

CITY OF BLOOMINGTON



PLAN COMMISSION

March 14, 2022

5:30 p.m.

City Hall, Council Chamber #115
and Zoom Meeting

<https://bloomington.zoom.us/j/81337928652?pwd=OVpKblFGMHZuZjQ0YzZXMTZaL0pBUT09>

Meeting ID: 813 3792 8652

Passcode: 343393

CITY OF BLOOMINGTON
PLAN COMMISSION (Hybrid Meeting)
March 14, 2022 at 5:30 p.m.

❖City Council Chambers – Room #115

❖Virtual Link:

<https://bloomington.zoom.us/j/81337928652?pwd=OVpKbIFGMHZuZjQ0YzZXMTZaL0pBUT09>

Meeting ID: 813 3792 8652

Passcode: 343393

Petition Map: <https://arcg.is/1aHKXX>

ROLL CALL

MINUTES TO BE APPROVED: December 13, 2021 and February 7, 2022

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

Resolution for Zoning Commitment
 Fee Schedule

PETITIONS CONTINUED TO: April 11, 2022

PUD/DP-24-21 Robert V Shaw

N Prow Road: 3500 block of N Hackberry Street
 Request: Petitioner requests Final Plan and Preliminary Plat amendment for Ridgefield PUD and Subdivision Section V.
Case Manager: Jackie Scanlan

SP-05-22 MHG Apartments

1210, 1220, 1320, 1404, 1414 W. Arlington Rd.
 Request: Major site plan approval to allow the construction of a multifamily Residential building with 211 dwelling units in the Residential Multifamily (RM) zoning district.
Case Manager: Eric Greulich

DP-08-22 Walnut Pike Development LLC

3111 S Walnut Street Pike
 Request: Primary plot approval of a 37 lot subdivision of 15.56 acres in the Residential Medium lot (R2) zoning district. Also requested a waiver of required 2nd hearing and vacation of Phase I of the Ivy Chase Plat.
Case Manager: Eric Greulich

SP-06-22 Strauser Construction Co., Inc.

3000 & 3070 S Walnut St.
 Request: Major site plan approval to construct a 9 building self service Storage facility with 10 new vehicle parking spaces.
Case Manager: Karina Pazos

**Next Meeting April 11, 2022

Last Updated: 3/11/2022

Auxiliary aids for people with disabilities are available upon request with adequate notice.

Please call [812-349-3429](tel:812-349-3429) or e-mail human.rights@bloomington.in.gov.

CONSENT AGENDA:**SP-07-22****Grant Properties**613 E 12th St.

Request: Major site plan approval to construct a 4-story building with 3 floors of residential units over a ground floor parking garage with 8 Vehicle parking spaces and 2 bicycle parking spaces.

Case Manager: Karina Pazos**PETITIONS:**

March 14, 2022

PUD-03-22**Trinitas Ventures**

1550 N Arlington Park Drive

Request: An amendment to the district ordinance and preliminary plan for an approval Planned Unit Development.

Case Manager: Eric Greulich**SP-09-22****Trades District Technology Center**617 N Madison Street / 422 W 10th Street

Request: A major site plan approval to allow for one nonresidential building in the Mixed-Use Downtown Showers Technology Character Area (MD-ST.)

Case Manager: Jackie Scanlan**ZO-10-22**

UDO Technical Text Amendments - Technical corrections for text amendments that add, remove or edit text to clarify existing standards and generally are not substantive.

ZO-11-22

UDO Chapter 3, Use Regulations, Amendments - Technical corrections for text amendments that add, remove or edit text to clarify existing standards and generally are not substantive.

ZO-12-22

UDO Chapter 4, Development Standards & Incentives, Amendments - Technical corrections for text amendments that add, remove or edit text to clarify existing standards and generally are not substantive.

ZO-13-22

UDO Chapter 5, Subdivision Standards; Chapter 6, Administration & Procedures; and Chapter 7, Definitions, Amendments - Technical corrections for text amendments that add, remove or edit text to clarify existing standards and generally are not substantive.

Next Meeting April 11, 2022Last Updated: 3/11/2022***Auxiliary aids for people with disabilities are available upon request with adequate notice.**Please call [812-349-3429](tel:812-349-3429) or e-mail human.rights@bloomington.in.gov.*

Interdepartmental Memo

To: Members of the Plan Commission
From: Eric Greulich, Senior Zoning Planner
Subject: Termination of Zoning Commitment for 3121 E Tapps Turn
Date: March 14, 2022

The Planning and Transportation Department received a Building Permit (C21-629) for an attached Accessory Dwelling Unit at 3121 E. Tapps Turn. Section 20.03.030(g)(5)(H) of the Unified Development Ordinance requires a Zoning Commitment be recorded prior to the issuance of a Certificate of Zoning Compliance for the building permit. The Department prepared a zoning commitment for the property owner to record and it was recorded under Instrument Number 2021024141.

The petitioners have decided to change the scope of the project and no longer wish to pursue the Accessory Dwelling Unit and would like to remove the Zoning Commitment that was recorded. Section 20.06.020(c)(1)(T) of the UDO states that only the Plan Commission may terminate a Zoning Commitment. The petitioner is therefore requesting that the Plan Commission terminate the Zoning Commitment since the project has changed.

ZONING COMMITMENT

This Commitment is being made in connection with the issuance of Certificate of Zoning Compliance number C21-629 to allow for the remodeling of the existing residence on real estate located at 3121 E. Tapps Turn, Bloomington, Monroe County, Indiana with the legal description of:

Lot Number Forty-six (46) in KENSINGTON SUBDIVISION, an addition to the City of Bloomington, as per plat thereof recorded in Plat Cabinet C, Envelope 1 in the Office of the Recorder of Monroe County, Indiana.

Said real estate is owned by Joseph Q. Manley and Rachel D. Manley, Trustees of the Joseph and Rachel Manley Joint Revocable Living Trust ("Owner") pursuant to a deed recorded in the Office of the Recorder of Monroe County, Indiana (the "Real Estate").

Auditor's Parcel Number: 015-29565-90
State Parcel ID: 53-08-11-308-019.000-009

The approval of the Certificate of Zoning Compliance to allow the remodeling of the existing residence for an Accessory Dwelling Unit (ADU) is conditioned upon the following:

The Owner hereby commits, on their own behalf and on behalf of its successors and assigns, that:

-The ADU shall not be sold separately from the primary unit

-This approval shall be in effect only so long as the primary dwelling unit, or the ADU, is occupied by the owner(s) of record as their primary residence. If at any time the City determines that the subject property is in violation of the UDO or in violation of the terms of this zoning commitment, the ADU approval shall be withdrawn. In addition, the City may require that the ADU be removed from the property, which may include but is not limited to removal of any second kitchen on the lot, including all kitchen appliances and cabinets.

This Commitment shall be recorded in the office of the Recorder of Monroe County and shall be binding on the Owner and upon any subsequent owner or other person acquiring an interest in the Real Estate and shall run with the land.

Prior to the issuance of any permits, a copy of this recorded Commitment shall be transmitted to the City of Bloomington Planning and Transportation Department.

This Commitment may be modified or terminated only by action of the City of Bloomington's Plan Commission. This Commitment shall be enforceable by the City of Bloomington, any adjacent property owner or other interested party as defined by the Plan Commission's Rules and Procedures.

Fee Schedule Memo

To: Bloomington Plan Commission

From: Jackie Scanlan, AICP Development Services Manager

Date: March 11, 2022

Re: Fee Schedule Update

The Planning and Transportation Department proposes to update the Fee Schedule, which is located in Article III of the Rules and Procedures portion of the Administrative Manual. The Manual lays out fees for particular petitions and permits administered by the Department. The fees have not been wholly updated since 2013, with a previous update in 1997. The fee per square foot for certificates of zoning compliance related to building permits have been visited in the last few years.

Site plan fees were parsed for clarity, floodplain development permit was added because it is new with the 2019/2020 Unified Development Ordinance update, and other fees were altered based on staff time devoted to the types of petitions, as well as fees of other municipalities.

The proposed Fee Schedule is attached. New text is in red, text to be removed is highlighted yellow.

Planning and Transportation Fee Schedule

| ●Plan Commission / Plat Committee Filing Fees (Application Fees) | |
|---|--|
| REZONE | |
| Rezone to Single-Family Rezone (Zoning Map Amendment) | \$250 + \$25/Acre \$500 + \$25/Acre |
| Rezone to Non Single-Family | \$500 + \$50/Acre |
| Rezone to Planned Unit Development (PUD) | \$1000 + \$100/Acre |
| Planned Unit Development (PUD) Amendment (District Ordinance and Preliminary Plan) | \$500 + \$50/Acre |
| PLATS AND PLAT AMENDMENTS | |
| Preliminary Primary | \$300 + \$25/Lot \$500 + \$50/Lot |
| Final Secondary | \$300 + \$25/Lot \$300 + \$50/Lot |
| Preliminary & Final | \$300 + \$50/Lot \$1000 + \$100/Lot |
| Plat Vacation | \$250 |
| Primary or Secondary Plat Amendment | \$250 + \$25/Lot Amended |
| SITE PLAN/FINAL PLAN SITE PLAN/FINAL PLAN AND SITE PLAN AMENDMENT/FINAL PLAN AMENDMENT | |
| Residential Remodels | 200 \$250 + \$25/New Dwelling unit |
| Residential Addition | \$200 + \$25/Dwelling unit \$250 + \$25/New Dwelling unit |
| Residential New Construction | \$400 + \$25/Dwelling unit \$500 + \$25/Dwelling unit |
| Non-Residential/Mixed Use Remodels | \$300 |
| Non-Residential/Mixed-Use Addition | \$200 + \$0.10/s.f. \$250 + \$.10/s.f. for new non-residential space + \$25/New Dwelling unit |
| Non-Residential/Mixed-Use New Construction | \$400 + \$0.10/s.f. \$500 + \$.10/s.f. for non-residential space + \$25/Dwelling unit |
| ●BZA / Hearing Officer Filing Fees (Application Fees) | |
| VARIANCES | |
| Use Variance | \$500 |
| Development Standards Variance - Single Family Uses | \$100 \$100 + \$50 for additional variance |
| Development Standards Variance - Non-Single Family Uses | \$500 \$500 + \$50 for additional variance |
| CONDITIONAL USE | |
| Home Occupation | \$100 |
| Other | \$250 |
| ●Administrative Fees (ROW Vacation, Permit Fees, Service Fees) | |
| RIGHT-OF-WAY (ROW) VACATION | |
| ROW Vacation | \$500 |
| PERMIT FEES | |
| Permanent Sign | \$125/per sign |

| | |
|--|---|
| Temporary Sign | \$75/up to (3) 30-day sign permits per year |
| Change of Use | \$250 |
| Temporary Use | \$250 |
| Outdoor Seating in ROW (Seating & Merchandise Encroachment) | \$100 |
| Right-of-Way Excavation | \$100 minimum (\$50 minimum for boring) |
| Grading | \$115 per acre (prorated if less than 1 acre) \$100 + \$125/acre |
| Floodplain Development | \$100 |
| SERVICE FEES | |
| Letter of Zoning Verification (Other Services) | \$100 |
| Lot line Adjustment (Other Services) | \$100 |
| Certificate of Occupancy Inspection (Inspection Fees) Temporary or Permanent | \$100 |

**BLOOMINGTON PLAN COMMISSION
STAFF REPORT**

Location: 613 East 12th Street

CASE #: SP-07-22

DATE: March 14, 2022

PETITIONER: Doug McCoy (Grant Properties)
400 W 7th St, Suite 233
Bloomington, IN 47404

CONSULTANT: Matte Black Architecture (Matt Ellenwood, AIA)
2021 E Wexley Rd.
Bloomington, IN 47401

REQUEST: The petitioner is requesting a major site plan approval to construct a 4-story building with 3 floors of residential units over a ground floor parking garage with 8 vehicle parking spaces and 12 bicycle parking spaces.

BACKGROUND:

Area: 0.20 acres (8,753 sf)
Current Zoning: MM (Mixed-Use Medium Scale)
Comprehensive Plan Designation: Institutional/Civic
Existing Land Use: Dwelling, single-family (detached) – was approved for Demo Delay per DD 21-11
Proposed Land Use: Dwelling, multifamily
Surrounding Uses: North – Railroad
 South – Vacant
 East – Vacant
 West – Dwelling, single-family (detached)

REPORT: The property is currently zoned Mixed-Use Medium Scale (MM), and is located on the northwest corner of East 12th Street and North Fess Avenue. The properties to the north, south, east, and west are zoned Mixed-Use Institutional (MI). This site has two frontages along East 12th Street and North Fess Avenue. The site spans one parcel and currently has a single-family house and an accessory structure that have been reviewed by the Historic Preservation Commission and approved for full demolition. The lot is bounded by an unpaved alley and railroad on the north side, a Neighborhood Residential street without a sidewalk on the east side, a Neighborhood Residential street with approximately a 4-foot tree plot and a 4.9-foot sidewalk next to a retaining wall on the south side, and a single-family house on the west side.

The petitioner is requesting a major site plan approval for a new 4-story structure containing 18 one-bedroom dwelling units over an 8-stall parking garage, and 6 bicycle racks on site for a total of 12 bicycle parking spaces. The ground floor will also contain an entry lobby, mailboxes, and elevator and stair access to the upper floors. A trash and recycling area will be located on the north side of the parking garage and accessed from the alley. Pedestrian and wheelchair user access to the building will be provided from the main entrance along East 12th Street. Parking garage access will be provided via an entrance from the alley.

