

**ORDINANCE 22-08**  
**TO AMEND TITLE 20 (UNIFIED DEVELOPMENT ORDINANCE)**  
**OF THE BLOOMINGTON MUNICIPAL CODE –**  
**Re: Technical Corrections Set Forth in BMC 20**

- 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 20-07 and Ordinance 20-08; and
- WHEREAS, on April 18, 2020, the Unified Development Ordinance became effective; and
- WHEREAS, on March 14, 2022, the Plan Commission voted to favorably recommend this amendment proposal to the Common Council, after providing notice and holding public hearings on the proposal as required by law; and
- WHEREAS, the Plan Commission certified this amendment proposal to the Common Council on March 23, 2022; 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 of the Bloomington Municipal Code, 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:

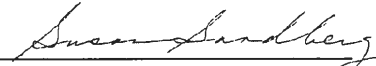
1. The Proposal forwarded to the Common Council by the Plan Commission with a favorable recommendation, consisting of:
  - (A) ZO-10-22 (“Attachment A”)
  - (B) Any Council amendments thereto (“Attachment B”)

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.


PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 18 day of May, 2022.

  
SUSAN SANDBERG, President  
Bloomington Common Council

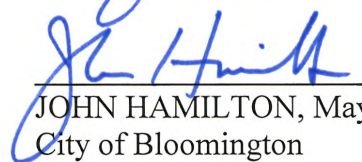
ATTEST:

  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 22<sup>nd</sup> day of June, 2022.

  
NICOLE BOLDEN, Clerk  
City of Bloomington

SIGNED AND APPROVED by me upon this 22<sup>nd</sup> day of June, 2022.

  
JOHN HAMILTON, Mayor  
City of Bloomington

#### SYNOPSIS

This petition contains corrections or clarifications in the UDO. These errors range from missing references to terminology correction to missing text to syncing references across the UDO. There are 22 amendments identified, some appearing multiple times in the code.

*Note: At the May 18, 2022 Regular Session, the Council adopted the following amendments:*

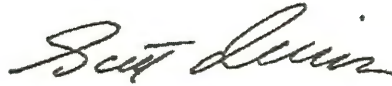
- *AM 01 – correcting typographical errors in the ordinance; and*
- *AM 02 – removing three proposed Notes under Table 02-11 that would have affected mixed-use district dimensional standards in a specified geographical area.*

Distributed to: Clerk, Council, Legal, Mayor, Planning and Transportation

\*\*\*\*REPORT TO THE COMMON COUNCIL\*\*\*\*

In accordance with Indiana Code 36-7-4-606(g), I hereby file this Report to the Common Council of the action of the Plan Commission in regard to Ordinance 22-08. Ordinance 22-08 amended regulations in the City's Unified Development Ordinance as amended by the Common Council and was accompanied by the amendments and a statement of reasons for those amendments. I certify that the Plan Commission considered the aforementioned materials via Case Number ZO-10-22 and approved the Unified Development Ordinance as amended by a 7-0 vote at a public meeting on June 13, 2022.

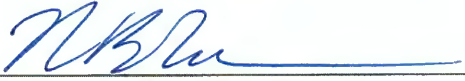
Date: June 21, 2022



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Scott Robinson, Secretary  
Plan Commission

Received by the Common Council Office this 21<sup>st</sup> day of June, 2022.



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Nicole Bolden, City Clerk



**City of Bloomington  
Office of the Common Council**

May 20, 2022

City of Bloomington Plan Commission  
401 North Morton Street, Room 160  
P.O. Box 100  
Bloomington, IN 47402

Dear Plan Commissioners,

This letter is being written pursuant to I.C. 36-7-4-607(e), which requires the Council, in the event it amends a proposal to amend the text of the City's zoning ordinance, to return the proposal and the amendment(s) to the Plan Commission, with a statement of reasons for the amendment(s). On March 23, 2022, the Common Council received certification of the Plan Commission's action on the proposal to amend certain provisions of the Unified Development Ordinance, which came forward as Ordinance 22-08 - To Amend Title 20 (Unified Development Ordinance) of the Bloomington Municipal Code – Re: Technical Corrections Set Forth in BMC 20.

At a Regular Session on May 18, 2022, after having met in Committee of the Whole on May 11, 2022, the Common Council approved Ordinance 22-08 by a vote of 9-0, with two amendments. Attached to this correspondence are copies of the following records:

- Ordinance 22-08, signed by the Council President;
- Attachment A to Ord 22-08, consisting of ZO-10-22, the proposal forwarded to the Council by the Plan Commission;
- Attachment B to Ord 22-08, consisting of Council amendments to ZO-10-22, which includes:
  - Amendment 01, including a written statement of the reasons for the amendment;
  - Amendment 02, including a written statement of the reasons for the amendment.

The Council extends its deep appreciation for the work of the Plan Commissioners and staff on Ordinance 22-08 and is looking forward to your response to these proposed amendments. Please forward any questions to your staff and your attorney, Mike Rouker.

Sincerely,

Susan Sandberg, President  
Bloomington Common Council

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

In accordance with IC 36-7-4-604 I hereby certify that the attached Ordinance Number 22-08 is a true and complete copy of Plan Commission Case Number ZO-10-22 which was given a recommendation of approval by a vote of 6 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on March 14, 2022.

*Scott Robinson*

Date: March 23, 2022

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

Received by the Common Council Office this 23rd day of March, 2022.

*N. Bolden*

\_\_\_\_\_  
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-10-22 amends the 2021 Unified Development Ordinance (UDO), with technical corrections for scrivener's errors, punctuation, references, and/or citations, 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.)



## Case # ZO-10-22 Memo

**To:** Bloomington Common Council

**From:** Bloomington Plan Commission  
Jackie Scanlan, AICP Development Services Manager

**Date:** March 23, 2022

**Re:** Text Amendments to Unified Development Ordinance

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The Plan Commission heard case ZO-10-22 on March 14, 2022 and voted to send the petition to the Common Council with a positive recommendation with a vote of 6-0.

The Planning and Transportation Department proposes its annual update and amendment to the Unified Development Ordinance (UDO), Title 20 of the Bloomington Municipal Code.

The last UDO Update process was completed in the Spring of 2021, with the final text amendment Ordinance becoming effective in July 2021. That update was the culmination of the much larger effort to update the UDO and Zoning Map that began with the Comprehensive Plan update in 2018. This update is a smaller scale and regular maintenance of the code. Staff utilizes the UDO every day in our interactions with the public and other Departments, and has identified portions of the code that contain errors or that may benefit from amendment. No changes to proposed uses or zoning districts are included in this update.

The proposal is divided into four (4) petitions. One petition is discussed below:

1. ZO-10-22 | Technical Corrections

### ZO-10-22 | Technical Corrections

This petition contains corrections or clarifications to the UDO. These range from misplaced or missing references to incorrect numbers to terminology correction or clarification to missing text to syncing references across the UDO. There are 22 amendments identified, some appearing multiple times in the code. These amendments are needed to provide accurate and clear language for use of the code, as well as to sync the code with itself and adopted plans.

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Figure 10: RM Dimensional Standards

(m) **RH: Residential High-Density Multifamily High-Density**

(1) **Purpose**

The RH district is intended to accommodate high-intensity multifamily residential development, plus related civic and residential-supportive uses, to provide an adequate mix of housing types throughout the community. This district can also serve as a transition between other lower-density districts and the downtown or university areas.



Figure 11: Illustrative Scale and Character



(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)		
<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] [6]
<b>E</b>	Rear	7 feet [1] [6]
Other Standards		
<b>F</b>	Front parking setback (minimum)	20 feet behind the primary structure's front building wall
	Impervious surface coverage (maximum) [4]	60%
	Landscape area (minimum) [5]	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 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] Lots zoned MM north of 1<sup>st</sup> Street, south of 2<sup>nd</sup> Street, east of Maple Street (extending south of 2<sup>nd</sup> Street to 1<sup>st</sup> Street), and west of Morton Street shall have an impervious surface coverage maximum of 85%.
- [5] Lots zoned MM north of 1<sup>st</sup> Street, south of 2<sup>nd</sup> Street, east of Maple Street (extending south of 2<sup>nd</sup> Street to 1<sup>st</sup> Street, and west of Morton Street shall have a minimum landscape area of 15%.
- [6] Lots zoned MM north of 1<sup>st</sup> Street, south of 2<sup>nd</sup> Street, east of Maple Street (extending south of 2<sup>nd</sup> Street to 1<sup>st</sup> Street), and west of Morton Street shall have minimum side and rear building setbacks of zero feet.

