Bloomington Municipal Code are expressly incorporated into this UDO by reference.

**(3) Detached Garage Design**

- (A) For detached garages accessory to residential uses, exposed or corrugated metal facades are not permitted. The exterior finish building materials used for a detached garage shall comply with the standards in Section 20.04.070(d)(3)(B) (Materials).
- (B) Detached garages and carports shall be located a minimum of 10 feet behind the primary structure's front facade and five feet from side and rear property lines, except for exceptions listed in Section 20.04.020(e)(3) (Exceptions to Setback Requirements).

**(4) Drive-Through**

- (A) In the MM district, all uses, except for financial institutions shall be limited to one drive-through bay. Financial institutions shall be allowed up to three drive-through bays.
- (B) In the MC district, all uses, except for financial institutions shall be limited to two drive-through bays. Financial institutions shall be allowed up to three drive-through bays.

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**Table 04-2: Residential District Dimensional Standards**

sq. ft. = square feet

Dimensional Standards		RE	R1	R2	R3	R4	RM [1]	RH [1]	RMH [1]	
Lot Dimensions (Minimum, only for lots created after the effective date)									Entire Development	Dwelling Site
Lot area	sq. ft.	<del>108,900</del>	20,000 [2]	7,200 [2]	5,000 [2]	4,000	5,000	5,000	43,560	3,000
	acres	<del>2.50</del>	0.459 [2]	0.165 [2]	0.115 [2]	0.092	0.115	0.115	1.00	0.069
Lot width		<del>200 feet</del>	100 feet [2]	60 feet [2]	50 feet [2]	35 feet	50 feet	50 feet	200 feet	40 feet
Building Setbacks (Minimum)										
Front build-to line		None	None	None	15 feet [3]	None	None	None	None	None
Front		30 feet	15 feet	15 feet [3]	None	15 feet [3]	10 feet	10 feet	25 feet	10 feet
Attached front-loading garage or carport		30 feet [4]	25 feet [4]	25 feet [4]	10 feet behind the primary structure's front building wall		25 feet [4]		None	None
Side		30 feet	First floor: 8 feet Each story above the ground floor: 10 feet [2]	First floor: 8 feet Each story above the ground floor: 10 feet [2] [5]	First floor: 6 feet Each story above the ground floor: 10 feet [2] [5]	5 feet	10 feet [6]	10 feet [6]	20 feet	Primary Structure: 7 feet Accessory Structure: 2 feet
Rear		60 feet	25 feet [2]	25 feet [2]	25 feet [2]	25 feet	15 feet [6]	15 feet [6]	20 feet	
Other Standards										
Front parking setback (minimum)		None	None	None	None	None	20 feet behind the primary structure's front building wall		None	None
Impervious surface coverage (maximum)		15%	30%	40%	45%	50%	60%	65%	None	65%
Landscape area (minimum)		None	None	None	None	None	40%	35%	None	None
Primary structure height (maximum)		40 feet	40 feet	40 feet	35 feet	40 feet	3 stories, not to exceed 40 feet [2] [6]	5 stories, not to exceed 63 feet [2] [6]	None	20 feet
Accessory structure height (maximum)		30 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	None	20 feet

**Notes:**

- [1] Any single-family, duplex, triplex, or fourplex development shall be subject to the R4 residential lot standards.
- [2] See Section 20.04.110 (Incentives) for alternative standards.
- [3] Or the median front setback of abutting residential structures, whichever is less.
- [4] Or equal to the setback of the primary structure, whichever is greater.
- [5] Legally established lots of record that are less than the minimum lot width may reduce the required setback up to 2 feet.
- [6] Buildings abutting a property in the ~~RE~~, R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).

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**Table 04-3: Mixed-Use District Dimensional Standards**

sq. ft. = square feet

Dimensional Standards		MS	MN	MM	MC	ME	MI	MD	MH
<b>Lot Dimensions (Minimum, only for lots created after the effective date)</b>									
Lot area	sq. ft.	5,000	5,000	5,000	5,000	5,000	5,000	See Table 04-4	10,890
	acres	0.115	0.115	0.115	0.115	0.115	0.115		0.25
Lot width		50 feet	50 feet	50 feet	50 feet	50 feet	50 feet		65 feet
<b>Building Setbacks (Minimum)</b>									
Front build-to range		None	15 to 25 feet	15 to 25 feet	None	None	None	See Table 04-4	None
Front building façade at build-to range (minimum)		None	70%	70%	None	None	None		None
Front		15 feet	(see above)	(see above)	15 feet	15 feet	15 feet		25 feet
Side [1]		15 feet	7 feet	7 feet	7 feet	10 feet	10 feet		10 feet
Rear [1]			10 feet						
<b>Other Standards</b>									
Front parking setback (minimum)		20 feet behind the primary structure's front building wall						See Table 04-4	20 feet behind the primary structure's front building wall
Impervious surface coverage (maximum)		70%	60%	60%	60%	70%	60%		60%
Landscape area (minimum)		30%	25%	40%	40%	30%	40%		40%
Area of any individual commercial tenant (maximum)		None	5,000 sq. ft. gross floor area	None	None	None	None		None
Primary structure height (maximum) [1] [2] [3]		6 stories, not to exceed 75 feet	3 stories, not to exceed 40 feet	4 stories, not to exceed 50 feet	4 stories, not to exceed 50 feet	5 stories, not to exceed 63 feet	4 stories, not to exceed 50 feet		3 stories, not to exceed 40 feet
Accessory structure height (maximum)		20 feet	20 feet	30 feet	30 feet	30 feet	30 feet		25 feet

- Notes:**
- [1] Buildings abutting a property in the ~~RE~~-R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
  - [2] Where a nonresidential use is proposed on the ground floor, the minimum floor to ceiling height shall be 12 feet.
  - [3] See Section 20.04.110 (Incentives) for alternative standards.