The upper 3 floors will consist of one-bedroom apartments for a total of 18 beds. The proposed development is 4 stories, or approximately 49'10" measured from the average finished grade.

MAJOR SITE PLAN REVIEW 20.06.050(a)(2)(C)(ii): Major site plan approval is required for developments that contain more than 15,000 square feet of gross floor area. This proposed site contains 17,548 square feet of gross floor area.

DEVELOPMENT STANDARDS & INCENTIVES 20.04: The following UDO standards are required to be reviewed for all activities that require New Development approval.

Dimensional Standards:

- **Setbacks:** The MM zoning district requires a 15- to 25-foot front build-to range with a minimum of 70% of the building façade at the build-to range, side and rear setbacks at a minimum of 7', and a front parking setback minimum of 20' behind the primary structure's front building wall. Since this is a corner lot, the parking setback applies to both frontages on 12th Street and Fess Avenue. The proposed site plan demonstrates compliance with setbacks.
- **Height:** The maximum height in the MM zoning district is four stories not to exceed 50' at average finished grade. The proposed building in this development is 4 stories and 49' 10" from average finished grade. The proposed building demonstrates compliance with the height requirement.
- **Impervious Surface Coverage:** The maximum impervious surface coverage in the MM zoning district is 60%. The proposal is at 59.9% of impervious surface coverage.

Environmental: The site is elevated and slopes upward toward the northeast direction. The petitioner is proposing to replace the existing retaining wall with a new retaining wall on the south side to allow for sidewalk improvements.

Bicycle Parking/Alternative Transportation: Each development shall provide a minimum of 6 bicycle parking spaces or the number of bicycle parking spaces required in Table 04-13: Minimum Bicycle Parking Requirements, whichever is more. Table 04-13 indicates that residential uses in the MM zoning district are required to provide bicycle parking spaces at 10% of the provided vehicle parking or 1 space per 5 bedrooms, whichever is more. This development will require 6 bicycle parking spaces. The proposal contains 1 bicycle rack inside the parking garage and 5 bicycle racks on a concrete pad on site along Fess Avenue, for a total of 12 bicycle parking spaces.

Proposed right-of-way is 60' for both 12th Street and Fess Avenue. Both streets are Neighborhood Residential streets and the Transportation Plan calls for 6' of sidewalk and 5' of tree plot in this street typology. The sidewalk and tree plot will need to be improved along 12th Street and the existing retaining wall will need to be replaced with a new retaining wall that is adjacent to the improved sidewalk. There is currently no sidewalk along Fess Avenue. The petitioner is proposing to install a 6-foot sidewalk along both streets, a 5.2-foot tree plot along 12th Street, and a 10.89-foot tree plot that narrows to 8.34' approaching north along Fess Avenue. The petitioner is also proposing to install a new retaining wall that is 1.5' north of the existing retaining wall location to accommodate for the 6-foot sidewalk. The retaining wall will be outside of the right-of-way and there will be a 1.5-foot pedestrian easement adjacent to the retaining wall. There is an existing curb along 12th Street. The petitioner is not proposing to install a curb along Fess Avenue.

Landscaping: The minimum landscape area in the MM zoning district is 40%. The proposal contains 40.1% and includes 2 large interior canopy trees, 1 interior evergreen tree, 1 small/medium interior canopy tree, 3 evergreen shrubs, and 3 deciduous shrubs. All proposed

plantings are permitted species. The minimum landscape area on site shall be planted with the following interior plantings:

1. A minimum of 14 large canopy trees, 5 evergreen trees, and 5 medium or small canopy trees per acre;
2. A minimum of 36 shrubs per acre. One ornamental tree may be substituted for every 4 shrubs; however, substitution shall not exceed 50 percent of the required shrubs;
3. And, shrubs and ornamental trees along foundation walls of structures shall be planted no closer than 2 feet and 8 feet respectively from the foundation wall.

This site will need at least 2 canopy trees, 1 evergreen tree, 1 medium or small canopy tree, and 4 shrubs or 1 ornamental tree. The proposal meets (1) and (2) of the interior planting requirements, but will need to indicate that the spacing of shrubs and ornamental trees meets the spacing requirements in (3).

A minimum of 1 canopy tree is required per 40 feet of property that abuts a public right-of-way or 20 feet for small trees under overhead utility lines. There are 4 existing street trees along 12th Street that are Maple trees, which is not a recommended species for a tree plot. The petitioner is proposing to remove the existing street trees and replace them with 2 large canopy trees along 12th Street and 7 small trees along Fess Avenue. The City's Urban Forester will need to be consulted about the species of street trees which can be utilized with this development. A compliant landscape plan is required before a grading permit will be issued. A condition has been added.

Access: The proposed development will derive access from the alley access point on North Fess Avenue. The alley will lead to the parking garage. The petitioner is proposing to pave the alley up to where there is existing pavement in the alley.

Parking: The petitioner is proposing 8 vehicle parking spaces. The minimum vehicle parking requirements do not apply to multifamily development that is not within or adjacent to R3 zoning district or in the MD zoning district. This proposal meets the parking space requirements.

Architecture: The structure will be finished with a mix of masonry (brick and stone), fiber cement panel and gridded glazing on the façades, which are permitted materials in this district. The exterior façades of the building incorporate an awning, building height differences, a regular pattern of glass with at least 50% of the wall on the ground floor being glass, and wall elevation projections to comply with the Exterior Façades and Anti-Monotony Standards requirements in the UDO. The façades provide two different textures and colors that repeat horizontally and provide variations every 30' vertically to comply with the Patterns requirement of the UDO. The rear of the building that is not visible to the street incorporates similar materials to the visible sides. The primary pedestrian entry incorporates brick pilasters, a prominent building address and lighting, and an awning to comply with the Primary Pedestrian Entry requirements in the UDO. The flat roof features parapets on the supporting walls to meet the roof design requirements. This proposal meets the architecture requirements.

SITE PLAN REVIEW: The Plan Commission shall review the major site plan petition and approve, approve with conditions, or deny the petition in accordance with Section 20.06.040(g) (Review and Decision), based on the general approval criteria in Section 20.06.040(d)(6)(B) (General Compliance Criteria).

20.06.040(d)(6)(B) General Compliance Criteria

- i. Compliance with this UDO
- ii. Compliance with Other Applicable Regulations
- iii. Compliance with Utility, Service, and Improvement Standards
- iv. Compliance with Prior Approvals

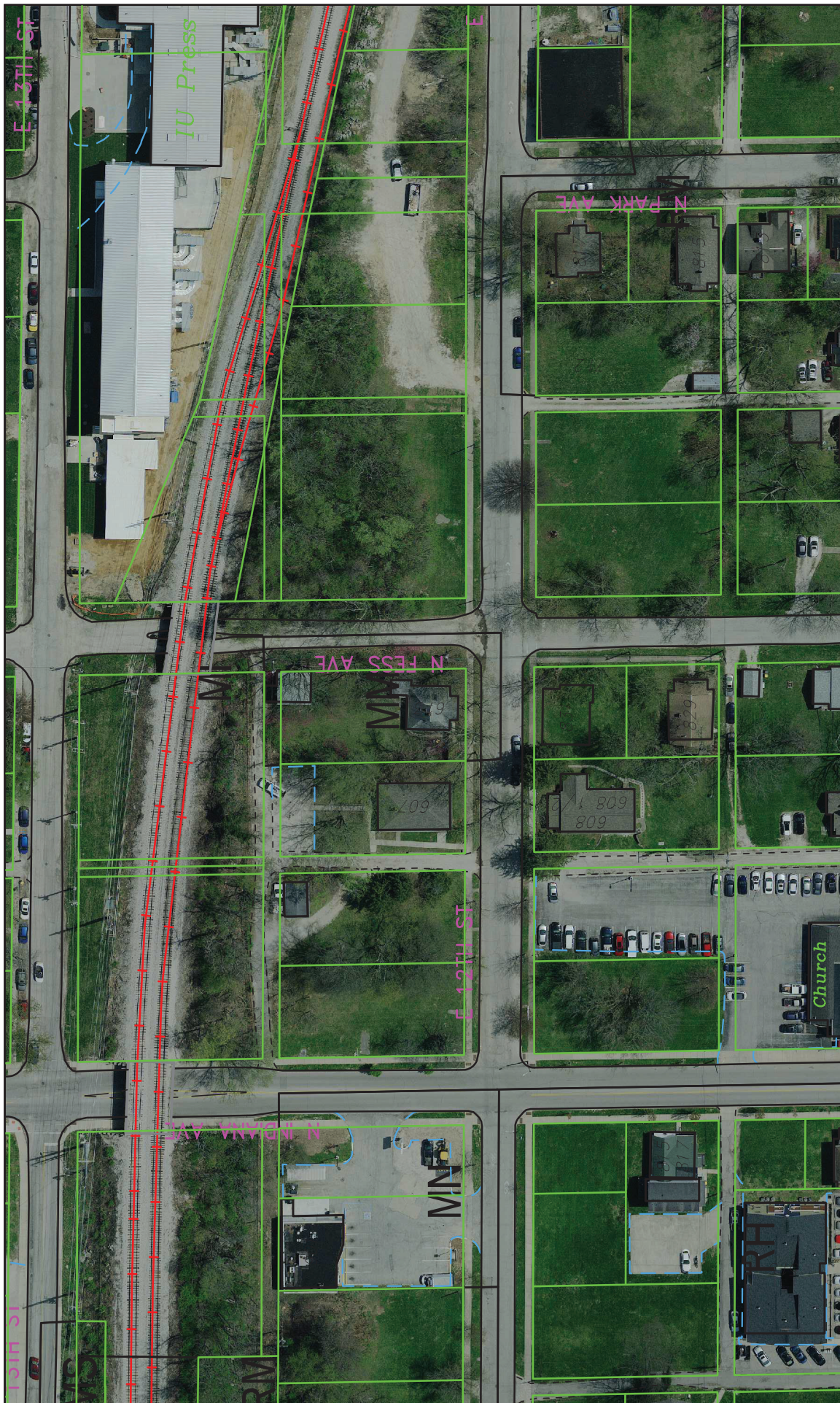
PROPOSED FINDINGS:

This development will meet all applicable standards in the UDO. This development is in compliance with city regulations including utility, service, and improvement standards. This development is in compliance with other applicable regulations. No relevant prior approvals are found with this petition.

CONCLUSION: This petition meets all requirements of the UDO and will add 18 new dwelling units and alternative transportation improvements. The development will provide housing in an area where housing is common and is immediately adjacent to Indiana University. The scale of this development is appropriate for the neighborhood. Given the proximity to Indiana University, this is an ideal location for this type of land use.

RECOMMENDATION: The Planning and Transportation Department recommends that the Plan Commission adopt the proposed findings and approve SP-07-22 with the following conditions:

1. The petitioner must receive a grading permit before any earth moving on the site.
2. The petitioner must consult the City's Urban Forester about the species of UDO-approved street trees which can be utilized with this development.
3. A compliant landscape plan is required before a grading permit will be issued.
4. This approval does not approve any signage on the site.



City of Bloomington
Planning

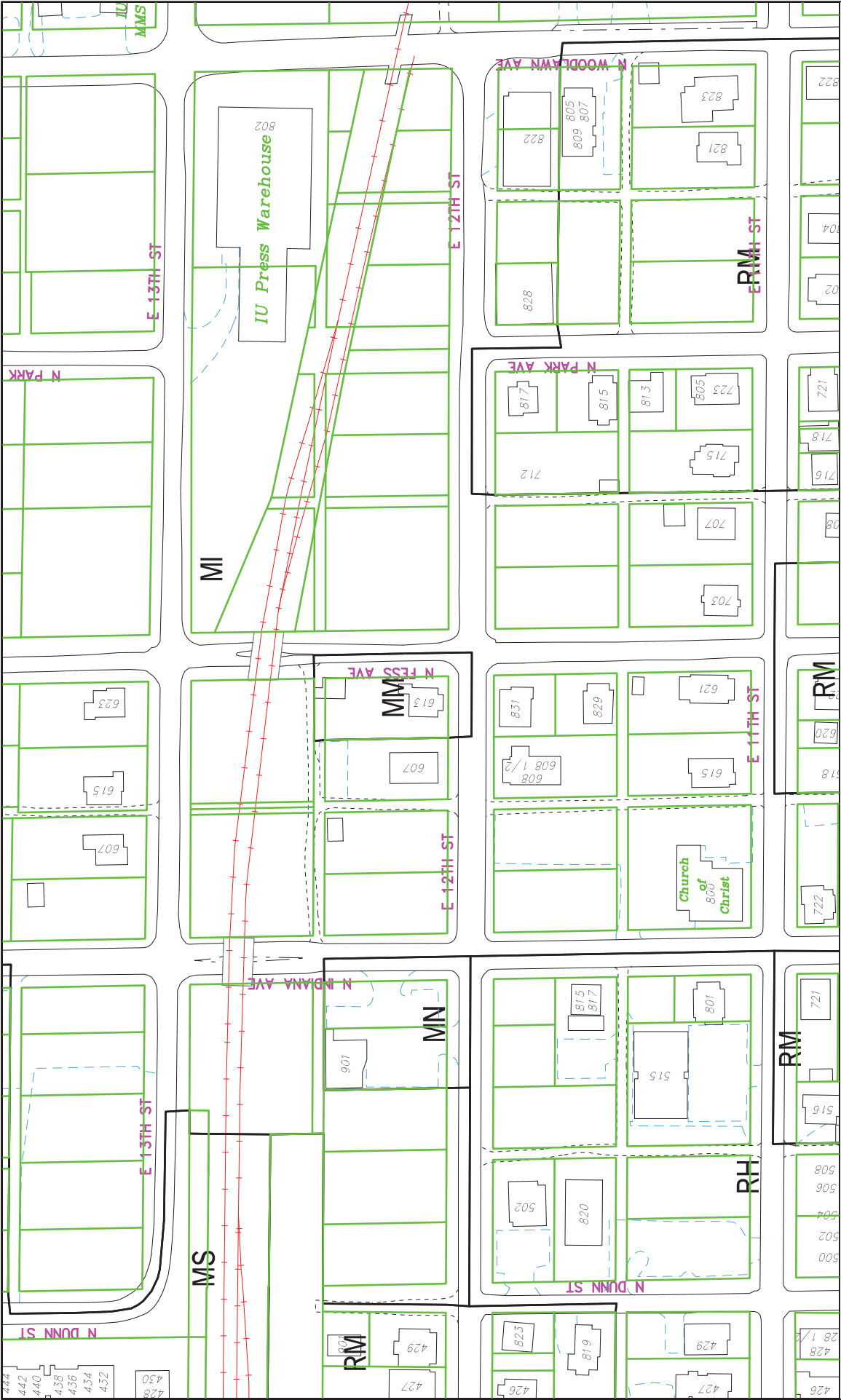


Scale: 1" = 100'



By: karina.pazos
31 Jan 22

For reference only; map information NOT warranted.