**(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
	<a href="#">Side and Rear parking setback (minimum)</a>	<a href="#">Requirements set per Section 20.04.080(h)(1)(A)(ii)</a>
	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 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 28: MD-CS Downtown Character Overlay Dimensional Standards**



**(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 02-16: MD-DC Dimensional Standards		
<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
	<a href="#">Side and Rear parking setback (minimum)</a>	<a href="#">Requirements set per Section 20.04.080(h)(1)(A)(ii)</a>
	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 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).

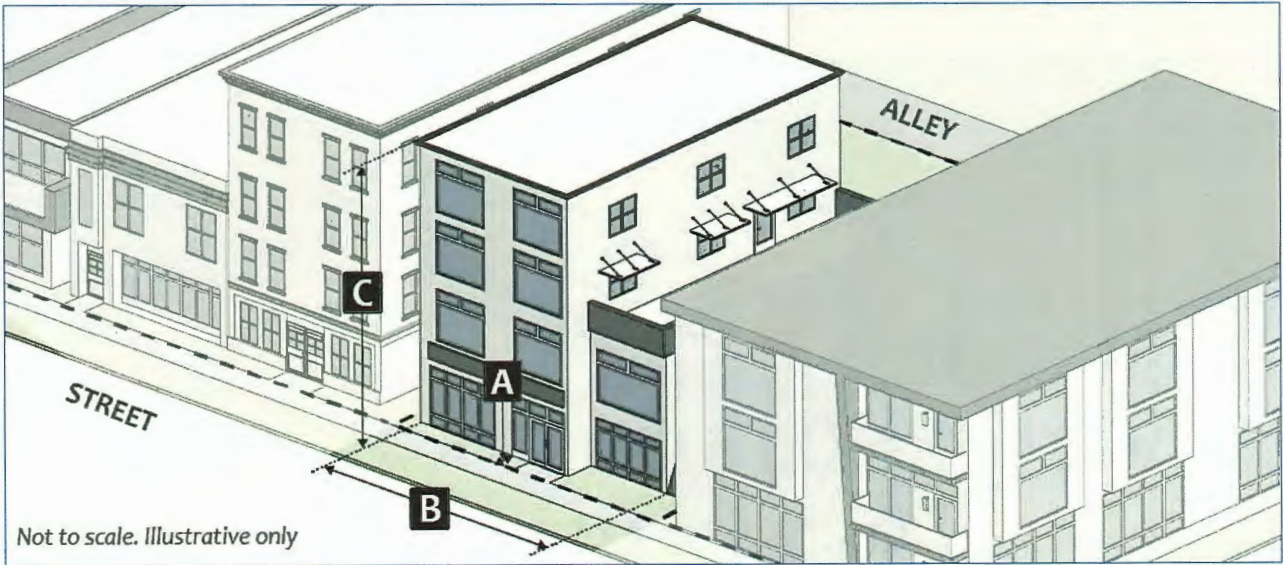


Figure 30: MD-DC Downtown Character Overlay Dimensional Standards



**(B) Dimensional Standards**

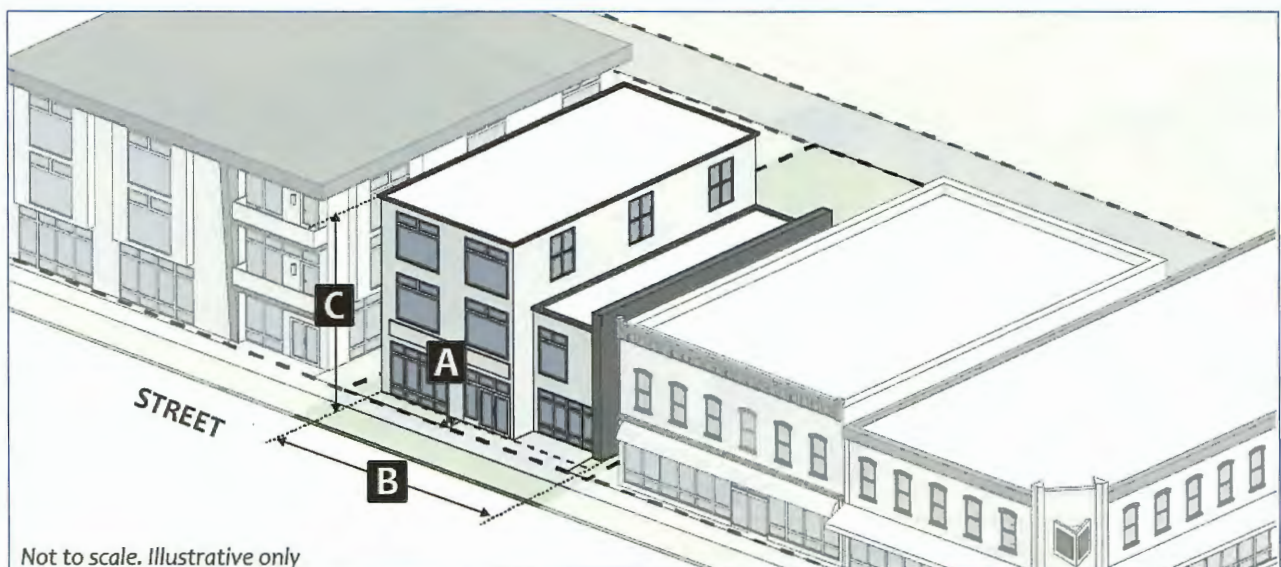
The following table is a summary of the character area specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**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		
	<a href="#">Side and Rear parking setback</a>	<a href="#">Requirements set per Section 20.04.080(h)(1)(A)(ii)</a>		
	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 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).



**(B) Dimensional Standards**

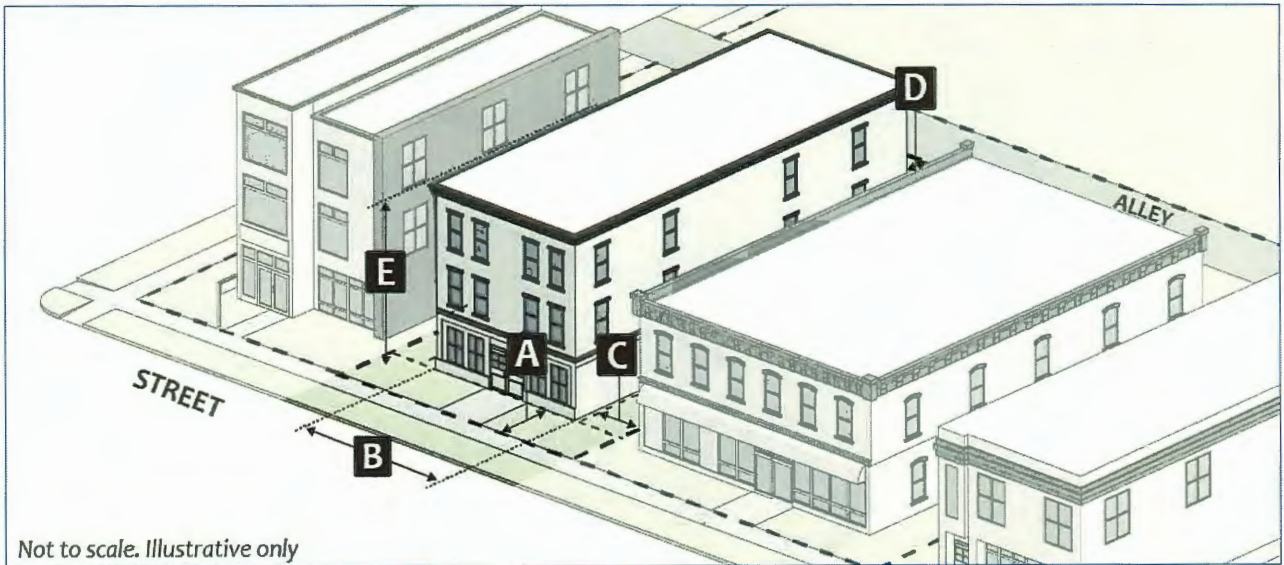
The following table is a summary of the character area specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

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

Building Setbacks		
A	Build-to range	0 to 15 feet
B	Building façade build-to percentage (minimum)	70%
C	Side (minimum)	7 feet [1]
D	Rear (minimum)	10 feet [1]
Other Standards		
	Front parking setback (minimum)	20 feet behind the primary structure's front building wall
	<a href="#">Side and Rear parking setback (minimum)</a>	<a href="#">Requirements set per Section 20.04.080(h)(1)(A)(ii)</a>
	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)	20 feet
	Accessory structure height (maximum)	25 feet

**Notes:**

- [1] Buildings abutting a property in the 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-DE Downtown Character Overlay Dimensional Standards**