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**Table 04-4: Downtown Character Overlay Dimensional Standards**

sq. ft. = square feet

Dimensional Standards	MD-CS	MD-DC	MD-UV	MD-DE	MD-DG	MD-ST
<b>Lot Dimensions (Minimum)</b>						
Lot area	None	None	None	None	None	None
Lot width	None	None	None	None	None	None
<b>Building Setbacks</b>						
Front build-to range	0 to 5 feet	0 to 5 feet	0 to 15 feet	0 to 15 feet	0 to 15 feet	None
Front building façade at build-to range (minimum)	90%	70%	70%	70%	70%	None
Front (maximum)	None	None	None	None	None	15 feet
Adjacent to B-Line (minimum)	None	10 feet	None	None	None	15 feet
Side (minimum) [1]	None	None	None	7 feet	5 feet	5 feet
Rear (minimum) [1]	None	None	None	10 feet	5 feet	5 feet
<b>Other Standards</b>						
Front parking setback (minimum)	20 feet behind the primary structure's front building wall					
Impervious surface coverage (maximum)	100%	100%	General and Restaurant Row: 85% Kirkwood Corridor: 100%	75%	75%	75%
Landscape area (minimum)	None	None	General and Restaurant Row: 15% Kirkwood Corridor: None	25%	25%	25%
Primary structure height (maximum) [1] [2] [3] [4]	3 stories, not to exceed 40 feet	4 stories, not to exceed 50 feet	General and Kirkwood Corridor: 3 stories, not to exceed 40 feet Restaurant Row: 3 stories, not to exceed 35 feet	3 stories, not to exceed 40 feet	3 stories, not to exceed 40 feet	4 stories, not to exceed 50 feet
Primary structure height (minimum)	25 feet	35 feet	General and Kirkwood Corridor: 25 feet Restaurant Row: 20 feet	20 feet	25 feet	25 feet
Accessory structure height (maximum)	25 feet	25 feet	25 feet	25 feet	30 feet	30 feet

- Notes:**
- [1] Buildings abutting a property in the ~~RE~~, R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
  - [2] Where a nonresidential use is proposed on the ground floor, the minimum floor to ceiling height shall be 12 feet.
  - [3] See Section 20.04.110 (Incentives) for alternative standards. Additional height incentives shall not be available for student housing or dormitories.
  - [4] Buildings that include one or more dwelling units that meet the definition of "Student Housing or Dormitory" shall be subject to the maximum building heights established in Section 20.03.030(b)(13) (Student Housing or Dormitory).



**Table 04-5: Nonresidential District Dimensional Standards**

sq. ft. = square feet

Dimensional Standards	EM	PO
<b>Lot Dimensions (Minimum, only for lots created after the effective date)</b>		
Lot area	None	None
Lot width	100 feet	None
<b>Building Setbacks (Minimum)</b>		
Front	25 feet	15 feet
Side	20 feet [1]	5 feet
Rear	20 feet [1]	5 feet
<b>Other Standards</b>		
Front parking setback (minimum)	20 feet behind the primary structure's front building wall	15 feet
Impervious surface coverage (maximum)	70%	None
Landscape area (minimum)	30%	None
Primary structure height (maximum)	4 stories, not to exceed 50 feet [1]	20 feet
Accessory structure height (maximum)	35 feet	20 feet

**Notes:**

[1] When adjacent to the RE, R1, R2, R3, or R4 zoning district, the minimum setback shall be increased by one foot for each foot of building height over 30 feet.

**(d) Lot and Space Requirements**

**(1) Minimum Lot Dimensions**

No space that is needed to meet the width, setback, area, open space, impervious surface coverage, parking, landscaping, or other requirements of this UDO for a lot or building may be sold, leased, or subdivided away from such lot or building. All lots affected by a proposed subdivision shall meet the standards of this UDO.

**(2) Number of Primary Buildings or Uses per Lot**

- (A) Except for projects approved as cottage development pursuant to Section 20.03.030(b)(7) (Dwelling, Cottage Development), only one principal building for single-family, duplex, triplex, or fourplex uses, with permitted accessory buildings, may be located on a lot or parcel. Every dwelling shall have legal means of access to a right-of-way.
- (B) Where a lot or parcel is used for multifamily, mixed-use, commercial, or industrial purposes, more than one primary building may be located upon the lot when such buildings conform to all requirements of this UDO applicable to the uses and district.
- (C) No lot shall be divided to contain more dwelling units than are permitted by the regulations of the zoning district in which they are located.