City of Bloomington
Planning



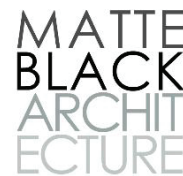
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By: karina.pazos
31 Jan 22

For reference only; map information NOT warranted.

Petitioner's Statement



613 E 12 STREET APARTMENTS

Attention: City of Bloomington Plan Commission
 Petitioner: Doug McCoy (Grant Properties)

Property Description

The **.20 acre (8,753 sf)** property at the corner of E 12th Street & Fess Avenue currently has a 1.5 story single-family structure along with an old barn that will be removed prior to the new proposed development. The Historic Preservation Commission reviewed the property and released it for full demolition at the August 11, 2021 meeting. It is bounded by a pedestrian walk and tree plot to the south, no sidewalk, tree plot or curb along Fess Avenue to the east, an unpaved alley and railroad to the north and a single-family property to the west. There is an existing stone retaining wall along the south of the property that will be removed in order to widen the existing sidewalk to meet current street standards. The property is surrounded by institutional uses (MI Zone) and is designated **MM (Medium Mixed-Use)** under the 2021 UDO.

Project Description

The petitioner is proposing a new **4-story structure** that will include **18 studio apartments** above a main level that will contain an **8-stall parking garage** along with amenity spaces (lobby, mail, utilities, etc.). The garage will be accessed via an entry along the alley and the main pedestrian entrance along E 12th Street will provide access to amenities and an elevator to the upper floors. The garage will also house bike parking (1 Class II) with the remainder (5 Class II) near the entry ramp outside. New water service with FDC and PIV will be coordinated with City Utilities along with electrical service (to be coordinated with Duke Engineering).

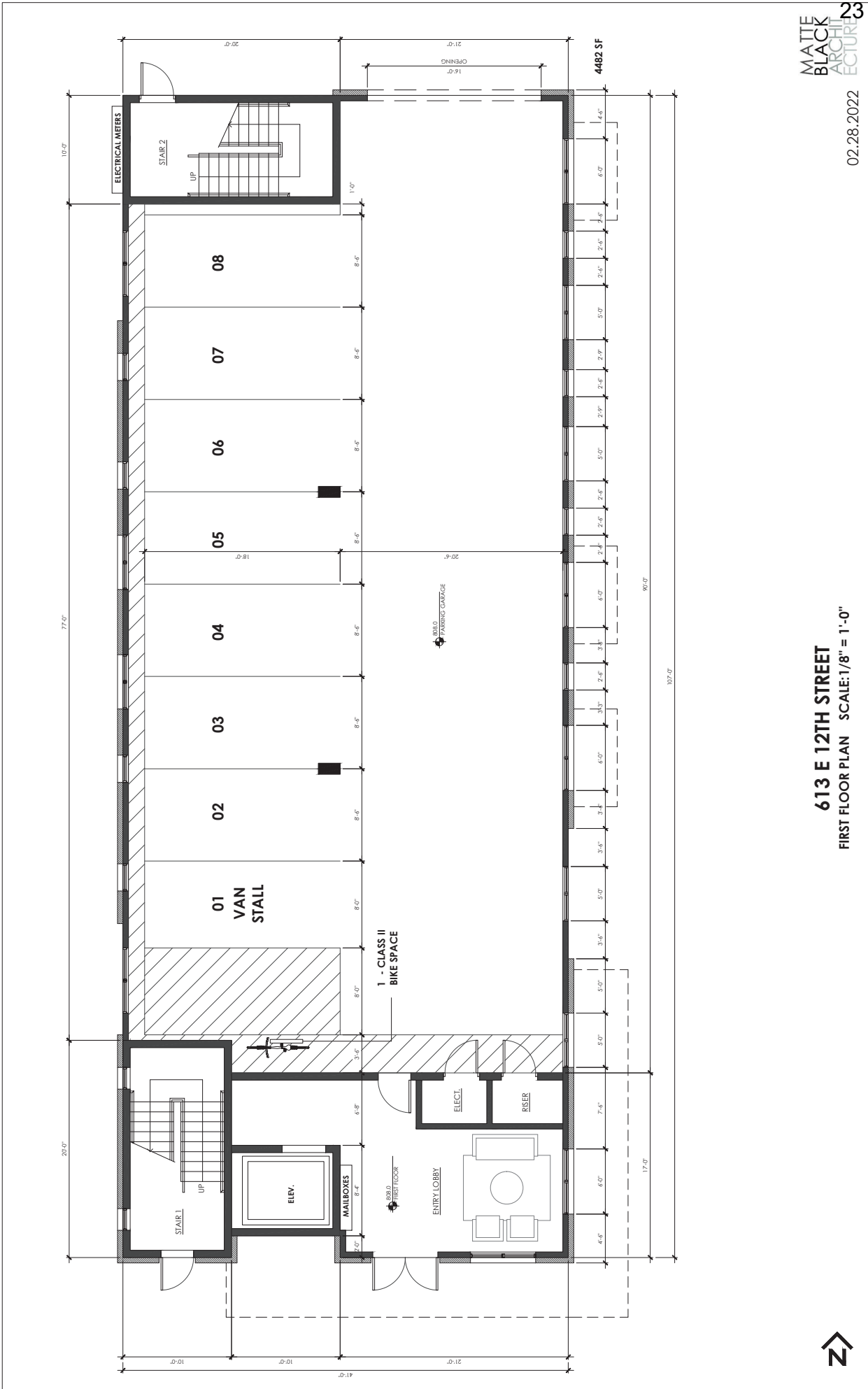
The architectural design harkens back to the era of brick warehouses with a nod to the adjacent railroad by elevating the front entry which is accessed via a ramp and "platform". The exterior façade comprises a mix of masonry (brick and stone), fiber cement panel and gridded glazing. Metal Juliet balconies, awnings and railings provide visual interest and extend the livability of the apartments. New landscaping and improved sidewalks will complement the new structure.

The petitioner hopes to begin construction in late summer/early fall of 2022 with completion by August 2023.

Thank you for your consideration of this petition.

A handwritten signature in black ink that reads "Matt Ellenwood".

Matt Ellenwood, AIA (on behalf of the petitioner)



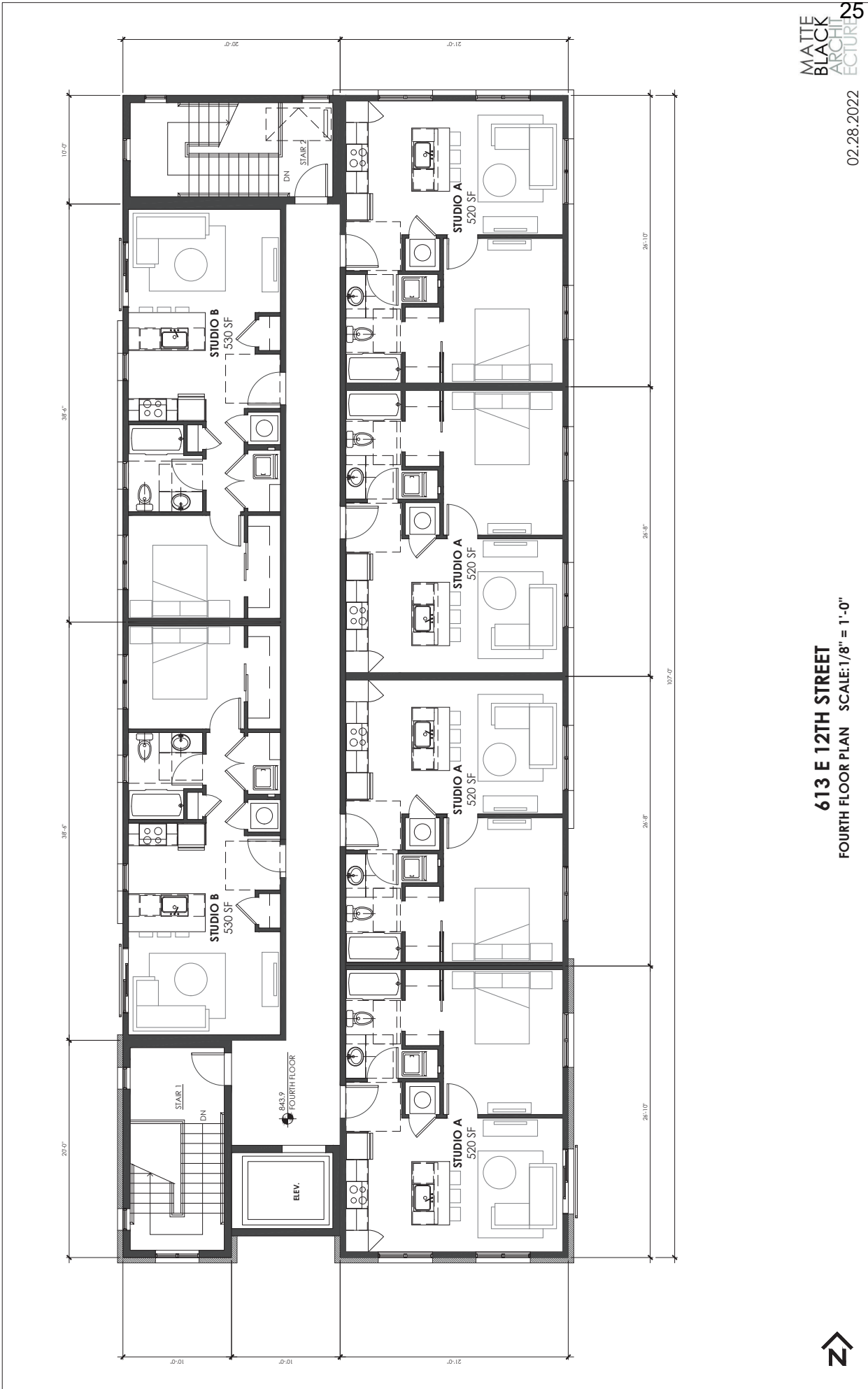
613 E 12TH STREET
FIRST FLOOR PLAN SCALE: 1/8" = 1'-0"





613 E 12TH STREET
SECOND & THIRD FLOOR PLAN SCALE: 1/8" = 1'-0"





613 E 12TH STREET
FOURTH FLOOR PLAN SCALE: 1/8" = 1'-0"





- LIMESTONE CAP
- 49'-10" PARAPET
- 47'-10" ROOF DECK
- 3'-0" ROOF BEARING
- 44'-10" BRICK VENEER
- BRICK SILLS
- 9'-0" METAL LULIET BALCONY BEYOND LIMESTONE HEADERS
- 35'-10" #4/FLOOR
- 9'-0" WINDOWS WITH GRIDS
- FIBER CEMENT PANELS
- 9'-0" COMPOSITE TRIM
- BUILDING SIGNAGE
- 25'-7" #3RD FLOOR
- 9'-0" BRICK PLASTER RECESSES
- METAL AWNING
- 9'-0" DECORATIVE LIGHTING
- 14'-6" #2ND FLOOR

613 E 12TH STREET
 NORTH & SOUTH ELEVATIONS SCALE: 1/8" = 1'-0"



613 E 12TH STREET
EAST ELEVATION SCALE: 1/8" = 1'-0"



613 E 12TH STREET
WEST ELEVATION SCALE: 1/8" = 1'-0"



**BLOOMINGTON PLAN COMMISSION
STAFF REPORT
Location: 1550 N. Arlington Park Drive**

**CASE #: PUD-03-22
DATE: March 14, 2022**

PETITIONER: Trinitas Development
201 Main Street Suite 1000 Lafayette IN

CONSULTANTS: Bynum Fanyo & Associates
528 N. Walnut Street

REQUEST: The petitioner is requesting an amendment to the approved Preliminary Plan and District Ordinance for a Planned Unit Development.