**(B) Dimensional Standards**

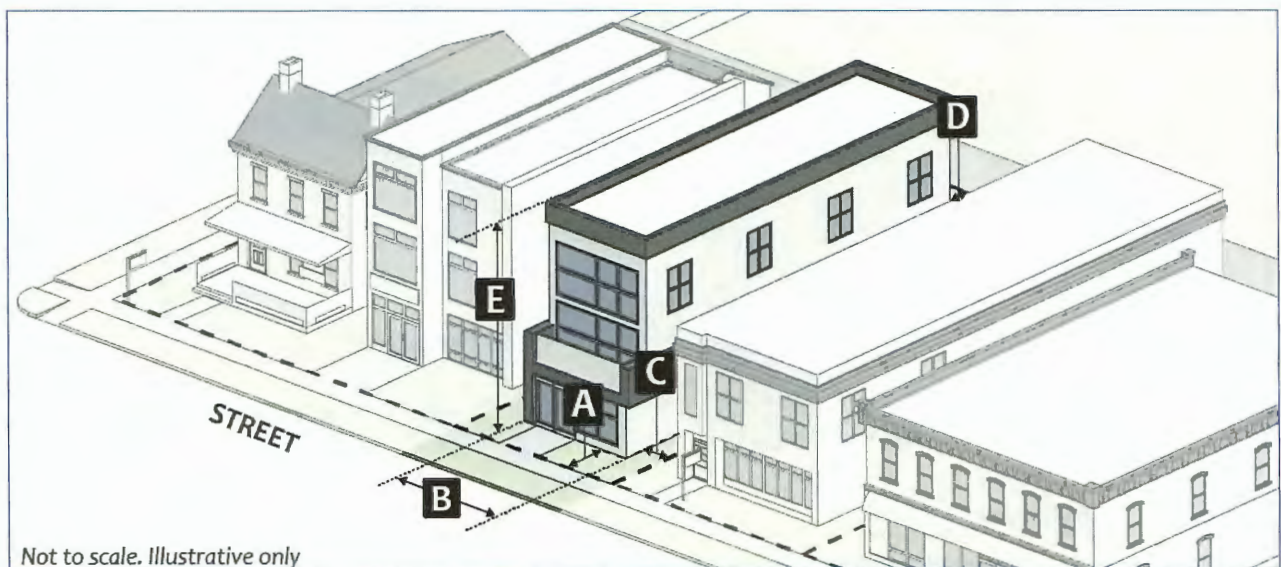
The following table is a summary of the character area specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**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
	<a href="#">Side and Rear parking setback (minimum)</a>	<a href="#">Requirements set per Section 20.04.080(h)(1)(A)(ii)</a>
	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 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-DG Downtown Character Overlay Dimensional Standards**



**(B) Dimensional Standards**

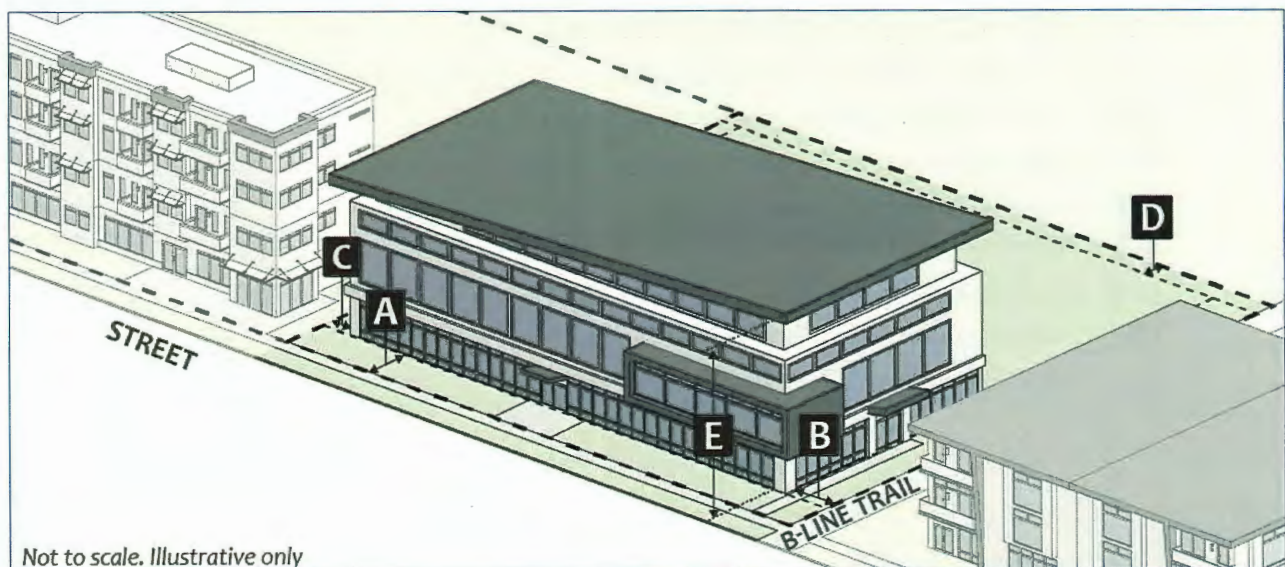
The following table is a summary of the character area specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

**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
	<u>Side and Rear parking setback (minimum)</u>	<u>Requirements set per Section 20.04.080(h)(1)(A)(ii)</u>
	Impervious surface coverage (maximum)	<u>75% 85%</u>
	Landscape area (minimum)	<u>25% 15%</u>
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 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-ST Downtown Character Overlay Dimensional Standards**

**Table 02-28: Façade Materials**

Downtown Character Overlays	Prohibited Façade Material Standards	
	Primary	Secondary
CS [1]	Wood, EIFS, smooth-faced or split-faced cement block, vinyl; metal, cementitious siding, and precast concrete	
DC	EIFS, vinyl, highly reflective materials, wood, smooth or split-faced cement block, and cementitious siding	EIFS, vinyl, and smooth or split-faced cement block
UV General DE, DG, <del>ST</del>	EIFS, vinyl, highly reflective materials, wood, smooth or split-faced cement block, metal, and precast concrete	EIFS, vinyl, and highly reflective materials
<del>ST</del>	<del>EIFS, vinyl, highly reflective materials, wood, smooth or split-faced cement block, and precast concrete</del>	<del>EIFS, vinyl, and highly reflective materials</del>
UV Kirkwood Corridor	EIFS, vinyl, wood, smooth or split-faced cement block, and cementitious siding	EIFS, vinyl, smooth or split-faced cement block, wood, and cementitious siding [2]
UV Restaurant Row	EIFS, vinyl, smooth or split-faced cement block, natural stone or masonry, and precast concrete	EIFS and vinyl

**Notes:**

- [1] All exterior finish materials shall have a non-reflective, low reflectance, or matte finish.
- [2] May only be used as a secondary façade material on floors above the first floor.

**(10) Design Guidelines**

Petitioners are encouraged to comply with design guidance in the following Guidelines contained in the Downtown Vision and Infill Strategy Plan to the degree that compliance with those guidelines does not create an inconsistency with the standards in Sections 2.21.1 through 2.21.8 above.

- (A) Site plan: Guidelines 3.1 and 3.2.
- (B) Architectural character: Guidelines 3.3 and 3.4.
- (C) Mass, scale and form: Guidelines 3.5, 3.6, 3.7, 3.8 and 3.9.
- (D) Exterior building materials: Guidelines 3.10, 3.11 and 3.12.
- (E) Upper story windows: Guidelines 3.13 and 3.14.
- (F) Entries: Guidelines 3.15 and 3.16.
- (G) Pedestrian interest: Guidelines 3.17, 3.18 and 3.19.
- (H) Mechanical equipment and service utilities: Guidelines 3.20, 3.21, 3.22 and 3.23.
- (I) Parking structures: Guidelines 3.24 and 3.25.
- (J) Lighting: Guidelines 3.26, 3.27 and 3.28.



- (E) Where minimum spacing is required by subsections (C) and (D) above, the distance shall be measured from the nearest property line of the property from which spacing is required to the nearest property line on which the group home will be located, using a straight line, without regard to intervening structures or public rights-of-way.

**(12) Residential Rooming House**

- (A) No residential rooming house shall contain more than four bedrooms, not including the living space occupied by the residential rooming house owner.
- (B) No bedroom occupied by a person other than the residential rooming house owner shall be rented for a period of less than 30 consecutive days.

**(13) Student Housing or Dormitory**

**(A) Ground Floor Parking**

All portions within the ground floor of a structure used for vehicular parking shall be located at least 20 feet behind the building façade facing a public street. If there are multiple primary buildings on a site, this requirement only applies to the building closest to a public street.