**Table 04-6: Authorized Exceptions to Setback Requirements**

DU = dwelling unit

Type of Exception	Extent of Exception
Air conditioners (ground)	Up to 5 feet if screened by a fence, wall, or appropriate landscaping.
Air conditioners (window)	Up to 30 inches.
Architectural features	Up to 18 inches.
Awnings, balconies, canopies, patios, steps, and uncovered/open porches	Up to 6 feet.
Bay windows, chimneys, eaves,	Up to 3 feet.
Decks	Up to 6 feet into the side or rear setback provided that no deck is closer than 2 feet to a side property line.
Fire Escapes	Up to 6 feet into side and rear setbacks.
Front Entry	For the <del>RE</del> -R1, and R2 zoning districts, an entry or covered front addition a maximum of 6 feet deep and with a width not to exceed one-third the width of the primary façade of the structure.
Handicap ramps	Exempt from all setback requirements.
Satellite dishes	Up to 5 feet into the front setback and no closer than one foot to the side and rear property lines.
Detached garages or carports	Where a rear alleyway provides access to a detached garage or carport, the setback from the property line that runs parallel to the alleyway to the detached garage or carport may be reduced to three feet.
Additions to existing structures	For single-family, duplex, and triplex structures, additions to existing structures may use existing side or rear setbacks already established on the lot, provided that the gross floor area of the existing structure is not increased by more than 50 percent. In no case shall the setback be less than 10 feet (rear) or 4 feet (side).

- (C) Where this UDO establishes a maximum setback from the front property line, that maximum setback may be increased by up to five feet to accommodate access required by the Americans with Disabilities Act, utility or access easements, or to prevent encroachment of building projections over the public right-of-way.

**(4) Through Lots**

On a through lot, the Planning and Transportation Director shall determine which lot line shall be deemed the front lot line based on the existing and/or proposed building orientation of surrounding lots. Through lots adjacent to an arterial street shall comply with the standards established in 20.05.050(j)(7)(A)iii (Buffer).

**(f) Building Height**

**(1) Measurement**

Maximum building heights are expressed in both overall dimension and the number of stories, where applicable.

**(A) Stories**

Story height is measured between the floor of a story to the floor of the story above it. For single-story buildings and the uppermost story of a multistory building, the measurement shall be from the floor of the story to the ceiling.

(B) **In the ~~RE~~, R1, R2, R3, and R4 District**

- i. Parking for single-family, duplex, triplex, fourplex, mobile home, and manufactured home residential uses shall be prohibited within the required front building setback between the street and the building except on a single drive not exceeding 18 feet in width.
- ii. In cases where the side or rear setback area is accessible via an improved alley, no front yard drive or parking shall be permitted. The required parking area shall directly access the alley and be limited to 20 feet in depth and 20 feet in width. Depth of required parking areas may exceed 20 feet if leading to a vehicular entrance of a detached garage or carport. Determinations of whether an alley allows for safe access shall be made by the City Planning and Transportation Department.

(3) **Dimensions of Parking Spaces and Drive Aisles**

All on-site parking and maneuvering areas shall be constructed according to the following minimum dimensional standards:

- (A) All parking aisles shall terminate with a bump-out for turnaround maneuverability.
- (B) The length of a parking stall may be reduced to 16 feet allowing the front of vehicles to overhang the required parking space by two feet; provided that:
  - i. Any raised curb in the overhang areas is no more than four inches in height; and
  - ii. The front of the parking space is located adjacent to a landscaped area or sidewalk that is at least six feet in width.

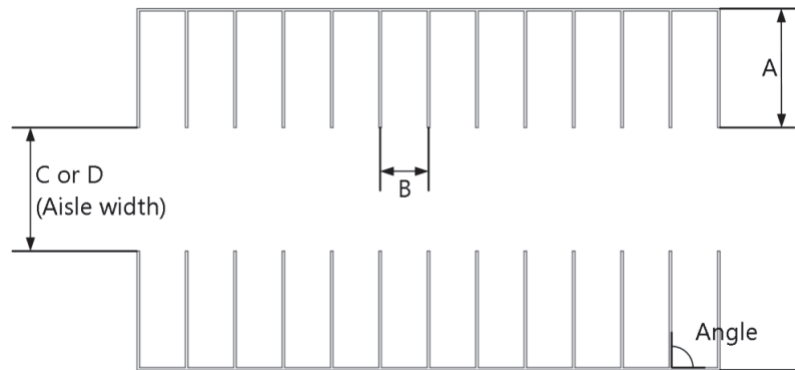


Figure 52: Illustrative Scale and Character

**Table 04-11: Parking Dimensions (in feet)**

Angle	Parking Space		One-Way Aisle	Two-Way Aisle
	A	B	C	D
0° (parallel)	8.0	22.5 [1]	12.0	20.0
30°	15.0	8.5	12.0	20.0
45°	17.0	8.5	12.0	20.0
60°	17.5	8.5	16.0	20.0
90°	16.0	8.5	20.0	20.0

**Notes:**

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### (3) Residential

#### (A) Applicability

The following standards shall apply to the construction, expansion, addition, or alteration of any building in the ~~RE~~, R1, R2, R3, R4, RM, RH and RMH zoning districts.

#### (B) Materials

Primary exterior finish building materials used on residential dwellings shall consist of any of the following:

- i. Horizontal lap siding (e.g., vinyl, cementitious, wood);
- ii. V-grooved tongue-and-groove siding;
- iii. Wood-grained vertical siding materials in a board-and-batten or reverse batten pattern;
- iv. Cedar or other wood materials (excluding EIFS);
- v. Stucco, plaster, or similar systems;
- vi. Stone;
- vii. Split face block, ground face block, or brick;
- viii. Cast or cultured stone;
- ix. Cast in place concrete;
- x. Earthen structural materials; or
- xi. Other materials that replicate the look and durability of the above materials, as approved by the staff.