BACKGROUND:

Area: 40.75 acres
Current Zoning: Planned Unit Development
Comprehensive Plan Designation: Neighborhood Residential
Existing Land Use: Under Construction
Proposed Land Use: Dwelling, Multi-Family/Single Family Residential
Surrounding Uses: North – Dwelling, Single-Family
West – State Road 37 / Interstate 69
East – Dwelling, Single-Family
South – Office / Industrial Use

REPORT: The property is located north of West 17th Street at the north end of Arlington Park Drive. The property is north of offices and industrial development and a multifamily development that maintain frontage on 17th Street and is bounded by single family lots to the north and east and State Road 37/Interstate 69 to the west.

The site received approval of a preliminary plan and district ordinance under PUD-36-19 and final plan approval under PUD-12-20 to allow the development of 337 multi-family dwelling units with 825 bedrooms and 45 R4 (Residential Urban) zoned lots. The petition includes 125 on-street parking spaces, 82 spaces within an on-site garage, and 251 surface parking spaces for a total of 458 parking spaces.

The petition involved 4 areas of development and land uses-

Area A- This area was approved for 45 R4-zoned lots. The lots will be dedicated to the City to help meet the diverse housing needs of the Community. The area will be fully graded with all roads and infrastructure installed before acceptance by the City.

Area B- This area will be developed with 114 units and 255 bedrooms in a mix of duplexes and townhomes.

Area C- This area will be developed with one, five-story building with 95 units and 240 bedrooms on 13.54 acres. There are proposed to be 12 one-bedroom units, 57 two-bedroom units, 41 three-bedroom units, and 3 four-bedroom units. There will be 50 parking spaces within the building for the 240 bedrooms, which equals 0.15 parking spaces per bedroom.

Area D- This area will be developed with 128 duplex units and 330 bedrooms on 11.13 acres. There are proposed to be 26 one-bedroom units, 38 two-bedroom units, 12 three-bedroom units, and 36 four-bedroom units. There will be 161 on-site parking spaces for the 330 bedrooms which equals 0.48 parking spaces per bedroom, there will also be 137 on-street parking spaces in this phase. These buildings will be one and two-stories in height.

The approved District Ordinance allowed for free-standing signs for the development at the entrance from Arlington Road and at the 17th Street entrance. However, due to right-of-way dedication requirements, the petition site does not have enough property frontage on the street frontages to dedicate the required amount of right-of-way and to create conforming lots. The petitioner is requesting to amend the approved District Ordinance to allow for the creation of two narrow sections of property that extend from the main property to the frontages on 17th Street and Arlington in order to place a sign at each entrance. The petitioner is proposing a 4' long, 437' long section of property connecting to Arlington Road from Parcel C and a 3' wide, 400' long section of property connecting to 17th Street from Parcel D. The proposed signs will be 6' tall and 30 square feet. The proposed strips of properties would not meet the minimum 50' lot width standard and would exceed the maximum 4:1 depth to width ratio. The proposed District Ordinance would allow for deviations from those two standards. No other changes to the District Ordinance or Preliminary Plan are proposed.

PRELIMINARY PLAN AMENDMENT:

Development Standards: Parcel C was approved with the RH district standards and Parcel D was approved with the RM district standards. Both of these districts have a minimum lot width requirement of 50'. The petitioner is proposing to amend the district ordinance to allow a lot that is 3' wide on 17th Street and 10' wide on Arlington Road in order to create flag lots on which to locate signs. The UDO also restricts a property width to no more than 4 times the depth of the property. The proposed depth to width ratio along Arlington would be 168:1 and 770:1 along 17th Street.

Alternative Transportation: A sidepath connection along the Arlington Road frontage was not shown on previous site plans and the Department has requested the petitioner to amend the proposed site plan to include that element, however that has not been shown yet.

Section 20.06.040(d)(6)(B) General Compliance Criteria

- i. Compliance with this UDO
- ii. Compliance with Other Applicable Regulations
- iii. Compliance with Utility, Service, and Improvement Standards
- iv. Compliance with Prior Approvals

PROPOSED FINDING: The proposed amendment would allow a deviation from the base 50' minimum lot width standards of the UDO to allow two lots that are 3' and 10' wide. The other requested deviation would allow for a substantial increase in the allowable depth-to-width ratio allowed in the UDO. There are no other known regulations or Utility, Service, or Improvement standards that would be impacted by the creation of these lots. All other aspects of the approved District Ordinance and Preliminary Plan have been followed. The phasing shown is consistent with what was approved with the final plan and primary plat.

Section 20.06.070(E)(4) Approval Criteria for Rezoning to a Planned District (PUD)

- (A) Is consistent with the purpose of this UDO and the purpose of Section 20.02.050 (Planned Unit Development (PUD) District); and

PROPOSED FINDING: The general purpose of the PUD District is to encourage new and imaginative concepts in urban design and land development to promote and improve the health, safe, and general welfare of the residents of the City. The overall PUD was found to meet the purpose statements of the UDO. This particular amendment however, does conflict with the purpose statements of the UDO in terms of creating lots with sufficient frontage for development purposes. Creating lots that are only 3' wide and 10' wide creates unbuildable lots that serve no purpose other than for signage.

- (B) The petitioner has demonstrated that the proposed rezoning is compatible with surrounding development or can be made compatible with surrounding development through commitments or conditions; and

PROPOSED FINDING: No changes to the approved land uses are proposed with this amendment. No impact to those residences has been identified as a result of this petition.

- (C) Any portion of the PUD zoning district to be occupied by multifamily, mixed-use, or industrial development shall provide a greater level of internal connectivity and connectivity to surrounding developments than would be required by this UDO if the project were not being developed in a PUD zoning district; and

PROPOSED FINDING: No changes to the approved internal road network or connectivity within this PUD are proposed or approved.

- (D) Each multifamily, mixed-use, or nonresidential principal structure in the PUD zoning district shall provide a greater level of design quality than would be required by this UDO if the project were not being developed in a PUD zoning district; and

PROPOSED FINDING: This particular standard was evaluated with the initial PUD request. No changes to the approved development standards or architecture are proposed or approved with this amendment.

- (E) At least one of the following criteria are met;

- (i) The proposed PUD zoning district will include construction of a substantial open space, recreational, entertainment, or cultural amenity that will be open to and usable by the general public, and that would not otherwise be required by this UDO. Reconfiguration of open space required by this UDO does not satisfy these criteria;
- (ii) The proposed PUD zoning district will protect a significant ecological, natural, historical, architectural, or archeological resource that was not already protected from development by this UDO or by state or federal law. Avoidance of designated floodplains or wetland areas, or the

provision of additional buffers around such areas, does not satisfy these criteria; or

- (iii) The proposed PUD zoning district provides affordable housing beyond the amounts that the petitioner would have been required to provide in order to earn a Tier 1 or Tier 2 affordable housing incentive under Section 20.04.110(c)(5) by either:
 - (1) Income-restricting at least 10 percent more of the dwelling units at or below the income levels required to earn a Tier 1 or Tier 2 incentive, or
 - (2) Income restricting the same number of dwelling units required to earn a Tier 1 or Tier 2 affordable housing incentive, but limiting incomes to at least 10 percent lower AMI level than would have been required to earn a Tier 1 or Tier 2 incentive.20.04.110(c)(5)

PROPOSED FINDING: Compliance with section (i) was evaluated with the initial PUD request. The PUD was approved to set aside the required amount of preservation area and that was shown on the approved final plan. Section (iii) was also evaluated with the initial PUD request and the petitioner is dedicated 45 single family lots to the City to meet the diverse housing needs of the community. This will be done with the recording of the secondary plat. No changes to these aspects of the petition are proposed with this amendment.

20.06.040(d)(6)(D) Additional Criteria Applicable to Primary Plats and Zoning Map Amendments (Including PUDs)

(i) Consistency with Comprehensive Plan and Other Applicable Plans

The proposed use and development shall be consistent with and shall not interfere with the achievement of the goals and objectives of the Comprehensive Plan and any other adopted plans and policies.

PROPOSED FINDING: The request to allow the reduced lot frontages and depth to width ratio does not specifically tie into the Comprehensive Plan guidance as this is a requirement specific to the Unified Development Ordinance.

(ii) Consistent with Intergovernmental Agreements

The proposed use and development shall be consistent with any adopted intergovernmental agreements and shall comply with the terms and conditions of any intergovernmental agreements incorporated by reference into this UDO.

PROPOSED FINDING: There are no known intergovernmental agreements effected or involved with this petition.

(iii) Minimization or Mitigation of Adverse Impacts

- (1) The proposed use and development shall be designed to minimize negative environmental impacts and shall not cause significant adverse impacts on the

natural environment. Examples of the natural environment include water, air, noise, stormwater management, wildlife habitat, soils, and native vegetation.

PROPOSED FINDING: The PUD places all protected environmental features in the required easements and buffers. These were evaluated and approved with the preliminary plan and district ordinance.

- (2) The proposed use and development shall not result in the excessive destruction, loss or damage of any natural, scenic, or historic feature of significant importance.

PROPOSED FINDING: All required natural features were evaluated and protected with the initial PUD petition. No changes to those standards are proposed. There are no scenic or historic features of significant importance on this property.

- (3) The proposed use and development shall not result in significant adverse fiscal impacts on the city.

PROPOSED FINDING: There are no expected adverse fiscal impacts to the City. All new roads and infrastructure serving this development will be installed at the petitioner's expense. However, it appears that the desired ROW along Arlington Park Drive may be reduced below 50 feet, which is not desirable to the City for future maintenance of the road right-of-way.

- (4) The petitioner shall make a good-faith effort to address concerns of the adjoining property owners in the immediate neighborhood as defined in the pre-submittal neighborhood meeting for the specific proposal, if such a meeting is required.

PROPOSED FINDING: Appropriate buffers were shown on the approved final plan along the property boundaries to mitigate possible impacts to adjacent properties. The Department will continue to monitor any impacts to vehicular traffic in the area for possible negative impacts.

(iv) Adequacy of Road Systems

- (1) Adequate road capacity must exist to serve the uses permitted under the proposed development, and the proposed use and development shall be designed to ensure safe ingress and egress onto the site and safe road conditions around the site, including adequate access onto the site for fire, public safety, and EMS services.

PROPOSED FINDING: This development was approved with 3 public access points to the adjacent public roads. There will be 2 access points on 17th Street to the south and an access point to Arlington Road to the east. This provides multiple ingress and egress points to the property. All of these access points were required to be set aside in dedicated right-of-way.

- (2) The proposed use and development shall neither cause undue traffic congestion nor draw significant amounts of traffic through residential streets.

PROPOSED FINDING: Access to this property will come from two public road connections on 17th Street, neither of which go through residential developments

and one new public road connection to Arlington Road.

(v) Provides Adequate Public Services and Facilities

If the petition involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required to comply with the project's cumulative development to date and shall not depend upon subsequent phases for those improvements.

PROPOSED FINDING: This project was approved and is all under construction in one phase. The infrastructure for the single family lots is required to be installed prior to dedication to the City.