**(B) Location**

In the RM, RH, MN, MM, MC, and MI zoning districts, each student housing or dormitory use shall be separated from any other student housing or dormitory use.

- i. By at least ~~300~~ 900 feet, as measured between the closest points on the two lots containing the student housing or dormitory uses, and
- ii. By at least ~~300~~ 900 feet, as measured between the closest points of two or more residential or mixed use structures within one lot containing the student housing or dormitory use.

However, if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, only the requirements of 20.03.030(b)(13)(A)(i) apply to each student housing or dormitory use in the RM, RH, MN, MM, MC, and MI zoning districts, if both the affordable housing incentive codified at Section 20.04.110(c) and the sustainable development incentive codified at Section 20.04.110(d), the separation requirements of this section do not apply to each student housing or dormitory use in the RM, RH, MN, MM, MC, and MI zoning districts.

**(C) Building Floor Plate**

- i. In the MN zoning district, the maximum building floor plate for a student housing or dormitory use shall be ~~2,500~~ 2,000 square feet per ~~lot~~ building, pursuant to the measurement standards in Section 20.04.020(g) (Building Floor Plate). However if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, the maximum building floor plate for a student housing or dormitory use in the MN zoning district shall be ~~5,000~~ 3,000 square feet per ~~building~~ lot, pursuant to the measurement standards in Section 20.04.020(g). If both the affordable housing incentive codified at Section 20.04.110(c) and the sustainable development incentive codified at Section 20.04.110(d) has been earned, the maximum building floor plate of a student housing or dormitory use shall be 5,000 square feet per building.



- ii. In the RM and MD zoning districts, the maximum building floor plate for a student housing or dormitory use shall be ~~5,000-3,000~~ square feet per ~~lot building~~, pursuant to the measurement standards in Section 20.04.020(g) (Building Floor Plate). However if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, the maximum building floor plate for a student housing or dormitory use in the RM and MD zoning districts shall be ~~10,000-5,000~~ square feet per ~~lot~~ building, pursuant to the measurement standards in Section 20.04.020(g). If both the affordable housing incentive codified at Section 20.04.110(c) and the sustainable development incentive codified at Section 20.04.110(d) have been earned, the maximum building floor plate of a student housing or dormitory use shall be 10,000 square feet per building.
- iii. In the RH, MM, MC, and MI zoning districts, the maximum building floor plate for a student housing or dormitory use shall be ~~10,000-5,000~~ square feet per ~~lot building~~, pursuant to the measurement standards in Section 20.04.020(g) (Building Floor Plate). However if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, the maximum building floor plate for a student housing or dormitory use in the RH, MM, MC, and MI zoning districts shall be ~~20,000-8,000~~ square feet per ~~lot~~ building, pursuant to the measurement standards in Section 20.04.020(g). If both the affordable housing incentive codified at Section 20.04.110(c) and the sustainable development incentive codified at Section 20.04.110(d) have been earned, the maximum building floor plate of a student housing or dormitory use shall be 20,000 square feet per building.
- iv. In the MS zoning district, the maximum building floor plate for a student housing or dormitory use shall be ~~20,000~~ 10,000 square feet per ~~lot building~~, pursuant to the measurement standards in Section 20.04.020(g) (Building Floor Plate). However if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, ~~there shall be no the maximum building floor plate for a student housing or dormitory use~~ use shall be 14,000 square feet per building, pursuant to the measurement standards in Section 20.04.020(g). in the MS zoning district, if both the affordable housing incentive codified at Section 20.04.110(c) and the sustainable development incentive codified at Section 20.04.110(d) have been earned, there shall be no maximum building floor plate per building in the MS zoning district.

**(D) Building Height**

- i. In the RH zoning district, the maximum building height for a student housing or dormitory use shall be three stories, not to exceed 40 feet, except as necessary to accommodate additional height earned through the affordable housing incentive in Section 20.04.110(c).
- ii. In the MD-DC character area, the maximum building height for a student housing or dormitory use shall not exceed 40 feet.
- iii. In the MD-CS, MD-UV, MD-DE, MD-DG, and MD-ST Downtown Character Overlays, the maximum building height for a student housing or dormitory use shall not exceed 30 feet.

**(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-vi.~~ R1, R2, R3, R4, or RMH zoning district, including any portion of a Planned Unit Development designated for single-family residential use;
- ~~viii-vii.~~ RM or RH zoning district, including any portion of a Planned Unit Development designated for multifamily residential use; and
- ~~ix-viii.~~ 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 R1, R2, R3, R4, and RM zoning districts, this use is limited to single-family detached dwellings.
- (B) In the 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.



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

sq. ft. = square feet

Dimensional Standards	MS	MN	MM	MC	ME	MI	MD	MH
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**Notes:**

- [1] Buildings abutting a property in the 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.
- [4] Lots zoned MM north of 1<sup>st</sup> Street, south of 2<sup>nd</sup> Street, east of Maple Street (extending south of 2<sup>nd</sup> Street to 1<sup>st</sup> Street), and west of Morton Street shall have an impervious surface coverage maximum of 85%.
- [5] Lots zoned MM north of 1<sup>st</sup> Street, south of 2<sup>nd</sup> Street, east of Maple Street (extending south of 2<sup>nd</sup> Street to 1<sup>st</sup> Street, and west of Morton Street shall have a minimum landscape area of 15%.
- [6] Lots zoned MM north of 1<sup>st</sup> Street, south of 2<sup>nd</sup> Street, east of Maple Street (extending south of 2<sup>nd</sup> Street to 1<sup>st</sup> Street), and west of Morton Street shall have minimum side and rear building setbacks of zero feet.

**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					
Side and Rear parking setback (minimum)	Requirements set per Section 20.04.080(h)(1)(A)(ii)					
Impervious surface coverage (maximum)	100%	100%	General and Restaurant Row: 85% Kirkwood Corridor: 100%	75%	75%	<del>75%</del> 85%
Landscape area (minimum)	None	None	General and Restaurant Row: 15% Kirkwood Corridor: None	25%	25%	<del>25%</del> 15%



**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, and steps	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 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.
<u>Accessible/Handicap</u> 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 primary structures	For single-family, duplex, and triplex structures, additions to existing primary 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.

**(C) Vertical Clear Area**

No primary or accessory structures, landscaping, fences, walls or signs shall be placed in or to project into the vision clearance triangle between the heights of two and one-half feet and nine feet above the crown of the adjacent street.

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**(d) Pedestrian and Bicycle Circulation**

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**(1) Purpose**

To reduce greenhouse gas emissions and improve the health and quality of life of city residents by providing safe, convenient, and attractive pedestrian and bicycle transportation paths, sidewalks, trails, and other facilities throughout the City.

**(2) Applicability**

Pedestrian facilities shall be required on both sides of all streets, with the exception of new single-family, duplex, and triplex residences built on existing legal lots of record on non-classified (neighborhood) streets with no adjacent pedestrian facilities, and additions to existing residential structures; and except that culs-de-sac less than 300 feet in length and providing access to less than 10 residential units shall be required to provide pedestrian facilities on one side of the street. All required trails and connector paths shall be provided. Where there are conflicting standards in this UDO and the most recently adopted Transportation Plan, the Planning and Transportation Director shall determine which standard governs.

**(3) Inspection and Acceptance**

Prior to the recommendation of issuance of a final certificate of occupancy, all transportation facilities located within the adjoining public right-of-way or dedicated easements shall be inspected for compliance with standards adopted by the City of Bloomington, the Bloomington Public Transportation Corporation, and/or AASHTO standards.

**(4) Pedestrian Network Required**

- (A) All developments shall integrate an interior and exterior pedestrian network comprised of concrete sidewalks or asphalt paths for pedestrian transportation and recreation. This network shall include pedestrian facilities along street frontages, multiuse trails where indicated on the Transportation Plan, and pedestrian connector paths between developments and public destinations (e.g., schools, parks, hospitals), nearby trails, other developments, and vacant land.
- (B) All concrete sidewalk and asphalt path improvements shall be constructed as per City Planning and Transportation Department [and Engineering Department](#) requirements.
- (C) All buildings shall have a sidewalk connection from the building entrance to the adjacent public street.

**(5) Type of Pedestrian Facility**

Required pedestrian facilities shall be as indicated in the Transportation Plan, unless it is determined by the Planning and Transportation Director that such facility should be altered to match adjacent facilities.

**(6) Width**

The minimum width of required pedestrian facilities shall be as indicated in the Transportation Plan unless specifically noted in Table 05-5: Subdivision Development Standards.