#### (C) Minimum Coverage

Exterior finish building materials listed above, or a combination of such materials, shall extend from roofline to within six inches of finished grade.

#### (D) Foundations

All buildings shall be placed on permanent foundations.

#### (E) Roofs

- i. For attached and detached single-family dwellings, duplex, triplex, fourplex, and multifamily dwelling units that have sloped roofs, the roof shall consist of shingles, shakes, tile, standing-seam metal, or V-grain metal. Additions to attached or detached single-family dwelling units may use flat roofs (less than a 3:12 roof pitch).
- ii. Primary structures larger than 1,000 square feet of gross floor area may use a flat roof (less than 3:12 roof pitch) with a parapet and shall comply with any applicable standards established in Subsection 20.03.030: *Use-Specific Standards*.

#### (F) Rain Gutters and Downspouts

Rain gutters and downspouts are required.

#### (G) Uniform Architecture

When the rear or side facade of a newly constructed building is adjacent to a street, the architecture of these facades shall be made to match that of the front facade. Such matching shall occur through use of similar materials, window/doorway openings, variation in rooflines, or fenestration.

## ZO-08-21 Red-Line Amendments with Plan Commission Amendment

### (H) **Anti-monotony Standards**

In the case of new construction of multifamily units, any development containing more than three individual buildings shall incorporate the following variations to break up monotony in design:

- i. Differences in rooflines;
- ii. Differences in building footprint;
- iii. Differences in the number of floors per building.

### (4) **Refuse and Recycling Containers**

Except for single-family, duplex, triplex, and fourplex dwellings, all uses shall provide adequate space on site for refuse and recycling containers. Such areas shall comply with the standards in Section 20.04.080(m)(3) (Loading, Service, and Refuse Areas).

### (5) **Neighborhood Transition Standards**

#### (A) **Setbacks**

Buildings abutting a property in the ~~RE~~, R1, R2, R3, or R4 zoning district shall comply with the minimum building setback of the adjacent residential zoning district along the common property line or the minimum building setback of the zoning district where the building is located, whichever is greater.

#### (B) **Building Height**

- i. Any portion of a building within 50 feet of a property in the ~~RE~~, R1, R2, R3, or R4 zoning district shall not exceed the maximum building height allowed in the abutting residential district or the maximum building height of the zoning district where the building is located, whichever is lower. Where a lot abuts two or more residential districts, the residential district with the lowest maximum building height shall govern. Portions of buildings within 50 feet are not eligible for additional building height under Section 20.04.110 (Incentives).
- ii. Any portion of a building between 50 feet and 100 feet of a property in the ~~RE~~, R1, R2, R3, or R4 zoning district shall not exceed the maximum building height allowed in the abutting residential district, plus one story (not to exceed 15 feet); or the maximum building height of the zoning district where the building is located, whichever is lower. Where a lot abuts two or more residential districts, the residential district with the lowest maximum building height shall govern. Portions of buildings between 50 feet and 100 feet are not eligible for additional building height under Section 20.04.110 (Incentives).
- iii. Any portion of a building beyond 100 feet from a property in the ~~RE~~, R1, R2, R3, or R4 zoning district shall not exceed the allowed building height of the zoning district where the building is located. Portions of buildings beyond 100 feet are eligible for additional building height under Section 20.04.110 (Incentives).
- iv. Building features referenced in Table 04-7: *Authorized Exceptions to Height Requirements*, shall be designed to minimize visibility from adjacent residential districts and fit within the allowed building height of the zoning district where the building is located, to the maximum extent practicable.



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- (C) Facilities for the operation of active or passive solar energy systems and other alternate energy systems shall be exempt from the screening requirements.

### (2) **Ground-Mounted Mechanical Equipment**

The following standards shall apply to all uses except for single-family, duplex, triplex, fourplex, mobile home, and manufactured home residential uses.

- (A) Outdoor ground-mounted mechanical equipment (e.g., subpanels, air conditioners, heating, cooling and ventilating equipment, kitchen hoods and vents, swimming pool equipment, pumps and heaters, propane tanks), and all other mechanical equipment shall be located where it is not visible from public open space, public trails, public streets, or from adjacent properties to the maximum extent practicable.
- (B) In cases when ground-mounted mechanical equipment is visible from a public open space, public trail, public street, or adjacent property, the equipment shall be screened from view by a solid wall or fence or a vegetative screen that satisfy the following criteria:
  - i. The wall or fence shall be of a height equal to or greater than the height of the mechanical equipment being screened and shall be compatible with the architecture and landscaping of the development; or
  - ii. The vegetative screen shall be planted along the full length of the equipment to be screened and shall be of a height equal to or greater than the height of the equipment to be screened at the time of planting.
- (C) Screening of ground-mounted solar energy equipment is not required.