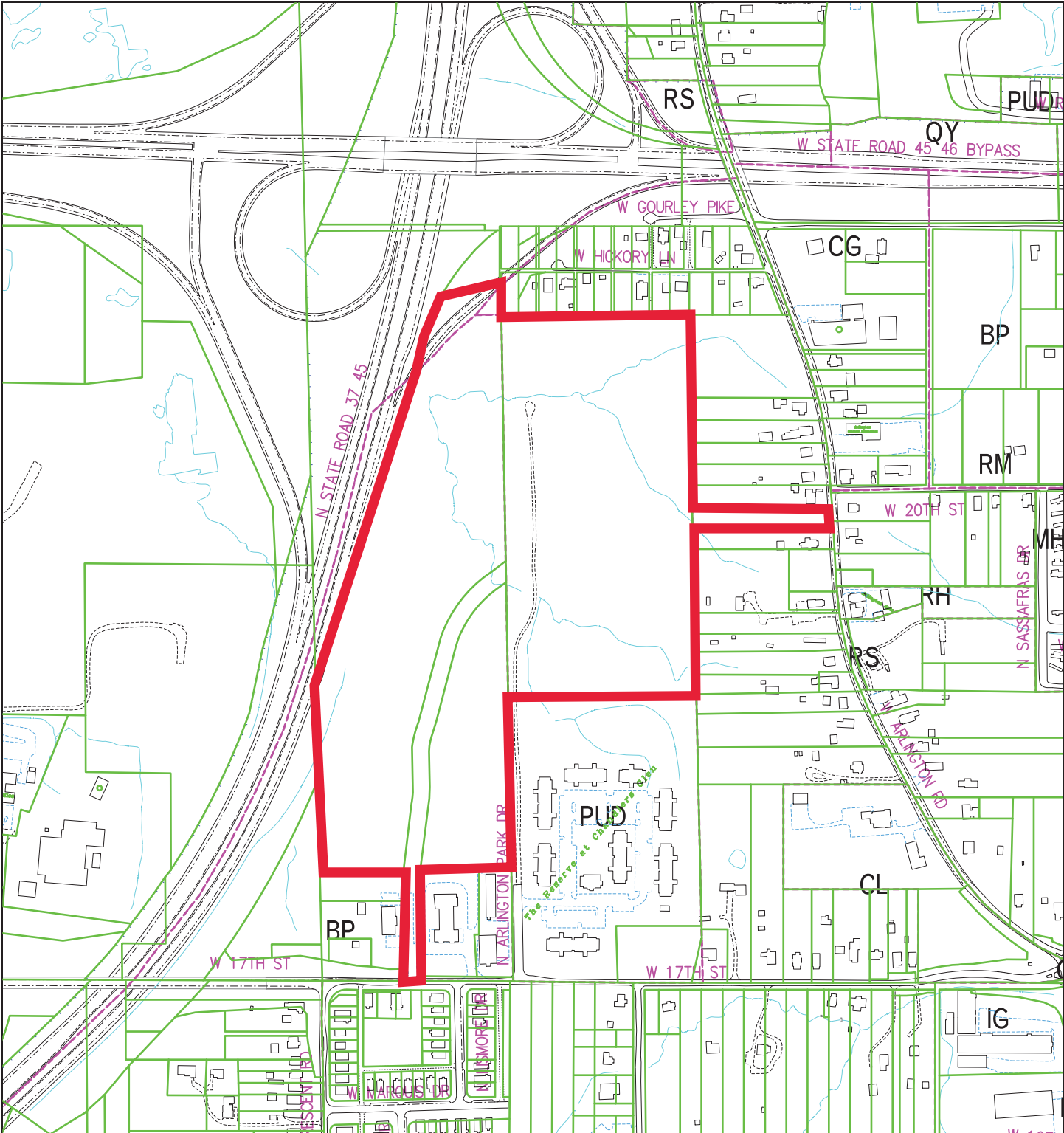
(vi) Rational Phasing Plan

If the petition involves phases, each phase of the proposed development shall contain all of the required streets, utilities, landscaping, open space, and other improvements that are required to comply with the project's cumulative development to date and shall not depend upon subsequent phases for those improvements.

PROPOSED FINDING: The development was approved to be completed in one phase.

CONCLUSION: The petitioner's request would allow for the creation of lots that are extremely narrow in width, are unbuildable, and are extremely out of sync with standard UDO length/width ratios. This type of lot creation is not desired by the UDO and does not present 'new and imaginative concepts' or 'create distinct developments with unique urban design'. The development will have frontage on public roads, including Arlington Park Drive, once the secondary plat is complete. Signage can be placed on the site of the development with frontage on those public roads. The proposed changes to the PUD would allow the creation of lots solely for the purpose of signage on road frontages that are not immediately adjacent to the development and does not seem to warrant the requested deviations just for what amounts to off-premise signage.

RECOMMENDATION: The Department recommends that the Plan Commission forward this petition to the Common Council with a negative recommendation.



PUD-36-19 Trinitas Development

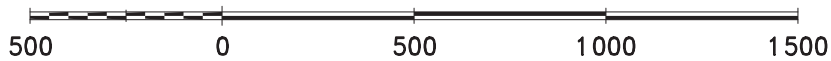
1550 N Arlington Park Drive

Plan Commission

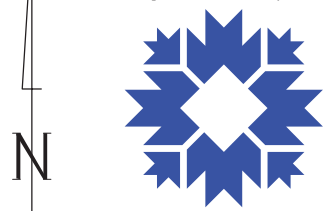
Site location, parcels, zoning

By: greulice

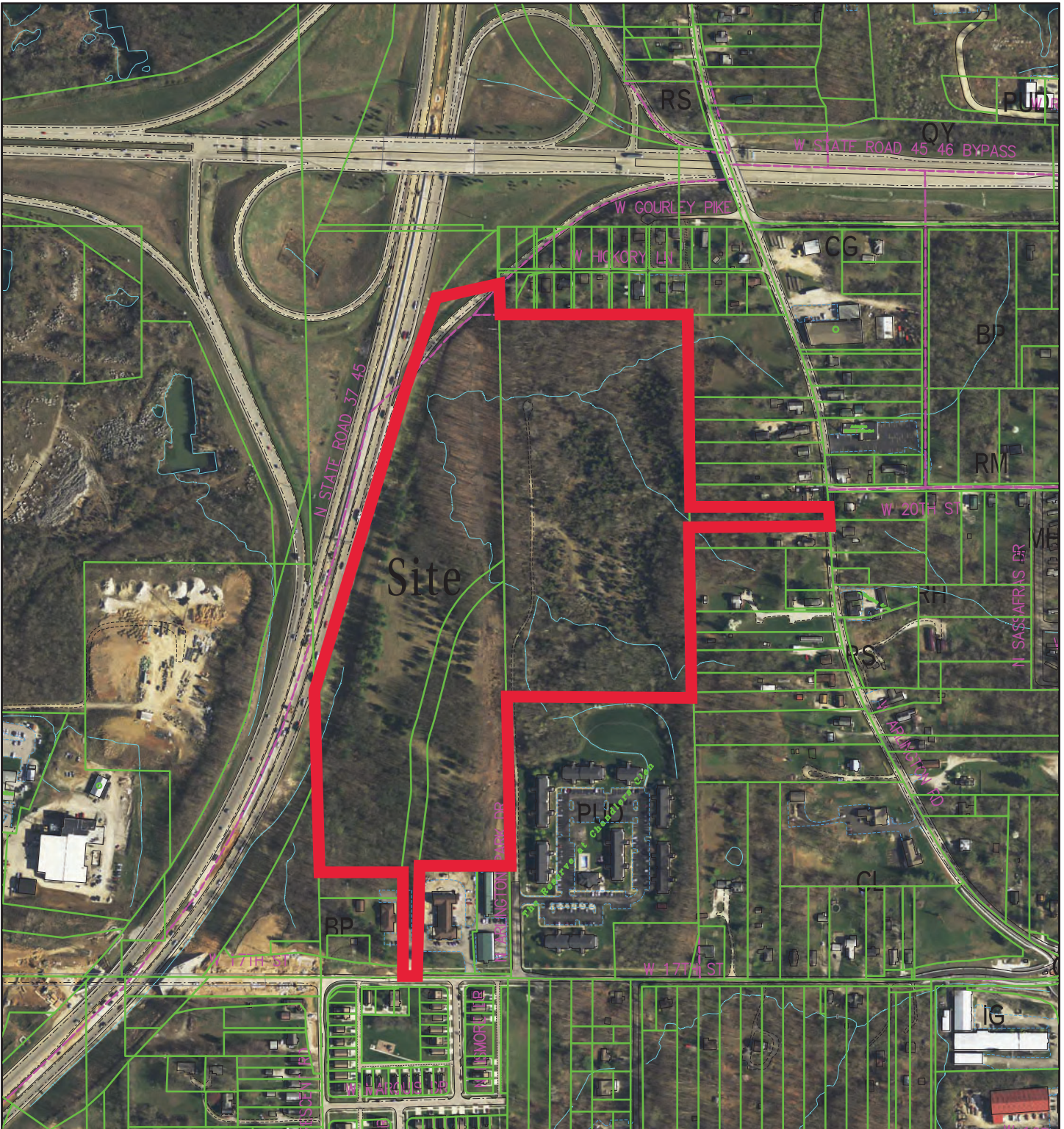
6 Dec 19



City of Bloomington
Planning & Transportation



Scale: 1" = 500'



PUD-36-19 Trinitas Development

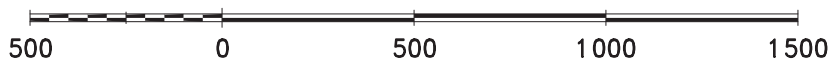
1550 N. Arlington Park Drive

Plan Commission

2016 Aerial Photograph

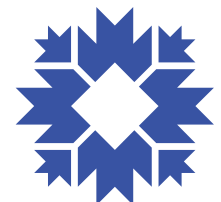
By: greulice

6 Dec 19



For reference only; map information NOT warranted.

City of Bloomington
Planning & Transportation



Scale: 1" = 500'



Corporate HQ
201 Main Street, Suite 1000
Lafayette, IN 47901

www.trinitas.ventures
phone: (765) 807-2700

Indianapolis Office
6300 Cornell Avenue
Indianapolis, IN 46220

December 6, 2021

Eric Gruelich
Senior Zoning Planner
City of Bloomington
401 N. Morton Street
Bloomington, IN 47404

RE: Trinitas PUD Amendment, "W. 17th Street."

Dear Mr. Gruelich,

Trinitas Development is pleased to submit the enclosed PUD Amendment submittal to be considered by the City of Bloomington. The District Ordinance and Plan for this development was approved by City Council as Ordinance 20-04 on March 5, 2020, and the final plan approved by the City of Bloomington Plan Commission on June 8, 2020. This residential development is proposed on the northwest side of Bloomington, just east of Interstate 69, north of 17th Street and west of Arlington Road. The development will feature a mixture of residential units including apartments, townhomes, duplexes, and single-family homes across four primary areas of development. A total of 337 units, 825 beds, and 458 parking spaces are planned onsite.

Trinitas is seeking amendment of the PUD regarding the minimum lot width standards as well as clarification on the retail amenity space in Area C. The amendment for lot width standards is to allow lots with a minimum of 1' in width. This amendment would allow monument sign locations for the property near 17th Street and Arlington Road that would allow the site to be more easily identified. The amendment to the language surrounding the retail amenity space in Area C would be to allow the potential for more uses, such as a video/podcast studio space. The submittal package includes revised plat text for the new lots, revised plat showing the new lots, signage exhibit highlighting where the lots are, schematic of potential monument sign, and potential retail space buildout. The proposed monument signs and retail space buildout are currently being designed and updated renderings will be provided ahead of the January 10th hearing.

We respectfully request to be placed on the January 10th, 2021, agenda for the City of Bloomington Plan Commission for consideration of this PUD amendment.

Sincerely,

Austin Tracey
Manager, Development Operations

DISTRICT ORDINANCE

W. 17th Street

A Planned Unit Development

Trinitas Development LLC

Adopted: March 4, 2020

Revision: December 12, 2021



*images in document are representative, not final

TABLE OF CONTENTS

| | |
|---|----|
| 1. Revisions | 2 |
| 2. Project Narrative | 2 |
| Exhibit A – Overall Site Plan | 17 |
| Area A Site Plan | 18 |
| Area B Site Plan | 19 |
| Area C Site Plan | 20 |
| Area D Site Plan | 21 |
| 3. Responses to Environmental Commission Review | 22 |
| 4. Additional Rendering – View from I-69 | 25 |
| 5. C301 – Overall Proposed Site Layout | 26 |
| 6. C201 – Site Reference Access Roads | 27 |
| 7. C501 – Access Road Cross-Sections | 28 |
| 8. Bloomington Transit Proposed Route Information | 30 |
| 9. Updated Traffic Impact Study | 31 |

Revisions

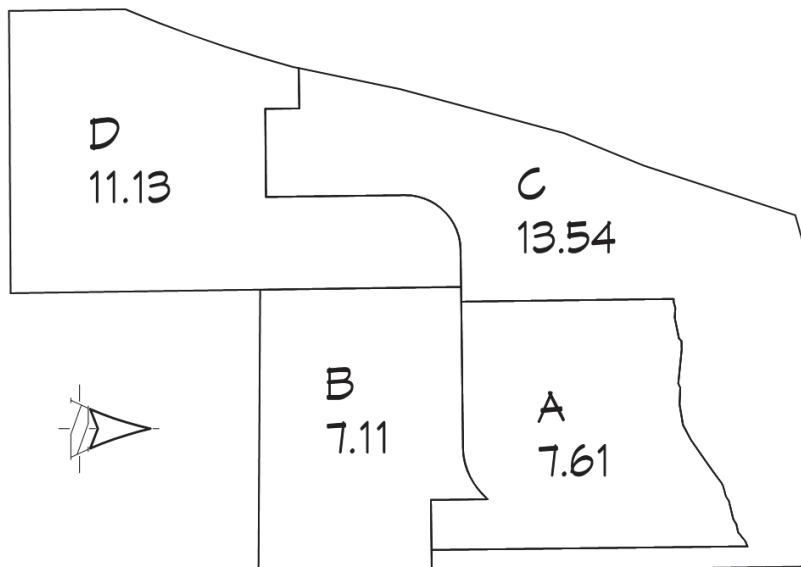
The minimum lot frontage along 17th Street and Arlington Road is to be 1 foot. See revised plat for proposed lots.

Commercial space in Area C redefined as “small commercial space providing coffee/tea, food/snacks, video/podcast studio space, or other commercial uses permitted by ordinance.”

Planned Unit Development

The W. 17th Street Project (the “Project”) is a proposed development on the northwest side of Bloomington, just east of Interstate 69, north of 17th Street, west of Arlington Road and located within the Crescent Bend Neighborhood. This proposed residential development will include a mixture of residential units including apartments, townhomes, duplexes and single-family homes. The site consists of 39.29 acres of land with an overall proposed density of 9.85 units per acre. The plan includes approximately 14.62 acres of green space intended to protect existing environmental features. There is one planned entrance off Arlington Road and two points of access off 17th Street. Currently, the property is zoned PUD and Business Park. A portion of the property was a part of a now expired PUD that included an affordable housing development along 17th Street. This former PUD established one point of access off 17th Street. Another portion of the property is currently zoned Business Park and has been developed over several years with smaller commercial buildings along 17th Street. This provides a second point of access off 17th Street.