- (2) Each accessible space shall be located adjacent to an access aisle and as close as reasonably practicable to the building entrance most accessible for persons with disabilities the disabled.
- (3) All accessible spaces shall be striped and have vertical signs identifying them as accessible spaces per the Indiana Manual on Uniform Traffic Control Devices.
- (4) Required accessible spaces shall count towards the number of maximum parking spaces permitted, unless the maximum allowed number of parking spaces is 25 spaces or less.

### **(g) Adjustments to Minimum Parking Requirements**

The amount of vehicle parking required pursuant to Table 04-9: Minimum Vehicle Parking Requirements, may be adjusted by the factors listed in this Section 20.04.060(g). These adjustments may be applied as part of the calculation of parking requirements and do not require discretionary approval by the City.

#### **(1) Shared Parking Facilities**

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

- i. When reviewing a shared parking proposal, the City Planning and Transportation Department shall consider any additional reductions in minimum parking requirements that might otherwise apply pursuant to subsections (2) through (5) below, but such additional reductions shall not apply to further reduce the shared parking requirements approved by the City Planning and Transportation Department.
- ii. Where a minimum number of parking spaces are required by Table 04-9: Minimum Vehicle Parking Requirements, the owners of two or more properties may join together to provide the required parking spaces for their respective uses. Upon request by the owners and after review of the request, the City Planning and Transportation Department may authorize the shared use of parking facilities subject to the following:
  - iii. In a shared parking arrangement, each property shall provide a minimum of 60 percent of the individual parking requirements provided in Table 04-9: Minimum Vehicle Parking Requirements. In no case shall the total combined parking spaces be less than 120 percent of the greater individual parking requirement.
  - iv. Any property using shared parking facilities shall be located within 600 feet of such parking facility, using established sidewalks and crosswalks where available.

##### **(B) Shared Parking Agreement**

The property owner seeking leased spaces shall provide a recordable zoning commitment to the Planning and Transportation Department stating that in the case where leased spaces are no longer available, that an adequate parking alternative will be provided.

#### **(2) Proximity to Transit**

Except for single-family, duplex, triplex, fourplex, mobile home, and manufactured home residential uses, the minimum parking required for development within one-quarter mile, measured radially in a straight line, of a fixed transit station shall be reduced from those shown in Table 04-9: *Minimum Vehicle Parking Requirements* by 15 percent.

#### **(3) Affordable and Senior Housing**

The minimum number of required vehicle parking spaces for multifamily residential structures shall be reduced by 35 percent if:

(D) **Tree Grates**

Street trees may be planted in a minimum five foot by five-foot tree pit covered with an ADA compliant cast iron grate to maintain a flush grade with adjacent sidewalks.

(E) **Vision Clearance**

(4)

- i. Vision Clearance Triangle), or within that portion of the vision clearance triangle behind the sidewalk.
- ii. Low-branching species shall not be allowed within 50 feet of an intersection.
- iii. Locations for street trees within 50 feet of an intersection shall be approved by the City ~~Planning and Transportation~~ Engineering Department.
- iv. Street trees shall be located a minimum of 10 feet from a driveway cut, traffic control sign, or streetlight, and a minimum of three feet from a fire hydrant.

~~(4)~~(5) **MD District**

(A) **Generally**

Street trees shall be planted in a minimum five foot by five-foot tree pit covered with an ADA compliant cast iron grate to maintain a flush grade with adjacent sidewalks, subject to approval by the Transportation and Traffic Engineer.

(B) **Alternatives**

The following street tree planting methods may be used in lieu of the five foot by five-foot grate, subject to approval by the Transportation and Traffic Engineer.

- i. Street trees may be planted in a minimum five-foot-wide grassed tree plot area; or
- ii. Street trees may be planted in a large curbed planting area.

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(g) **Buffer Yards**

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(1) **Purpose**

Buffer yards are required to mitigate or minimize potential nuisances such as noise, light, glare, dirt, litter, signs, parking, or storage areas and to provide a transition between incompatible uses.

(2) **General Standards**

(A) **Responsibility**

The developer or owner of the property being developed is responsible for installing and maintaining in perpetuity the buffer yard at the time of that development. The adjacent property owner shall not be required to participate in the installation of the buffer yard.



## 20.06.030 Summary Table of Review Procedures

Table 06-1 lists the development petitions authorized by this UDO, whether public notice is required, whether pre-submittal activities are required, and the role of City review and decision-making bodies.

**Table 06-1: Summary Table of Review Procedures**

R = Review and Recommendation D = Decision A = Appeal \* = Public Hearing Required

Procedure	UDO Section	Public Notice			Pre-Submittal Activities			Review and Decision-Making Bodies						
		Published	Mailed	Posted	Pre-Submittal Meeting	DRC Meeting	Neighborhood Meeting	Staff	Plan Commission	Plat Committee	Board of Zoning Appeals	Common Council	Hearing Officer	Historic Preservation Commission
<b>Development Permits and Procedures</b>														
Site Plan Review, Minor	20.06.050(a)				✓			D	A					
Site Plan Review, Major	20.06.050(a)	✓	✓	✓	✓	✓	✓	R	D*					
Conditional Use Permit	20.06.050(b)	✓	✓	✓	✓			R			D*/A		D*	
Demolition Delay Permit	20.06.050(c)			✓	✓			R						D
Floodplain Development Permit	20.06.050(d)							D						
Grading Permit	20.06.050(e)							D						
Certificate of Zoning Compliance	20.06.050(f)							D						
Certificate of Occupancy	20.06.050(g)							D						
Certificate of Final Acceptance	20.06.050(h)							D						
Certificate of Nonconforming Use	20.06.050(i)							D						
Sign Permit	20.06.050(j)							D						
Temporary Use Permit	20.06.050(k)							D						
Easements	20.06.050(l)	See 20.06.050(l) (Easements)												
<b>Subdivision Procedures</b>														
Primary Plat	20.06.060(b)	✓	✓	✓	✓	✓		R	D*/A	D*				
Secondary Plat	20.06.060(c)					✓		R/D	D/A	D				
Vacating Plat	20.06.060(d)	✓	✓	✓	✓	✓		R	D*/A	D*				
<b>Plan/Ordinance Amendments</b>														
Comprehensive Plan Amendment	20.06.070(a)	✓						R	R*				D*	
Zoning Map Amendment	20.06.070(b)	✓	✓	✓	✓	✓	✓	R	R*				D*	
Rezoning to Planned Unit Development (PUD)	20.06.070(c)	✓	✓	✓	✓	✓	✓	R	R*				D*	
Zoning Text Amendment	20.06.070(d)	✓	✓		✓			R	R*				D*	

**(b) Conditional Use Permit**

**(1) Purpose**

The conditional use permit procedure provides a mechanism for the city to evaluate proposed land uses in a particular zoning district and to establish certain conditions to address unique characteristics associated with the proposed land use. The use shall be permitted by the Board of Zoning Appeals or Hearing Officer if it is determined that the listed conditions are met.

**(2) Applicability**

No use classified as conditional in Table 03-1: Allowed Use Table, or any other standard in this UDO may be conducted without first obtaining a conditional use permit under this Section 20.06.050(b). No conditional use shall be conducted except in compliance with all applicable provisions of this UDO and with any conditions upon such conditional use approval.

**(3) Conditional Use Permit Review Process**

Figure 06.05-3 identifies the applicable steps from 20.06.040 (Common Review Procedures) that apply to conditional use permit review. Additions or modifications to the common review procedures are noted below.

**Figure 06.05-3: Summary of Conditional Use Permit Procedure**



**(A) Pre-Submittal Activities**

- i. A pre-submittal meeting shall be held in accordance with Section 20.06.040(b)(1) (Pre-Submittal Meeting).
- ii. Petitions subject to review and decision by the Hearing Officer shall not require a Development Review Committee meeting or a pre-submittal neighborhood meeting.
- iii. For petitions subject to review and decision by the ~~zoning board of appeals~~, Board of Zoning Appeals a Development Review Committee meeting and pre-submittal neighborhood meeting may be required by the Planning and Transportation Director, in accordance with Section 20.06.040(b)(2) (Development Review Committee (DRC) Meeting) and Section 20.06.040(b)(3) (Pre-Submittal Neighborhood Meeting). The requirements of Section 20.06.050(b)(3)(D) and 20.06.050(b)(3)(E)(v) apply to conditional use permit petitions for the "Dwelling, duplex" use in the R1, R2, or R3 zoning districts.



1. The property shall have been designated historic at the local level, or have had a petition filed for such designation, at the time of petition for conditional use approval.
2. The proposed use shall not diminish the historic character of the property or, if it is located within an historic district, the historic character of said historic district.
3. The proposed use shall enhance the ability to restore and/or preserve the property.
4. The granting of the conditional use approval shall be contingent upon any required certificate of appropriateness and upon the granting of a local historic designation or the presence of such designation being in place.