### (3) **Loading, Service, and Refuse Areas**

- (A) Outdoor loading, service, and refuse areas shall be integrated into the building design if possible or shall be located where they are not visible from public open space, public trails, public streets, or from adjacent properties, to the maximum extent practicable.
- (B) Refuse areas shall not be located within the front setback and shall be a minimum of five feet from side and rear property lines, except for:
  - i. Side and rear locations adjacent to alleyways;
  - ii. Side and rear locations adjacent to the ~~RE~~-R1, R2, R3, and R4 zoning districts shall have a minimum 25-foot setback from the respective property lines.
- (C) In cases when loading, service, and refuse areas are visible from a public open space, public trail, public street, or adjacent property, the loading, service, and refuse areas shall be screened from view by:
  - i. A solid wall or fence a minimum of six feet in height, or high enough to ensure that the contents of the enclosure are not visible from adjacent parcels or public rights-of-way. Such enclosures shall match the general design and materials of the primary structure (but excluding unfinished CMU block). At least one side of such fence or wall shall incorporate a movable gate for access.
  - ii. The use of chain-link fencing for loading, service, or refuse area screening shall be prohibited.

### (4) **Design**

- (A) Outdoor trash receptacles, dumpsters, compactors and similar containers shall be placed on an impervious surface.

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- (B) Screened outdoor storage facilities shall be adequately protected from damage by vehicles through the installation of bollards and shall be properly maintained and kept in good repair at all times.

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### (n) Fences and Walls

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#### (1) Applicability

Unless otherwise provided below, this Section 20.04.080(n) shall apply to all new development.

- (A) Fences and walls used to screen trash receptacles, mechanical equipment, and other areas requiring screening are exempt from the height limits in Section 20.04.080(n)(3); however they shall not be less than six feet in height.
- (B) Utility substation and transmission facilities, quarry and stone processing, jails, detention facilities, kennels, and prisons are exempt from Section 20.04.080(n)(3).
- (C) Retaining walls are exempt from the height standards but shall be constructed in accordance with manufacturer's specifications or generally accepted engineering standards.
- (D) Fences and walls used to screen swimming pools shall not be less than five feet in height or greater than eight feet in height.
- (E) Fences and walls located in the ~~RE~~-IN, and MI zoning districts are exempt from height standards.
- (F) Decorative features of fences such as post tops are exempt from height requirements provided, they extend no more than 12 inches from the top of the fence and are spaced at least eight feet apart.
- (G) Fences intended exclusively to protect food garden plots from animals shall not be more than 12 feet in height. The portion of the fence that exceeds five feet in height shall, by the use of voids and solids via latticework or other similar techniques, be of open construction. This portion of the fence shall be constructed of materials widely accepted in the fence industry for garden protection.

#### (2) Fence and Wall Location

- (A) Fences and walls shall be permitted up to the property line.
- (B) No fence or wall shall be located within a public or private easement unless written permission from the easement holder has been granted.

#### (3) Fence and Wall Height

##### (A) Interior Lots

- i. Behind the front building wall of the primary structure, fences and walls shall not exceed a combined height of eight feet, except as provided in Subsection (1)(G) above.
- ii. Forward of the front building wall of the primary structure, fences and walls shall not exceed four feet in height.

##### (B) Corner Lots

On corner lots where the structure has two front building walls, one frontage shall be considered a secondary front building wall.

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- (B) Lighting of any tree protection area or conservation easement, including but not limited to those required by Section 20.04.030 (Environment), is prohibited.

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### (d) Multifamily Residential Lighting

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A parcel occupied by a multifamily dwelling shall not be illuminated by more than 6,000 lumens per primary structure, including a maximum of 2,000 lumens per building entryway of any combination of motion detector activated lighting and bulbs rated at no more than 1,000 lumens.

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### (e) Mixed-Use and Nonresidential Lighting

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#### (1) Adjacent to Residential Districts

Mixed-use and nonresidential uses bordered by any ~~RE~~, R1, R2, R3, R4, or RHM zoning district shall be allowed a total light output of not more than 40,000 lumens per acre. Provided, regardless of parcel size, the allowance shall be sufficient to provide a maximum of 2,500 lumens per entryway with motion detector activated lighting counted as one-half lumens.

#### (2) Use-Specific Conditions

##### (A) Canopies, Pavilions, or Drive-Through Bays

###### i. Illuminance

The canopy, pavilion, or drive-through bay shall be designed to achieve no greater than the minimal illuminance level of a service station pump island as recommended by the Illuminating Engineering Society of North America (IESNA RP-33: Lighting for Exterior Environments).

###### ii. Shielding

All light fixtures mounted on or recessed into the lower surface of canopies, pavilions, or drive-through bays shall be full cutoff, fully shielded and use flat lenses. Such fixtures shall be recessed so the fixture does not extend below the lower horizontal surface of the canopy, pavilion, or drive-through bay.

##### (B) Outdoor Recreational Facilities

###### i. Illuminance

All lighting installations shall be designed to achieve no greater than the minimal illuminance levels for the activity as recommended by the Illuminating Engineering Society of North America (IESNA RP-6: Sports and Recreational Area Lighting).

###### ii. Light Trespass

All lighting fixtures shall be installed so that light trespass from any property line, except a property line abutting a public street, shall not exceed two footcandles at a point one meter beyond the property line.

###### iii. Restriction

Field lighting for all outdoor recreational facilities shall be turned off within 30 minutes after the completion of the last event of the night.

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### (2) **Changeable Copy**

Unless specified otherwise in this UDO, signs may incorporate areas for changeable copy, provided that the changeable copy area does not exceed 40 percent of the total sign area.

### (3) **Electronic Reader Boards**

Unless otherwise provided in this UDO, electronic reader boards may only be utilized when incorporated into permanent signage, provided that they do not exceed more than 40 percent of the total area of any sign face, and that information is displayed in increments of no less than 20 seconds.