SITE AREAS



The proposed development incorporates new urbanist design principles and draws on the existing UDO and Comprehensive Plan to set standards for the development. The desire for complete streets, a variety of housing types, a modified gridded street pattern and meaningful open space have been major drivers for design of the

Project. The site layout focuses on preserving existing environmental features such as trees and sloped areas and, most importantly, existing waterways. As environmental features were identified the design resulted in four (4) primary areas of development:

- A. Area A (Single-Family Lots) - The lots outlined in the northeastern portion of the site are purposefully designed with owner-occupied single-family homes in mind. Trinitas is proposing to convey 45 finished (buildable) lots to the City so that the City may decide how best to deliver homes that address Bloomington’s workforce housing needs. All infrastructure, including utilities, will be completed by Trinitas prior to conveyance of the lots to the City.
- B. Area B (Townhomes) - Townhomes are designated in the southeast section of the property. These townhomes will be for rent units located immediately south of the single-family area.
- C. Area C (4-story Multi-family and Amenity Building) - This area consists of one to two 4-story buildings that will feature for rent apartment units. This building(s) will also incorporate a Clubhouse featuring a business center, collaboration areas, fitness rooms, and provide other indoor and outdoor amenity space for residents. Another feature of this building(s) will be a small retail space thought to house coffee, tea and an assortment of snacks available to the public.
- D. Area D (Cottages) - Cottages, also referred to as duplexes, will be located in the southwest portion of the site and will be for rent units.

Trinitas anticipates completing the Project over a 24-month period once construction begins. The preliminary schedule shows Area C, Area D, along with the infrastructure and platting of Area A, and the connection to Arlington Road being completed as the first phase of construction.

Overall, Trinitas believes the Project will substantially improve the aesthetic and economic value of the area and add to the compact urban form within the urban service boundary of the City of Bloomington. The recently adopted Growth Policy Plan calls for neighborhood residential—qualifying densities ranging from 2-15 units per acre. The proposed density for the W. 17th Street Project is 9.85 units per acre on average across all areas of the development.

Overall Site Features

Project Data:

Gross Acreage – 39.29

Total Units (Areas B-D) - 387

Total Beds (Area B-D) – 825

1 Bedrooms – 109

2 Bedrooms – 326

3 Bedrooms – 210

4 Bedrooms - 180

Parking Spaces (Area B-D) – 458

Single-Family Lots (Area A) – 45

Land Use and Development Standards

The Project proposes four (4) areas of residential development as shown on the site plan in Exhibit A. Each of these areas has specific development standards identified from the Bloomington Unified Development Ordinance (UDO). When a standard is not specifically identified in this document, the referenced UDO District, is intended to govern.

Open Space and Environmental Conservation

The site plan incorporates 14.62 acres of undeveloped land. This land, accounting for 37% of the total site area, will remain as dedicated open space or within a Conservation Easement for the benefit of the City of Bloomington. The majority of this area is on the northern and northwestern portions of the site, however, there are undisturbed buffers that extend along the entire western boundary with “fingers” of undisturbed area in and through the central portion of the site.

A limited tree survey was completed focusing on a 50-foot wide strip within the proposed open space easement on the western property boundary. Based on results from this survey, a 30'-50' buffer to protect existing trees has been established along the majority of I-69 frontage.

Please note the existence of a 100-foot Duke Energy power easement located in the center of the site and traverses the entire property from north to south.

Access and Roadways

There will be two (2) entrances to the site located off W. 17th Street and one entrance accessible from/to Arlington Road. Information regarding the two (2) W. 17th Street access points is listed below.

W. 17th Street Eastern Access via N. Arlington Park Drive: A 50' roadway and utility easement was recorded with the Arlington Park (Glick Arlington Park LLC as owner), Phase I plat. This plat is recorded in plat cabinet C envelope 196 (see note 4). Trinitas is in discussions with Glick asking Glick to dedicate this Easement land to the City as public right-of-way.

W. 17th Street Western Access via 60-foot Roadway and Utility Easement: Parcel 1, Tract 1 of the Morris subdivision shows Morris owns a 60' wide strip of land from 17th street to the remainder of the property which has a Roadway and Utility Easement overlay. Since this Easement is to the benefit of the Morris tract, upon purchasing the land (Summer 2020) Trinitas will 1.) vacate the Easement, then 2.) dedicate this land to the City as public right-of-way via the platting process.

Roadways throughout the site are intended to be public where feasible and are designed to meet City standards. These roadways will be dedicated to the City at time of plat recordation.

A multi-use path is designed along the entire length of the main roadway running through the site connecting Arlington Road to W. 17th Street.

Transportation

Trinitas has received a proposal from Bloomington Transit (“BT”) to create a new bus route that would serve the proposed development. Trinitas intends to enter into an agreement with BT to provide bus transit services for the Project In lieu of operating its own, private shuttle service for daily weekday transportation to and from various points within the City. Trinitas’ residents will have the non-exclusive right to access and ride the service at no charge using a means of identification for free passage which shall be mutually agreed upon by BT and Trinitas.

The BT proposal for a new bus route includes a schedule to operate on a 40-minute frequency, Monday-Friday, on a year-round basis from approximately 7:00 am to 10:00 pm and will include multiple stops in the Downtown and IU Campus areas. Any agreement between Trinitas and BT is thought to include a 3-year base term for service. Additional terms are outlined in an email from Lew May to Jeff Kanable dated October 16, 2019 and is included in Exhibit B, Supportive Information. Final terms will be agreed upon approximately 12-months in advance of completion of the Project and are subject to approval by the BT Board of Directors and Trinitas Executive Committee.

Trinitas is planning to provide shuttle service for residents during the late evening, Monday through Friday (after 10 pm) and on weekends.

Pedestrian Access

The Project will be designed and built with the pedestrian in mind, encouraging residents to rely less heavily on personal automobiles. This is accomplished through a mix of well-connected multi-use paths and sidewalks throughout the site. A 10-foot multi-use path will run parallel to the main roadway from Arlington Road to W. 17th Street. Sidewalks allow pedestrians to easily walk throughout the site, to the bus stop, to the Clubhouse and amenity area or even to the recreational area and open spaces. Walking is just one (1) alternate transportation option residents of the Project will enjoy. Bicycle, scooter and other means of transportation also exist as a result of the interconnectivity of sidewalks and paths throughout the Project.

Trinitas explored the feasibility of adding a sidewalk along Arlington Road, however, Right-of-Way does not currently exist and topography and drainage ditches pose significant challenges to the implementation of this sidewalk. A sidewalk stub is currently provided should future Right-of-Way be established.

Occupancy

Occupancy shall be governed by

Occupancy for all other Areas shall be:

1. 1 and 2-bedroom unit occupancy is limited to 3 unrelated adult persons.
2. 3 and 4-bedroom unit occupancy is limited to 5 unrelated adult persons.

Parking requirements

Parking for the overall development, excluding the single-family lots in Area A, is .56 spaces on a per bedroom basis. A 15’ parking setback for the perimeter of the overall PUD area is provided. A breakdown of parking is shown below:

Public parking spaces: 125

Surface parking spaces: 251

Garage spaces: 82

Bicycle parking shall be provided based on one space per four bedrooms. This parking will be dispersed throughout the Project.

Sustainability Initiatives

The following sustainability/green initiatives will be implemented in designated areas of the development.

1. The parking for units within Areas B-D shall have a minimum of 2% or 8 spaces that are plug-in ready for electrical vehicle charging stations. Trinitas is currently planning for 12 total spaces to be covered with solar arrays on the roof of those structures. The intent is for solar power to generate the electricity to the electric vehicle charging stations. There will be wayfinding signage directing residents of their location.
2. Designated areas accessible to waste haulers and building occupants for the collection and storage of recyclable materials have been positioned in three separate areas of the site and are noted on the site plan.
3. To reduce water usage on-site, we will eliminate all irrigation and utilize native plantings.
4. The use of natural light in the clubhouse will be incorporated into the design to reduce interior light pollution.
5. Lighting controls and occupancy sensors within designated areas of the clubhouse will be utilized to reduce energy consumption.
6. Energy efficiency will be realized through the installation of energy star appliances throughout all buildings.
7. Water usage will be controlled throughout the clubhouse utilizing low flow plumbing fixtures.
8. Stormwater treatment and detention throughout the site will incorporate bio-filtration strips at the edge of some parking areas for stormwater to sheet flow off and into these areas for immediate treatment.
9. Utilization of low volatile organic compounds will be utilized during construction of the clubhouse, including items such as: paint, adhesives, sealants, flooring and insulation.
10. The development will purchase a minimum of 10% regional building materials (by cost) that are sourced and manufactured within 500 miles of the site.
11. The 4-story Multi-Family and Amenity Building will comply with Energy Standard for Buildings ASHRAE 90.1-2007.
12. The building envelope for the clubhouse will incorporate the following:
 - Window = 0.40 U Factor non-metal, 0.50 U Factor metal, 0.40 SHGC
 - Roof insulation value = R20
 - Wall Insulation value = R13 wood framed wall
13. Each ventilation system in the clubhouse that supplies outdoor air to occupied spaces will have particle filters or air cleaning devices that have a minimum efficiency reporting value (MERV) of 13 or higher, in accordance with ASHRAE Standards 52.2-2007.
14. Smoking will be prohibited in all public areas within the community during all times including but not limited to the clubhouse, fitness areas, pool area, courtyard area, and sports courts.

15. Trinitas will participate in consulting program offered by Duke Energy to identify efficiencies in design to maximize energy savings for four story building in Area C.
16. On site recycling.
17. Invasive species will be removed from conservancy areas.
18. High quality woods on the northern portion of the property will be protected in a conservancy easement, as well as, a 30'-50' easement along the majority of I-69 frontage.
19. Trinitas continues to explore the feasibility of implementing solar to portions of the 4-story building roof deck.

Services (including mechanical, utility and trash services)

Utility services boxes, telecommunication devices, cables, vents, flues, chillers, fans, trash receptacles, dumpsters and service bays located on private property shall be screened from view from the public street. No dumpsters will be located within the front setback area of any public street.

Sign Standards

One freestanding sign is proposed near one of the two entrances on 17th Street and one freestanding sign is proposed near the entrance on Arlington Road. Each of these signs has a maximum square footage of 36 square feet per side and a maximum height of six feet.

For the multifamily building in Area C, 200 total square feet of permanent wall signage is proposed.

Site Drainage Standards

All drainage standards shall be in accordance with the City of Bloomington Utility standards and engineering practices however, the following design considerations may be incorporated into the entire Project site for the BMP plan including stormwater retention/detention and stormwater quality:

1. The drainage area (contributing or effective) of the entire Project site is allowed to be served by one post-construction BMP or can be split into many throughout the site.
2. The maximum treatable ponding depth for stormwater quality areas may be up to 4 feet.

Architecture

Proposed structures are intended to reflect a contemporary residential development. Each of the areas as defined herein are intended to have flexibility and predictability in product type while also consisting of an overall theme that weaves together each of the Areas A-D. Representative images can be found within this document. More specific detail pertaining to each Area A-D can also be found within this document.

Structures in Areas A, B and D are intended to be one to three stories in height with front porches and rear patios. Area C proposes a four-story apartment building(s) over a parking garage. Exterior construction across each of the Areas will include high quality siding with some additional architectural accents such as shake and/or board and batten in addition to residential windows and doors.

The Project will follow the anti-monotony standards as specified herein. The community will be adequately landscaped with native plantings and buffer yard landscaping. Planting emphasis will be placed on the east and west property lines. Each dwelling unit shall feature landscaping which will consist of native plantings,

shrubbery and perennials. Final landscape plans will be provided with each final Area plan and will be consistent with the UDO as adopted on the date the preliminary plan is approved.

Lot Standards and Uses

| Area | Description | Acreage | Units | DUE |
|-------|-------------------------|---------|-------|-------|
| A | Single-family lots | 7.61 | 45 | N/A |
| B | Townhomes | 7.11 | 162 | 92.75 |
| C | Multi-family apartments | 13.54 | 113 | 105.5 |
| D | Duplexes or townhomes | 11.13 | 112 | 108.5 |
| Total | | 39.29 | 387 | 328.5 |

Anti-monotony Code

The following variations will be used to break up the monotony in the design such that no two structures sitting side by side are identical in at least 2 aspects as listed below at the time of building permit. Examples of proposed colors and exterior materials are found within the body of this document.

- A. Difference in roofline.
- B. Difference in overall building footprint.
- C. Difference in building color.
- D. Difference in exterior materials.
- E. Setback

Easements

Easements shall be per UDO standards.



Area A

Area A is a single family residential platted lot subdivision designed to the standards of the Residential Urban (R4) District of the Unified Development Ordinance of the City of Bloomington. This area is approximately 7.61 acres and is intended to include approximately 45 single family lots, which can be developed and owned individually. Specific standards with respect to lot size, lot coverage and elements of design (building materials and setbacks) are those of the R4 District unless specified below. The finished lots in Area A are intended to be conveyed to the City of Bloomington for the purposes of providing workforce housing. Allowable uses in this area include single family, attached single family, and plexes.