**iv. Quarry Adaptive Re-Use**

1. The petitioner shall provide documentation that limestone or other stone processing operations are no longer feasible due to environmental and/or physical site characteristics. Market economic conditions may be considered, but the purpose is to protect these natural resources from encroachment of other land uses that may inhibit or prevent quarry or stone processing activities.
2. The proposed adaptive re-use shall retain, to the greatest extent possible, the existing quarry features to preserve the region's quarry heritage.
3. Land use decisions shall be made in consideration of the dominant land use patterns that surround each site.
4. The proposed adaptive re-use shall be a less intense land use than quarry uses in regard to environmental regulatory standards and general nuisance in regard to noise, vibration, and dust.
5. An environmental mitigation plan shall be submitted with the conditional use petition. The environmental mitigation plan shall include, but not be limited to cleanup measures, water quality protection, and long-term monitoring standards. All environmental mitigation plans shall meet the standards of the City Utilities Department, as well as any applicable state and federal requirements.

**v. Dwelling, Duplex in R1, R2, or R3 Zoning Districts**

Conditional use permit petitions for the "Dwelling, duplex" use in the R1, R2, or R3 zoning districts shall require a pre-submittal neighborhood meeting in accordance with 20.06.040(b)(3) (Pre-Submittal Neighborhood Meeting).

**vi. Commitments**

1. The ~~Board of Zoning Appeals zoning board of appeals~~ or Hearing Officer may allow or require the owner of a parcel of real property to make a written commitment concerning use and/or development of that parcel in connection with approval of a conditional use permit in accordance with Section 20.06.040(d)(8) (Commitments).
2. If the owner of a parcel of real estate fails to accept a condition imposed, or to make a commitment allowed or required, by the Hearing Officer, then the owner's petition shall be considered withdrawn or, if requested by the owner, shall be transferred to the Board of Zoning Appeals.

**(A) Pre-Submittal Activities**

- i. A pre-submittal meeting shall be held in accordance with Section 20.06.040(b)(1) (Pre-Submittal Meeting).
- ii. Petitions subject to review and decision by the Hearing Officer shall not require a Development Review Committee meeting.
- iii. For petitions subject to review and decision by the ~~Board of Zoning Appeals-zoning board of appeals~~, a Development Review Committee meeting may be required at the discretion of the Planning and Transportation Director, in accordance with Section 20.06.040(b)(2) (Development Review Committee (DRC) Meeting).

**(B) Petition Submittal and Processing**

The variance petition shall be submitted, accepted, and revised, and may be withdrawn, in accordance with Section 20.06.040(c) (Petition Submittal and Processing).

**(C) Staff Review and Action**

The planning and transportation staff shall review the petition and prepare a staff report and recommendation in accordance with Section 20.06.040(d) (Staff Review and Action).

**(D) Scheduling and Notice of Public Hearings**

The variance petition shall be scheduled for a public hearing before the Board of Zoning Appeals or Hearing Officer and noticed in accordance with 20.06.040(e) (Scheduling and Notice of Public Hearings).

**(E) Review and Decision**

The Hearing Officer or Board of Zoning Appeals shall review the variance petition and approve, approve with conditions or commitments, or deny the petition in accordance with Section 20.06.040(g) (Review and Decision), based on the following approval criteria.

**i. Development Standards Variance**

Pursuant to Indiana Code 36-7-4-918.5, the Board of Zoning Appeals or Hearing Officer may grant a variance from the development standards of this UDO if, after a public hearing, it makes findings of fact in writing, that:

**1. General Approval Criteria**

- [a] The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and
- [b] The use and value of the area adjacent to the property included in the development standards variance will not be affected in a substantially adverse manner; and
- [c] The strict application of the terms of this UDO will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the development standards variance will relieve the practical difficulties.



- [f] The compatibility of the proposed use with existing and anticipated development.
- [g] The relationship of the proposed use to the Comprehensive Plan and floodplain management program for that area.
- [h] The safety of access to the property in times of flood for ordinary and emergency vehicles.
- [i] The expected height, velocity, duration, rate of rise, and sediment of transport of the floodwaters at the site.
- [j] The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

**2. Review Criteria**

The Board of Zoning Appeals or the Hearing Officer may grant a floodplain variance if, after a public hearing, it makes findings of fact in writing, that there is:

- [a] A showing of good and sufficient cause;
- [b] A determination that failure to grant the variance would result in exceptional hardship;
- [c] A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and
- [d] A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances;

**iii. Commitments**

1. The ~~Board of Zoning Appeals~~ ~~Zoning Board of Appeals~~ or the Hearing Officer may allow or require the owner of a parcel of real property to make a written and recorded zoning commitment concerning use and/or development of that parcel in connection with approval of a variance pursuant to Section 20.06.040(d)(8) (Commitments).
2. Upon approval of a determinate sidewalk variance, the Planning and Transportation Department staff shall prepare a zoning commitment indicating that the determinate sidewalk variance was approved, and that future installation of sidewalk may be required. The petitioner shall record the zoning commitment in the Monroe Office of the Monroe County Recorder before a certificate of zoning compliance is issued.
3. If the owner of a parcel of real estate fails to accept a condition imposed, or to make a commitment allowed or required, by the Hearing Officer, then the owner's petition shall be considered withdrawn or, if requested by the owner, shall be transferred to the Board of Zoning Appeals.

In landscaping, low-growing plants with a typical maximum mature height of about 12 inches. Ground cover is sometimes referred to as the "herbaceous layer," "regenerative layer," or "ground flora." They are typically chosen for practical purposes to cover soil where turf grass does not thrive or is not practical or in wooded settings covering the soil surface. Ground cover species do not include non-native turf grass.

### **Ground Floor**

The level of a building that is situated at or most nearly at street grade.

### **Group Care Home, FHA, Small and Large**

A residential dwelling or facility where persons are living, together with staff, as a single housekeeping unit providing care, supervision, and treatment for the exclusive use of citizens protected by the provisions of the federal Fair Housing Act Amendments of 1988, as defined in that Act and interpreted by the courts, or by any similar legislation of the State of Indiana, including but not limited to facilities providing housing for persons with disabilities, persons with mental health conditions, or persons with developmental disabilities ~~handicapped, mentally ill, or developmentally disabled persons~~. This use does not include "Opioid Rehabilitation Home, Small" or "Opioid Rehabilitation Home, Large."

#### **Group Home, FHA Small**

A facility designed for and occupied by eight or fewer residents living together.

#### **Group Care Home, FHA Large**

A facility designed for and occupied by nine or more residents living together.

### **Gym**

See "Fitness Center."

### **Habitable Space**

Space in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas are not considered habitable space.

### **HAND**

The City of Bloomington Department of Housing and Neighborhood Development.

### **Hardship**

For purposes of floodplain regulations, the exceptional hardship that would result from a failure to grant the requested floodplain variance. The City Board of Zoning Appeals or the Hearing Officer requires that the variance is exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is NOT exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a floodplain variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

### **Health Club**

See "Fitness Center."

### **Hearing Officer**

A member of the staff, appointed by the Plan Commission, who hears and makes final decisions on certain variances and certain conditional uses, as specified in the Plan Commission rules of procedure. The Hearing Officer is established pursuant to Indiana Code 36-7-4-923.



### Height, Building

Building height shall be defined according to the measurements and exceptions in Section 20.04.020(f) (Building Height).

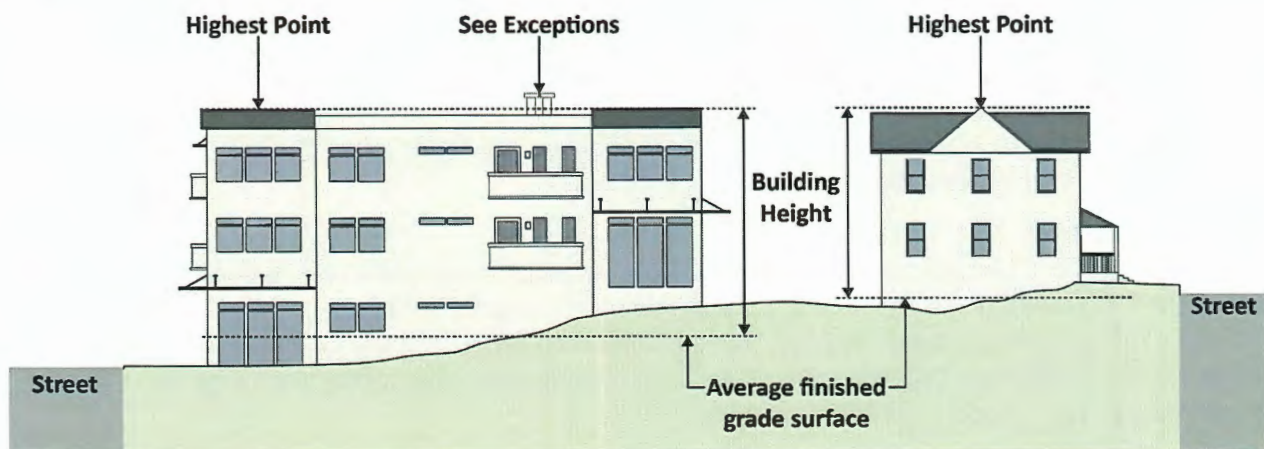


Figure 6: Building Height

### Highest Adjacent Grade

For purposes of floodplain regulations, the highest natural elevation of the ground surface, prior to the start of construction, next to the proposed walls of a structure.