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## (h) **Waiver of Right to Damages**

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(1) The Plan Commission, the Board of Zoning Appeals, and the City Planning and Transportation Department are each authorized to request waivers of the right to and receipt of damages pursuant to Indiana Code 22-13-2-1.5, Indiana Code 36-7-2-5.5, and Indiana Code 32-24, in connection with any petition for a permit or other approval that may involve erection of a new sign or removal or alteration of a lawfully erected sign, including a lawful nonconforming sign.

(2) Waivers may be requested from the following:

- (A) The petitioner;
- (B) The property owner;
- (C) The sign owner; and
- (D) Any other person with an interest in the site or the sign.

(3) The owner and/or the petitioner shall be responsible for obtaining waivers from all persons listed in Section 20.04.100(h)(2).

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## (i) **Residential District Sign Standards**

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### (1) **Applicability**

This section applies to the ~~RE~~, R1, R2, R3, R4, RM, RH, and RMH zoning districts.

### (2) **Single-Family and Condominium Subdivision**

Each subdivision shall be permitted one freestanding sign per development entrance, subject to the following standards:

#### (A) **Freestanding Sign Area**

The maximum sign area shall not exceed 32 square feet per side.

#### (B) **Freestanding Sign Height**

The maximum height shall not exceed six feet in height.

#### (C) **Changeable Copy**

Changeable copy shall be prohibited as part of a freestanding sign.

#### (D) **Number**

The permitted subdivision sign may be replaced with two signs of a maximum 16 square feet in area per sign if a sign is placed on each side of the entrance.

#### (E) **Wall Signage**

No wall signage is permitted.

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- vii. Signs shall not be placed within the right-of-way of the B-Line Trail. Sandwich board signs for properties with frontage along the trail shall be placed within the setback between the building and the trail right-of-way.

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### 20.04.110 Incentives

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#### (a) Applicability

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These affordable housing and sustainable development incentives are available to all development, except for Student Housing or Dormitory projects located in the MD zoning district .

#### (b) General Standards

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The following standards apply to all projects seeking the affordable housing or sustainable development incentives in this Section 20.04.110.

##### (1) Neighborhood Transition Standards

- (A) All projects abutting a property in the ~~RE~~-R1, R2, R3, or R4 zoning district shall comply with the neighborhood transition standards established in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
- (B) Where a primary structure's maximum height incentive is in conflict with the neighborhood transition standards established in Section 20.04.070(d)(5) (Neighborhood Transition Standards), the neighborhood transition standards shall govern. The petitioner may request relief from the neighborhood transition standards in accordance with the development standards variance procedure pursuant to Section 20.06.080(b) (Variance).

##### (2) Waiver of Fees

- (A) When a petition qualifies for one or more of the incentives in this Section 20.04.110, filing fees for the Plan Commission and/or Board of Zoning Appeals shall be waived.
- (B) When a petition that qualifies for one or more of the incentives in this Section 20.04.110 has been approved by the decision-making body:
  - i. Fees associated with right-of-way excavation permits for the project shall be waived; and
  - ii. Sewer hook-on fees for the project may be waived or reduced by the utilities service board.

##### (3) Administration

- (A) A petition for these development incentives shall be included with a petition for development approval.
- (B) Projects that qualify for the affordable housing incentive and/or the sustainable development incentive established in Section 20.04.110: (Incentives), shall have the site plan portion of the petition processed as a minor (rather than major) site plan, except when the project is adjacent to a lot in the R1, R2, R3, or R4 zoning districts or contains more than 50 dwelling units.
- (C) Staff shall determine if the project is eligible to receive incentives and if it satisfies the criteria established in this Section 20.04.110.



**(b) Conservation Subdivision (CS)**

**(1) Purpose**

The conservation subdivision is intended to be used as follows:

- (A) Facilitate clustered development of land while ensuring maximum protection of environmentally sensitive features and set asides of significant common open space;
- (B) Provide for necessary connectivity to adjoining street systems to provide adequate levels of emergency service and traffic mitigation;
- (C) Allow very limited development for those parcels containing environmental features such as mature tree stands, karst geology, steep slopes, and water resources;
- (D) Fulfill the policy recommendations included in the Environment element of the Comprehensive Plan; and
- (E) Provide subdivision design controls that ensure the space-efficient installation of utilities, street and sidewalk network, as well as the placement of individual building lots.

**(2) Development Standards**

**Table 05-2: CS Subdivision Development Standards**

<b>General Standards</b>	
Parent tract size (minimum)	5 acres
Applicable base zoning districts	All base zoning districts
Open space required (minimum) [1]	50%
Lots served by alleys (minimum percentage)	Not permitted
Block length (maximum)	1,760 feet
Cul-de-sac length (minimum)	Not permitted
Cul-de-sac length (maximum)	Not permitted
<b>Right-of-Way Standards</b>	
Transportation facilities	Required to meet Transportation Plan guidance
On-street parking [2]	<del>RE zone: not permitted</del> R1 zone: not required R2 zone: not required
Tree plot width (minimum)	5 feet [3]
Sidewalk/multiuse path width (minimum)	Per Transportation Plan

**NOTES:**

- [1] Measured as a percent of gross acreage and shall be identified as common open space on the plat.
- [2] Where on-street parking is provided, it shall comply with the standards in 20.04.060(o) (On-street Parking Standards for Private Streets).
- [3] May be reduced to a two-foot grass separation to allow for preservation of existing quality vegetation.