Impervious Surface Coverage: 3.04 acres (40%)

**permeable pavers may be used toward meeting impervious surface coverage requirements*

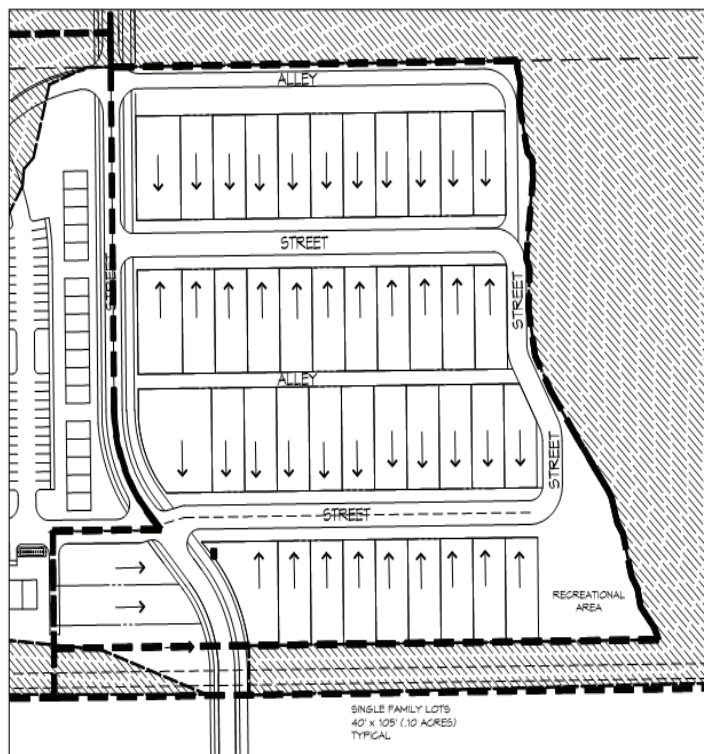
Setbacks from outer property lines: 15'

Individual Lot Setbacks:

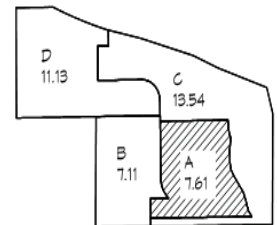
Front yard – 10'

Side yard – 5'

Rear yard – 5'



SITE AREAS



AREA A - SINGLE FAMILY
 (45) LOTS
 40'X105', .10 ACRE TYPICAL LOT
 (5.91) UNITS PER ACRE

Area B

Area B is a townhome residential area. This area could be single family lots, paired homes, townhomes, zero lot line homes or condominiums as set forth in the standards of the Residential Multifamily (RM) of the Unified Development Ordinance. This area is approximately 7.11 acres and is intended to include approximately 162 townhome dwelling units, which could be individually owned in the future, but are currently planned as rental units. Specific standards with respect to lot size, lot coverage and elements of design (building materials and setbacks) are those of the RM District unless specified below.

Impervious Surface Coverage: 2.63 acres (40%)

**permeable pavers may be used toward meeting impervious surface coverage requirements*

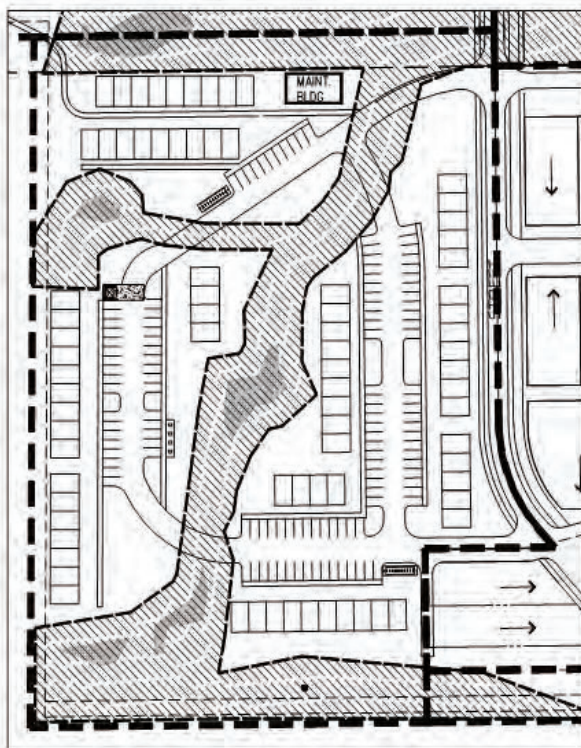
Density: 162 units, 22.78/acre

Setback from outer property line – 15'

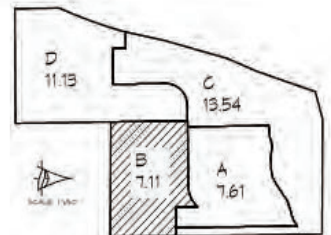
Permitted Uses – Single family detached, single family attached, rowhouses, townhomes (no more than 16 units in a building)

Building Materials: Fiber cement horizontal lap siding, fiber cement vertical board and batten, asphalt roof shingles, vinyl windows, limestone, brick, or masonry

**Dwelling Unit Equivalentents are calculated using the following breakdown: 4 bedroom unit (1.5 units), 3 bedroom unit (1.0 unit), 2 bedroom unit with <950 sq ft (.66 of a unit), 1 bedroom unit with <700 sq ft (.25 of a unit)*



SITE AREAS



AREA B - TOWNHOUSES
 (92.75) DUE UNITS, (255) BEDS
 (13.05) DUE UNITS PER ACRE
 (123) SURFACE PARKING SPACES

AREA B UNIT MIX -

| | | |
|--------------|------------|-------------|
| 1 BED | 70 | 43.2% |
| 2 BED | 70 | 43.2% |
| 3 BED | 16 | 9.9% |
| 4 BED | 6 | 3.7% |
| TOTAL | 162 | 100% |

Area C

Area C is a multi-family residential area which could include limited commercial on the first floor. This area can be apartment or condominiums as set forth in the standards for Residential High-Density (RH) District of the Unified Development Ordinance. Allowable use will include up to 113 dwelling units and up to 1,700 square feet of commercial space allowing for coffee/tea sales, food/snack sales and other retail sales. This Area will allow for up to 65-feet in building height. Other specific standards with respect to lot size, lot coverage and elements of design (building materials and setbacks) are those of the RH District unless specified below. This area is approximately 13.54 acres.

Impervious Surface Coverage: 1.56 acres (12%)

**permeable pavers may be used toward meeting impervious surface coverage requirements*

Density: 113 units, 8.35/acre

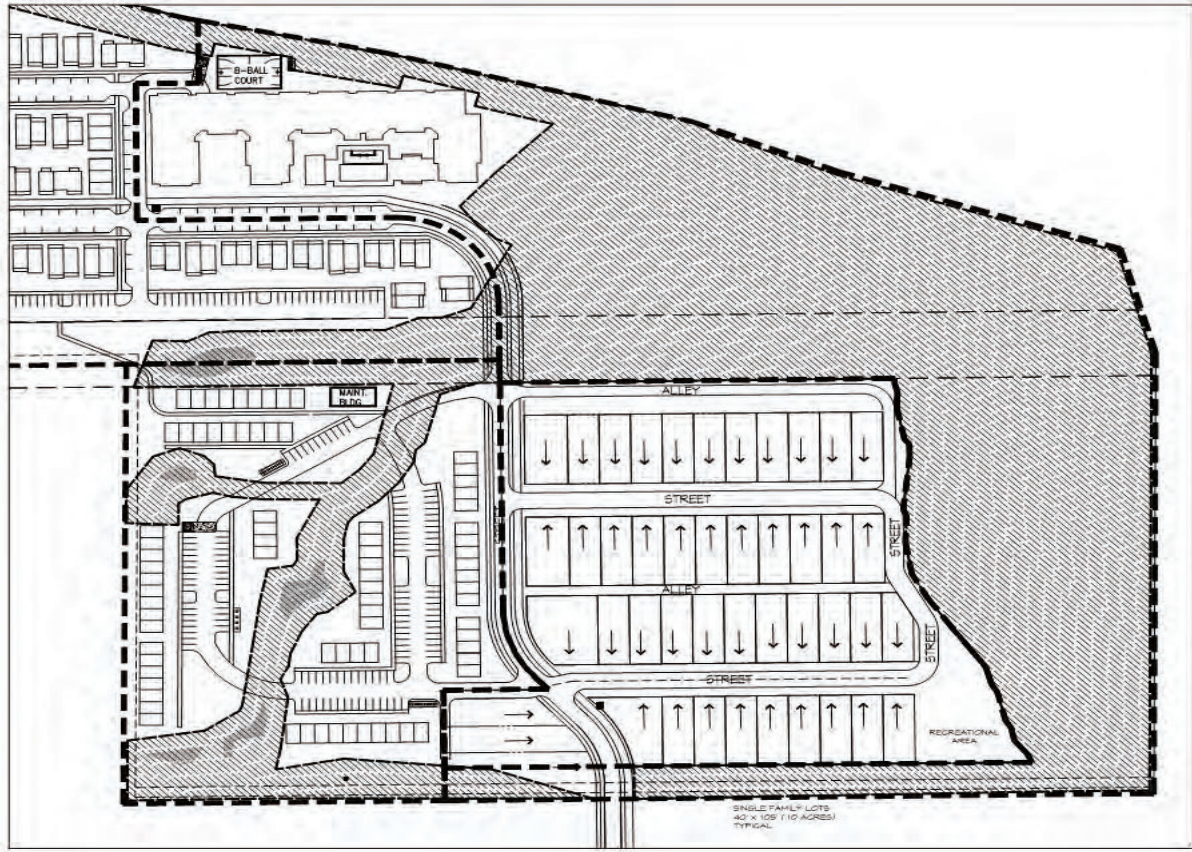
Setback from outer property line – 15'

Permitted Uses – Multifamily dwellings and the following commercial uses: antique sales, apparel and shoe sales, art gallery, artists studio, arts/craft/hobby store, barber/beauty shop, bicycle sales/service, bookstore, brewpub, business/professional office, community center, computer sales, convenience store (without gas), copy center, day care center, drugstore, fitness/training studio, florist, garden shop, gift shop/boutique, government office, grocery store/supermarket, hardware store, health spa, jewelry shop, library, medical clinic, museum, music/media sales, musical instrument sales, pet grooming, pet store, photography studio, police/fire/rescue station, recreation center, restaurant, restaurant (limited service), retail (low intensity), school, shoe repair, social services, sporting goods sales, veterinary clinic, video rental

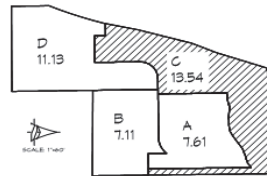
Building Materials: Fiber cement horizontal lap siding, fiber cement vertical board and batten, asphalt roof shingles, vinyl windows, limestone, brick, or masonry

**Dwelling Unit Equivalents are calculated using the following breakdown: 4 bedroom unit (1.5 units), 3 bedroom unit (1.0 unit), 2 bedroom unit with <950 sq ft (.66 of a unit), 1 bedroom unit with <700 sq ft (.25 of a unit)*

Area C Site Plan and Unit Breakdown included on next page.



SITE AREAS



AREA C - HIGHER DENSITY MULTIFAMILY
 (105.5) DUE UNITS, (261) BEDS
 (7.74) DUE UNITS PER ACRE
 (13) SURFACE PARKING SPACES
 (82) GARAGE PARKING SPACES

AREA C UNIT MIX -

| | | |
|-------|-----|-------|
| 1 BED | 12 | 10.6% |
| 2 BED | 57 | 50.4% |
| 3 BED | 41 | 36.3% |
| 4 BED | 3 | 2.7% |
| TOTAL | 113 | 100% |

Area D

Area D is a cottage or duplex residential area. This area could be apartments or condominiums (1-6 units per building) as set forth in the standards of the Residential Multifamily (RM) District of the Unified Development Ordinance of the City of Bloomington. This area is approximately 11.13 acres and is intended to include approximately 112 dwelling units which could be under single or individually ownership but are currently planned as rental units. Specific standards with respect to lot size, lot coverage and elements of design (building materials and setbacks) are those of the RM District unless specified below.