### Highly Erodible Soils

Areas of incline, whether natural or man-made, lacking sufficient vegetation to prevent instability, erosion, or downstream siltation due to soils that are subject to severe erosion when disturbed.

### Home Occupation

An activity or occupation carried on within a dwelling or approved residential accessory structure by members of the family occupying the dwelling and where the use of the home as an occupation shall be incidental and subordinate to the use of the home as a dwelling, unless this UDO states that the activity or occupation is not treated as a Home Occupation.

### Hospital

An acute healthcare establishment providing accommodations, facilities and services on a continuous 24-hour basis with overnight (meaning between twelve midnight and five a.m.) beds and services for persons suffering from illness, injury or conditions requiring medical services. The term "Hospital" does not include "Nursing or Convalescent Home," "Medical Clinic," or "Methadone Treatment Facility," or "Opioid Rehabilitation Facility" except where separately permitted.

### Hotel or Motel

An establishment in which lodging is provided and offered to the public for compensation, for periods of time not exceeding thirty days and that is commonly known as a hotel or motel in the community in which it is located. This use customarily provides services such as maid service, the furnishing and laundering of linen, telephone and secretarial or desk service, and the use and upkeep of furniture. This use may provide ancillary uses such as conference and meeting rooms, restaurants, bars, gift shops, and recreational facilities. The term "Hotel or Motel" does not include "Residential Rooming House," or "Bed and Breakfast," or "Homeless Shelter," except where separately permitted.

**Recycling Drop-Off, Self-Serve**

An accessory or incidental use that serves as a drop-off point for temporary storage for non-hazardous recoverable or recyclable goods such as, but not limited to, newspapers, glassware, plastics, and metal cans. This definition does not include the on-site processing of such items.

**Regular Program**

For purposes of floodplain regulations, the phase of the community's participation in the NFIP where more comprehensive floodplain management requirements are imposed, and higher amounts of insurance are available based upon risk zones and elevations determined in a FIS.

**Regulatory Flood**

The flood having a one percent chance of being equaled or exceeded in any given year, as calculated by a method and procedure that is acceptable to and approved by the Indiana Department of Natural Resources and the Federal Emergency Management Agency. The regulatory flood elevation at any location is as defined in Section 20.04.040(c) (General Standards). The "Regulatory Flood" is also known by the term "Base Flood," "One-Percent Annual Chance Flood," and "100-Year Flood."

**Regulatory Flood Elevation**

The water-surface elevation of the base flood or the 100-year flood as defined by the Federal Emergency Management Agency.

**Repetitive Loss**

Flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equaled or exceeded 25 percent of the market value of the structure before the damage occurred.

**Rescue Station**

See "Police/fire/rescue station."

**Residential Care Home**

See "Group home/residential care home."

**Residential Rooming House**

A building that the owner of the property occupies as their primary residence, in which, lodging, with or without meals, is provided for compensation, including but not limited to; ~~or~~ a building designed as a single-family dwelling, that is occupied by a group of persons, usually for periods of 30 days or longer, that do not meet the definition of "Family," where the use does not meet the definition of "Bed and Breakfast," "Fraternity or Sorority House," "Student Housing or Dormitory," "Residential Care Facility," or "Hotel or Motel."

**Rest Home**

See "Nursing or Convalescent Home."

**Restaurant**

An establishment that sells food or beverages in a ready-to-consume state, in individual servings, that the customer consumes while seated at tables or counters located in or immediately adjacent to the building in which the use is located, and that may include carry-out service. This includes any portion of an establishment used for seating for the consumption of food on the premises that sells prepared food or beverages, such as a bakery, delicatessen, cafes, and coffee shops.



ZO-10-22

Redline Page Number	Online UDO Page Number	Chapter	Citation	Current Language	Proposed Language	Synopsis
282, 284, 341, 343	274, 276, 333, 335	various	various	zoning board of appeals	Replace and use "Board of Zoning Appeals"	Syncs language with rest of UDO
1	1	0	Table of Contents	RH: Residential High Density	RH: Residential High-Density Multifamily	Fixes incorrect label
24	24	2	20.02.010(m)	RH: Residential High Density	RH: Residential High-Density Multifamily	Fixes incorrect label
33	33	2	20.02.020 Table 02-11	MM: Dimensional Standards	Syncing with proposed Table 04-3	Cross-reference for Chapter 4 Hospital Revitalization Plan language
41, 44, 46, 48, 50, 53	41, 43, 45, 47, 49, 51	2	20.02.020 Tables 02-15; 02-16; 02-17; 02-18; 02-19; 02-20	None	Add row for Side and Rear Parking Setback in Downtown. Requirements set per 20.04.080(h)(1)(A)(ii).	Syncing with Ch. 4 regulation in Landscaping section
53	51	2	20.02.020 Table 02-20	Maximum Impervious Surface coverage = 75% / Minimum Landscape Area = 25%	Change maximum impervious surface coverage to 85% and minimum landscape area to 15%.	Syncs with urban design envisioned in Plan
67	65	2	20.02.050 Table 02-28	Prohibited Facade Material Standards (Primary), Showers Technology Park - EIFS, vinyl, highly reflective materials, wood, smooth or split-faced cement block, metal, and precast concrete	Prohibited Facade Material Standards (Primary), Showers Technology Park - EIFS, vinyl, highly reflective materials, wood, smooth or split-faced cement block, metal, and precast concrete	Removes metal as a prohibited primary facade material, syncs with Plan
83	81	3	20.03.030(b)(13)(B)	However, if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, only the requirements of 20.03.030(b)(13)(A)(i) apply to each student housing or dormitory use in the RM, RH, MN, MM, MC, and MI zoning districts.	However, if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, only the requirements of 20.03.030(b)(13)(A)(B)(i) apply to each student housing or dormitory use in the RM, RH, MN, MM, MC, and MI zoning districts.	Fixes incorrect citation
83	81	3	20.03.030(b)(13)(C)(i)	In the MN zoning district, the maximum building floor plate for a student housing or dormitory use shall be 2,500 square feet per lot, pursuant to the measurement standards in Section 20.04.020(g) (Building Floor Plate). However if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, the maximum building floor plate for a student housing or dormitory use in the MN zoning district shall be 5,000 square feet per lot, pursuant to the measurement standards in Section 20.04.020(g).	In the MN zoning district, the maximum building floor plate for a student housing or dormitory use shall be 2,500 square feet per lot building, pursuant to the measurement standards in Section 20.04.020(g) (Building Floor Plate). However if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, the maximum building floor plate for a student housing or dormitory use in the MN zoning district shall be 5,000 square feet per lot building, pursuant to the measurement standards in Section 20.04.020(g).	Clarifies that the floorplate limitation applies to the size of each building, not the cumulative square footage
84	81	3	20.03.030(b)(13)(C)(ii)	In the RM and MD zoning districts, the maximum building floor plate for a student housing or dormitory use shall be 5,000 square feet per lot, pursuant to the measurement standards in Section 20.04.020(g) (Building Floor Plate). However if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, the maximum building floor plate for a student housing or dormitory use in the RM and MD zoning districts shall be 10,000 square feet per lot, pursuant to the measurement standards in Section 20.04.020(g).	In the RM and MD zoning districts, the maximum building floor plate for a student housing or dormitory use shall be 5,000 square feet per lot building, pursuant to the measurement standards in Section 20.04.020(g) (Building Floor Plate). However if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, the maximum building floor plate for a student housing or dormitory use in the RM and MD zoning districts shall be 10,000 square feet per lot building, pursuant to the measurement standards in Section 20.04.020(g).	Clarifies that the floorplate limitation applies to the size of each building, not the cumulative square footage
84	82	3	20.03.030(b)(13)(C)(iii)	In the RH, MM, MC, and MI zoning districts, the maximum building floor plate for a student housing or dormitory use shall be 10,000 square feet per lot, pursuant to the measurement standards in Section 20.04.020(g) (Building Floor Plate). However if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, the maximum building floor plate for a student housing or dormitory use in the RH, MM, MC, and MI zoning districts shall be 20,000 square feet per lot, pursuant to the measurement standards in Section 20.04.020(g).	In the RH, MM, MC, and MI zoning districts, the maximum building floor plate for a student housing or dormitory use shall be 10,000 square feet per lot building, pursuant to the measurement standards in Section 20.04.020(g) (Building Floor Plate). However if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, the maximum building floor plate for a student housing or dormitory use in the RH, MM, MC, and MI zoning districts shall be 20,000 square feet per lot building, pursuant to the measurement standards in Section 20.04.020(g).	Clarifies that the floorplate limitation applies to the size of each building, not the cumulative square footage
89; 390	86; 381	3; 7	20.03.030(d)(7) and Definitions	"homeless shelter"	Removing old term	Removing old term
111	108	4	20.04.020 Table 04-4	None	Add row for Side and Rear Parking Setback in Downtown. Requirements set per 20.04.080(h)(1)(A)(ii).	Syncing with Ch. 4 regulation in Landscaping section