### (3) **Abandonment of a Nonconforming Use**

A lawful nonconforming use shall be deemed abandoned when the nonconforming use has been replaced by a conforming use or when the nonconforming use has ceased and has not been resumed for a continuous period of six months, or when the furnishings have been removed and not replaced for a continuous period of six months.

### (4) **Residential Occupancy**

#### (A) **Authority to Continue**

In the ~~RE-~~R1, R2, R3, and R4 zoning districts, a nonconforming use involving occupancy of a dwelling unit by four or five adults who are not all related to each other, which was duly registered on or before October 1, 1985, in accordance with Ordinance 85-15; or was duly registered on or before November 1, 1995, in accordance with Ordinance No. 95-21, shall be deemed a lawful nonconforming use which may be continued under this UDO, without further registration, and shall be considered a lawful nonconforming use that may continue only as provided in this section.

#### (B) **Transition from Prior Regulations**

- i. Where a lawfully existing dwelling unit was lawfully occupied by four or five adults who were not all related to each other on the effective date of this UDO, but becomes nonconforming under this UDO because of being so occupied, the property owner may register such property as a lawful nonconforming use, and if properly and timely registered, such use will be a lawful nonconforming use which may be continued under this UDO without further registration.
- ii. Forms for such registration shall be available in the Planning and Transportation Department and shall be completed by the property owner or agent and filed in the Planning and Transportation Department within 180 days of the effective date of this UDO.
- iii. For existing structures, the use to be vested pursuant to this provision shall be the use lawfully in effect as of the effective date of this UDO, or the predominant lawful use for the preceding five years, whichever is greater.

#### (C) **Pending or Approved Building Permit**

- i. When a complete building permit application has been filed with the Monroe County Building Department, where the proposed structure included a nonconforming use involving a dwelling unit intended for occupancy by four or five adults who are not all related to each other shall be considered a lawful nonconforming subject to the following:
  1. The building permit application conforms to all applicable regulations in effect at the time of application;
  2. The property owner's intention to accommodate said four or five adults is stated in writing;
  3. The property was registered pursuant to this subsection within 180 days of the effective date of this UDO;
  4. The property was lawfully eligible for occupancy by four or five adults not all related to each other prior to the effective date of this UDO;

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### **District, Residential**

Refers to the ~~RE~~, R1, R2, R3, R4, RM, RH, and RMH zoning districts and residential portions of Planned Unit Developments.

### **DNR**

The Indiana Department of Natural Resources.

### **Dripline**

The perimeter of a tree's spread measured to the outermost tips of the branches and extending downward to the ground.

### **Drive**

A vehicular access to a development site, including private streets or roads and excluding an aisle serving as direct access to a row of parking spaces.

### **Drive Apron**

The driving surface area, typically located within the public right-of-way, between the edge of a paved street and the driveway accessing a private property.

### **Drive-through**

A facility, building feature, or equipment at which an occupant of a vehicle may make use of the service or business without leaving their vehicle. This use includes drive-by parcel pickup facilities.

### **Drive-through Bay**

The portion of a drive-through use or structure, including any awnings, structures, or service windows, where individual vehicles are parked to receive service.

### **Driveway**

A surfaced area intended solely for the purpose of accessing a garage or parking area, other than an aisle serving as direct access to a row of parking spaces

### **Dwelling Site**

A site within a manufactured home park and/or mobile home park with required improvements and utilities that is leased for the long-term placement of a manufactured home and/or mobile home.

### **Dwelling Unit**

One or more rooms containing cooking, living, sanitary, and sleeping facilities, occupied by not more than one family (see definition of "Family"). The dwelling unit shall be characterized by but not limited to:

- 1) A single house number with a single mailbox for the receipt of materials sent through the United States mail;
- 2) A single kitchen adequate for the preparation of meals;
- 3) A tenancy based upon a legal relationship of a unitary nature, i.e., a single lease, mortgage, or contractual sales agreement for the entire premises.

A dwelling unit occupied by more than one "family" (see definition) shall be constructed and regulated as a "residential rooming house" (see definition).

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## **FAA**

The United States Federal Aviation Administration.

## **Façade**

That portion of any exterior elevation on a building extending from grade to the top of the roof or parapet covering the entire width of the structure. The facade shall include the entire walls, including wall faces, parapets, fascia, windows, doors, canopies, and roof structures. Also, in the case of attached buildings, a portion of the exterior of a building that gives the appearance of a unitary module shall constitute a facade regardless of whether that portion coincides with the sides of individual buildings. (For example, a single building may have more than one facade, and a facade may cross building lines, provided there is unitary ownership or control of both buildings.)

## **Facade Open Area**

Areas within a building facade that provide voids or relief, such as windows or balconies.

## **Facade, Primary**

Those portions of a facade that are adjacent to or front on a private or public street, park or plaza.

## **Family**

An individual or group of persons that meets at least one of the following definitions.

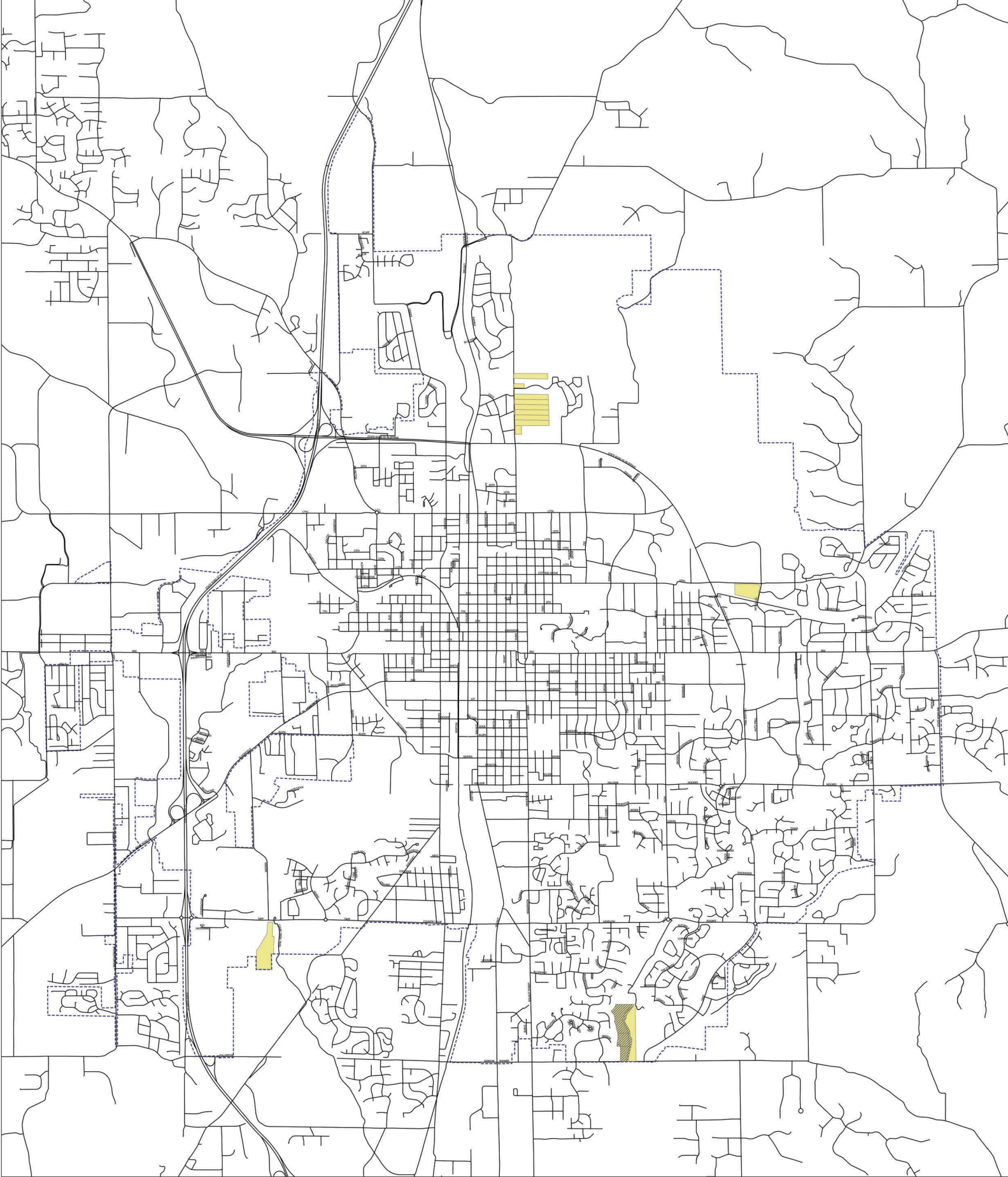
- 1) An individual or a group of people all of whom are related to each other by blood, marriage, or legal adoption, foster parent responsibility, or other legal status making the person a dependent of one or more persons legally residing in the household under federal or state law.
- 2) A group of no more than five adults aged 55 years of age or older living together as a single housekeeping unit in a dwelling unit.
- 3) A group of people whose right to live together is protected by the federal Fair Housing Act Amendments of 1988, and/or the Bloomington Human Rights Ordinance, as amended and interpreted by the courts, including but not limited to persons that are pregnant.
- 4) In the ~~RE~~, R1, R2, R3, and R4 zoning districts, and in single-family residential portions of Planned Unit Developments, a group of no more than three adults, and their dependent children, living together as a single housekeeping unit in a dwelling unit or a combination of a single-family dwelling unit and an accessory dwelling unit.
- 5) In all other zoning districts, "family" also includes a group of no more than five adults and their dependent children, living together as a single housekeeping unit in a dwelling unit.
- 6) A group of people who are shareholders in the same cooperative corporation that owns a facility meeting the definition of cooperative housing in which no more than two adults per bedroom occupy the facility.

## **Farm Produce Sales**

The seasonal selling or offering for sale at retail directly to the consumer of fresh fruits, vegetables, flowers, herbs, or plants, processed food stuffs and products such as jams, honey, pickled products, sauces, and baked goods, where the vendors are generally individuals who have raised the produce or have taken the same or other goods on consignment for retail sales.

## **Farmer's Market**

An occasional or periodic market held in an open area or structure where groups of individual sellers offer for sale to the public items such as fresh produce, seasonal fruits, fresh flowers, arts and crafts items, and food and beverages dispensed from booths located on site.



- Current Zoning District**
- (RE) Residential Estate
  - (PUD) Planned Unit Development

**Proposed (R1) Residential Large Lot District Locations**

Public Hearings Draft  
02/26/2021

0 0.25 0.5 Miles