115	112	4	20.04.020 Table 04-6	"Handicap Ramp"	"Accessible Ramp"	Modifying language to be reflect preferred terminology
141	138	4	20.04.050(d)(4)(B)	Pedestrian facility requirements	All concrete sidewalk and asphalt path improvements shall be constructed as per City Planning and Transportation Department and Engineering Department requirements.	Adding Engineering Department for pedestrian facility specifications.
154	150	4	20.04.060(f)	Each accessible space shall be located adjacent to an access aisle and as close as reasonably practicable to the building entrance most accessible for the disabled	Each accessible space shall be located adjacent to an access aisle and as close as reasonably practicable to the building entrance most accessible for the disabled-people with disabilities	Modifying language to be reflect preferred terminology
154	150	4	20.04.060(f)	All accessible spaces shall be striped and have vertical signs identifying them as accessible spaces	All accessible spaces shall be striped and have vertical signs identifying them as accessible spaces per the Indiana Manual on Uniform Traffic Control Devices.	Updating language to specifically reference State guidelines
188	181	4	20.04.080(f)(3)(E)(iii)	Locations for street trees within 50 feet of an intersection shall be approved by the City Planning and Transportation Department.	Locations for street trees within 50 feet of an intersection shall be approved by the City-Planning-and-Transportation Engineering Department.	Name change to reflect creation of Engineering Department
257	249	6	20.06.030 Table 06-1	Table shows that staff can only review and make recommendation on secondary plat.	The table should be updated to show that Staff can approve the secondary plat	Updates table to reflect an amendment made last year.
388	380	7	20.07.010	Group Care Home, FHAA , Small and Large- A residential dwelling or facility where persons are living, together with staff, as a single housekeeping unit providing care, supervision, and treatment for the exclusive use of citizens protected by the provisions of the federal Fair Housing Act Amendments of 1988, as defined in that Act and interpreted by the courts, or by any similar legislation of the State of Indiana, including but not limited to facilities providing housing for handicapped, mentally ill, or developmentally disabled persons. This use does not include "Opioid Rehabilitation Home, Small" or "Opioid Rehabilitation Home, Large."	A residential dwelling or facility where persons are living, together with staff, as a single housekeeping unit providing care, supervision, and treatment for the exclusive use of citizens protected by the provisions of the federal Fair Housing Act Amendments of 1988, as defined in that Act and interpreted by the courts, or by any similar legislation of the State of Indiana, including but not limited to facilities providing housing for handicapped persons with disabilities, mentally-ill persons with mental health conditions, or developmentally disabled persons with developmental disabilities. This use does not include "Opioid Rehabilitation Home, Small" or "Opioid Rehabilitation Home, Large."	Modifying language to be reflect preferred terminology
390	381	7	20.07.010	Home Occupation: An activity or occupation carried on within a dwelling by members of the family occupying the dwelling and where the use of the home as an occupation shall be incidental and subordinate to the use of the home as a dwelling, unless this UDO states that the activity or occupation is not treated as a Home Occupation.	An activity or occupation carried on within a dwelling or approved residential accessory structure by members of the family occupying the dwelling and where the use of the home as an occupation shall be incidental and subordinate to the use of the home as a dwelling, unless this UDO states that the activity or occupation is not treated as a Home Occupation.	Modifies definition of home occupation to allow clarify they can be done in accessory structure when appropriate.
407	398	7	20.07.010	A building that the owner of the property occupies as their primary residence, in which, lodging, with or without meals, is provided for compensation, including but not limited to; or a building designed as a single-family dwelling, that is occupied by a group of persons, usually for periods of 30 days or longer, that do not meet the definition of "Family," where the use does not meet the definition of "Bed and Breakfast," "Fraternity or Sorority House," "Student Housing or Dormitory," "Residential Care Facility," or "Hotel or Motel."	A building that the owner of the property occupies as their primary residence, in which, lodging, with or without meals, is provided for compensation, including but not limited to; or a building designed as a single-family dwelling, that is occupied by a group of persons, usually for periods of 30 days or longer, that do not meet the definition of "Family," where the use does not meet the definition of "Bed and Breakfast," "Fraternity or Sorority House," "Student Housing or Dormitory," "Residential Care Facility," or "Hotel or Motel."	Fixes grammatical error



\*\*\* Amendment Form \*\*\*

**Ordinance #:** 22-08  
**Amendment #:** Am 01  
**Submitted By:** Cm. Piedmont-Smith  
**Date:** May 18, 2022  
**Proposed Amendment:** (additions are shown in **bold** and deletions in ~~strikethrough~~)

1. The proposal forwarded to the Common Council by the Plan Commission and attached to Ordinance 22-08 as "Attachment A" (ZO-10-22) shall be amended as follows (only affected portions of the proposal are shown below):

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## 20.04.080 Landscaping, Buffering, and Fences

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### (f) Street Trees

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#### (3) Location

##### (E) Vision Clearance

~~(4)~~

- i. **Street trees shall be planted outside the vision clearance triangle as defined in Section 20.04.050(c)(4)** (Vision Clearance Triangle), or within that portion of the vision clearance triangle behind the sidewalk.
- ii. Low-branching species shall not be allowed within 50 feet of an intersection.
- iii. Locations for street trees within 50 feet of an intersection shall be approved by the City Engineering Department.
- iv. Street trees shall be located a minimum of 10 feet from a driveway cut, traffic control sign, or streetlight, and a minimum of three feet from a fire hydrant.

~~(4)(5)~~ **(4) MD District**

#### Synopsis and Reason for Amendment

This amendment corrects typographical errors in the ordinance.

**Committee Recommendation:**  
**Regular Session Action:**

N/A  
**ADOPTED 8-0**

\*\*\* Amendment Form \*\*\*

**Ordinance #:** 22-08  
**Amendment #:** Am 02  
**Submitted By:** Cm. Flaherty  
**Date:** May 18, 2022  
**Proposed Amendment:** (additions are shown in **bold** and deletions in ~~strikethrough~~)

The proposal forwarded to the Common Council by the Plan Commission and attached to Ordinance 22-08 as "Attachment A" (ZO-10-22) shall be amended as follows (only affected portions of the proposal are shown below):

1.

---

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

**Notes:**

- [1] Buildings abutting a property in the 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.
  - ~~[4] Lots zoned MM north of 1st Street, south of 2nd Street, east of Maple Street (extending south of 2nd Street to 1st Street), and west of Morton Street shall have an impervious surface coverage maximum of 85%.~~
  - ~~[5] Lots zoned MM north of 1st Street, south of 2nd Street, east of Maple Street (extending south of 2nd Street to 1st Street), and west of Morton Street shall have a minimum landscape area of 15%.~~
  - ~~[6] Lots zoned MM north of 1st Street, south of 2nd Street, east of Maple Street (extending south of 2nd Street to 1st Street), and west of Morton Street shall have minimum side and rear building setbacks of zero feet.~~
2. References to Notes [4], [5], and [6] shall be deleted.

**Synopsis**

This amendment is sponsored by Cm. Flaherty. It removes three proposed Notes under Table 02-11 that would affect mixed-use district dimensional standards in a specified geographical area. Such standards would be more appropriately proposed as part of an Overlay Zoning District for the area in question.

**Committee Recommendation:**  
**Regular Session Action:**

N/A  
**ADOPTED 9-0**