Impervious Surface Coverage: 5.44 acres (49%)

**permeable pavers may be used toward meeting impervious surface coverage requirements*

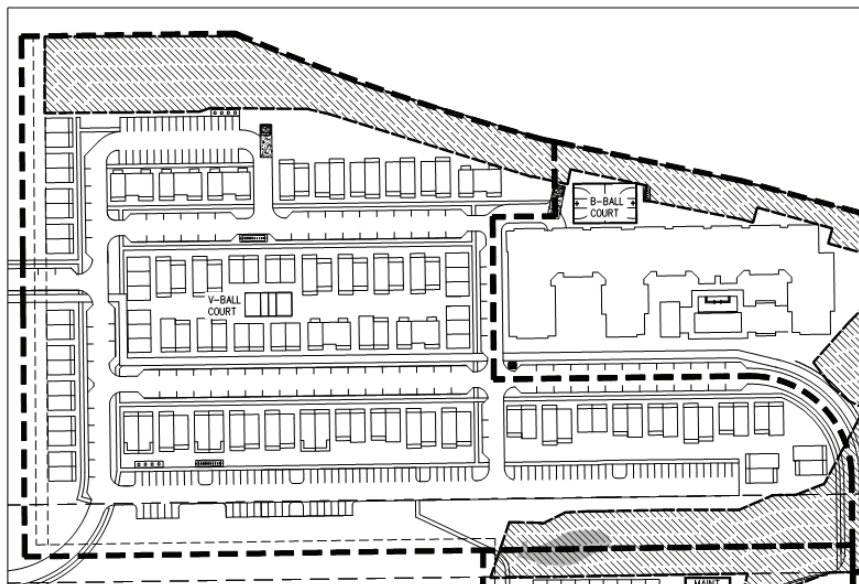
Density: 112 units, 10.06/acre

Setback from outer property line – 15'

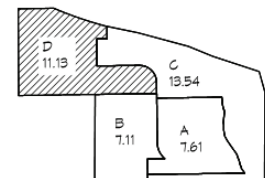
Permitted Uses – Single family attached dwelling

Building Materials: Fiber cement horizontal lap siding, fiber cement vertical board and batten, asphalt roof shingles, vinyl windows, limestone, brick, or masonry

**Dwelling Unit Equivalents are calculated using the following breakdown: 4 bedroom unit (1.5 units), 3 bedroom unit (1.0 unit), 2 bedroom unit with <950 sq ft (.66 of a unit), 1 bedroom unit with <700 sq ft (.25 of a unit)*



SITE AREAS



AREA D - COTTAGES (DUPLEXES)
 (12) TOWNHOUSES
 (106) COTTAGES
 (108.5) DUE UNITS, (304) BEDS
 (9.15) DUE UNITS PER ACRE
 (240) SURFACE PARKING SPACES

AREA D UNIT MIX -

| | | |
|-------|-----|-------|
| 1 BED | 26 | 23.2% |
| 2 BED | 38 | 33.9% |
| 3 BED | 12 | 10.7% |
| 4 BED | 36 | 32.2% |
| TOTAL | 112 | 100% |

W. 17TH STREET P.U.D. SUBDIVISION

FINAL PLAT
BLOOMINGTON TOWNSHIP
SECTION 29, T 9 N, R 1 W,



Scale 1" = 120 ft
BASIS OF BEARING
SPCS IN WEST NAD 83

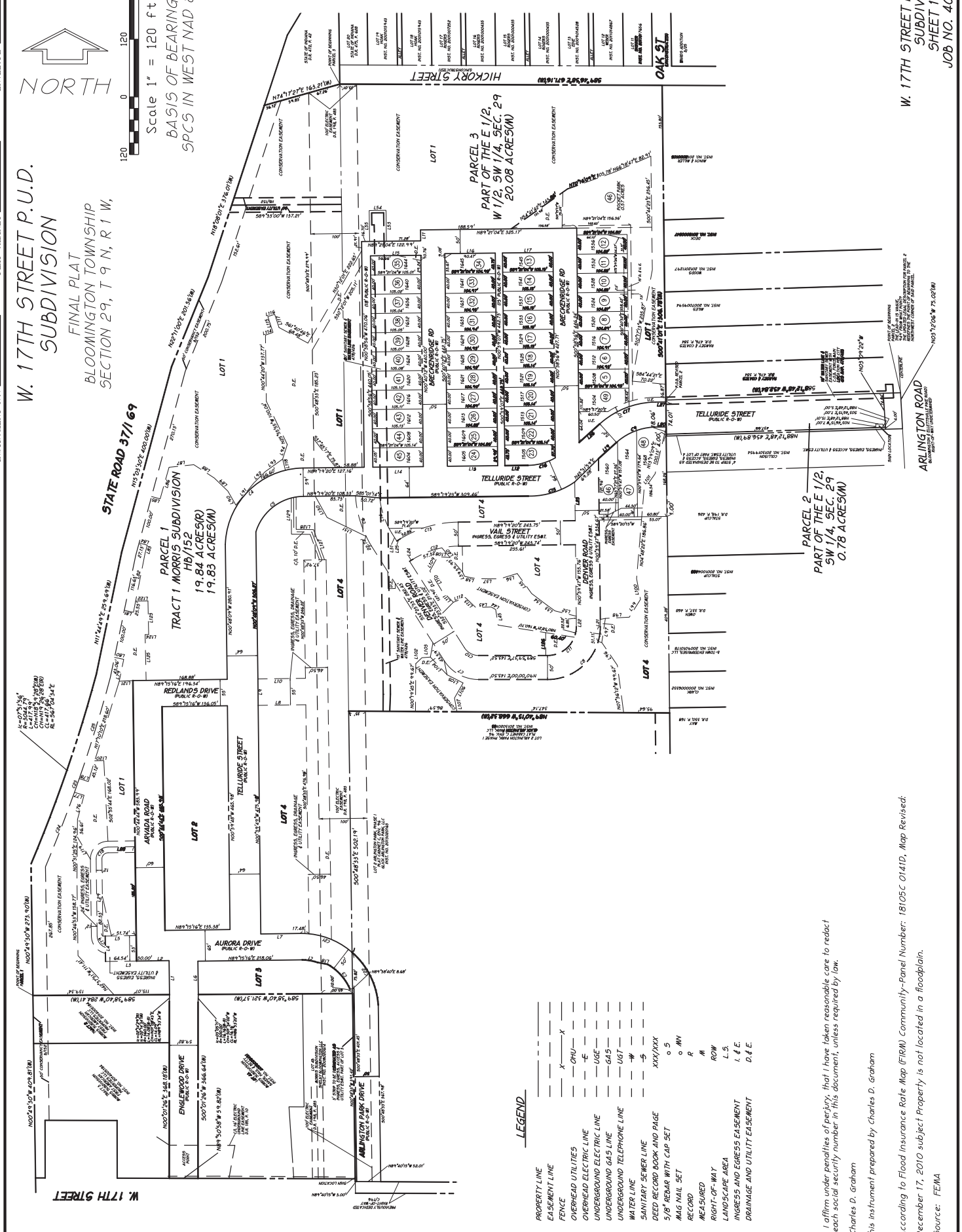
W. 17TH STREET

STATE ROAD 37/1 69

TRACT 1 MORRIS SUBDIVISION
PARCEL 1
19.84 ACRES(R)
19.83 ACRES(SM)

PARCEL 3
PART OF THE E 1/2,
W 1/2, SW 1/4, SEC. 29
20.08 ACRES(SM)

PARCEL 2
PART OF THE E 1/2,
SW 1/4, SEC. 29
0.78 ACRES(SM)



LEGEND

- PROPERTY LINE
- EASEMENT LINE
- FENCE
- OVERHEAD UTILITIES
- OVERHEAD ELECTRIC LINE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND GAS LINE
- UNDERGROUND TELEPHONE LINE
- WATER LINE
- SANITARY SEWER LINE
- DEED RECORD BOOK AND PAGE
- 5/8" REBAR WITH CAP SET
- IRREG. NAIL SET
- RECORDED
- MEASURED
- RIGHT-OF-WAY
- LANDSCAPE AREA
- INGRESS AND EGRESS EASEMENT
- DRAINAGE AND UTILITY EASEMENT

I affirm under penalties of perjury that I have taken reasonable care to reflect each social security number in this document, unless required by law.

Charles D. Graham

This instrument prepared by Charles D. Graham

According to Flood Insurance Rate Map (FIRM) Community--Panel Number: 18105C 0141D, Map Revised: December 17, 2010 subject property is not located in a floodplain.

Source: FEMA

W. 17TH STREET P.U.D. SUBDIVISION

FINAL PLAT BLOOMINGTON TOWNSHIP SECTION 29, T 9 N, R 1 W,

LEGAL DESCRIPTION Updated Parcel 1:

Tract 1 in Morris Subdivision, as per plat thereof, recorded in Plat Book No. 152, in the office of the Recorder of Monroe County, Indiana, recorded May 12, 1999, more particularly described as follows: A part of the Southwest Quarter of Section 29, Township 9 North, Range 1 West, Monroe County, Indiana being more particularly described as follows: commencing at the Southwest corner of the abovesaid quarter section; thence on the West line of said quarter section North 00 degrees 48 minutes 30 seconds West 409.81 feet to the point of beginning.

Thence continuing North 00 degrees 49 minutes 30 seconds West 273.90 feet to a point on the Easterly right-of-way of State Road No. 37 and the beginning on a non-tangent curve concave northwesterly having a radius of 3044.79 feet to which a radial line bears South 67 degrees 04 minutes 34 seconds East; thence on said curve and right-of-way northwesterly 417.99 feet through a central angle of 07 degrees 51 minutes 56 seconds; thence North 11 degrees 44 minutes 49 seconds East 259.69 feet; thence North 15 degrees 03 minutes 30 seconds East 400.00 feet; thence North 22 degrees 11 minutes 00 seconds East 201.56 feet; thence North 18 degrees 08 minutes 01 seconds East 376.07 feet; thence leaving said right-of-way North 74 degrees 17 minutes 27 seconds East 163.21 feet; thence South 00 degrees 48 minutes 30 seconds East 1893.54 feet; thence South 89 degrees 38 minutes 40 seconds West 321.37 feet to the beginning of a curve concave southwesterly having a radius of 300.00 feet to which a radial line North 86 degrees 53 minutes 22 seconds West; thence on said curve Southwesterly 16.16 feet through a central angle of 03 degrees 05 minutes 11 seconds; thence South 00 degrees 01 minutes 26 seconds West 366.64 feet; thence North 89 degrees 50 minutes 58 seconds West 59.88 feet; thence North 00 degrees 01 minutes 26 seconds West 368.18 feet to the beginning of a curve concave southeasterly having a radius of 360.00 feet to which a radial line bears North 89 degrees 53 minutes 34 seconds West; thence on said curve Northwesterly 14.08 feet through a central angle of 02 degrees 14 minutes 34 seconds; thence North 89 degrees 38 minutes 40 seconds East 284.41 feet to the point of beginning, containing 11.33 acres, more or less.

Updated Parcel 2: A part of the East half of the Southwest Quarter of Section 29, Township 9 North, Range 1 West, Monroe County, Indiana being more particularly described as follows: Commencing at the Southwest corner of the abovesaid quarter section; thence on the West line of said quarter section North 00 degrees 49 minutes 30 seconds West 409.81 feet; thence continuing North 00 degrees 49 minutes 30 seconds West 273.90 feet to a point on the Easterly right-of-way of State Road No. 37 and the beginning on a non-tangent curve concave northwesterly having a radius of 3044.79 feet to which a radial line bears South 67 degrees 04 minutes 34 seconds East; thence on said curve and right-of-way northwesterly 417.99 feet through a central angle of 07 degrees 51 minutes 56 seconds; thence North 11 degrees 44 minutes 49 seconds East 259.69 feet; thence North 15 degrees 03 minutes 30 seconds East 400.00 feet; thence North 22 degrees 11 minutes 00 seconds East 201.56 feet; thence North 18 degrees 08 minutes 01 seconds East 376.07 feet; thence leaving said right-of-way North 74 degrees 17 minutes 27 seconds East 163.21 feet to the southwest corner of the plat of Chanderville as shown by the plat recorded in Plat Cabinet B, Envelope 29 in the office of the Recorder of Monroe County, Indiana; thence on and along the south line of said plat South 89 degrees 46 minutes 58 seconds East 671.16 feet; thence leaving said south line South 00 degrees 41 minutes 01 second East 653.22 feet and the point of beginning.

Thence continuing South 00 degrees 00 degrees 01 second East 75.01 feet; thence North 88 degrees 12 minutes 48 seconds East 456.89 feet to the west right-of-way line of Arlington Road; thence on said right-of-way line North 03 degrees 01 minutes 25 seconds West 75.04 feet; thence leaving said right-of-way South 88 degrees 12 minutes 48 seconds West 456.84 feet to the point of beginning, containing within said bounds 0.78 acres, more or less.

Updated Parcel 3:

A part of the East half of the west half of the Southwest Quarter of Section 29, Township 9 North, Range 1 West, Monroe County, Indiana being more particularly described as follows: Commencing at the Southwest corner of the abovesaid quarter section; thence on the West line of said quarter section North 00 degrees 49 minutes 30 seconds West 409.81 feet; thence continuing North 00 degrees 49 minutes 30 seconds West 273.90 feet to a point on the Easterly right-of-way of State Road No. 37 and the beginning on a non-tangent curve concave northwesterly having a radius of 3044.79 feet to which a radial line bears South 67 degrees 04 minutes 34 seconds East; thence on said curve and right-of-way northwesterly 417.99 feet through a central angle of 07 degrees 51 minutes 56 seconds; thence North 11 degrees 44 minutes 49 seconds East 259.69 feet; thence North 15 degrees 03 minutes 30 seconds East 400.00 feet; thence North 22 degrees 11 minutes 00 seconds East 201.56 feet; thence North 18 degrees 08 minutes 01 seconds East 376.07 feet; thence leaving said right-of-way North 74 degrees 17 minutes 27 seconds East 163.21 feet to the southwest corner of the plat of Chanderville as shown by the plat recorded in Plat Cabinet B, Envelope 29 in the office of the Recorder of Monroe County, Indiana and the point of beginning. Thence on and along the south line of said plat South 89 degrees 46 minutes 58 seconds East 671.16 feet; thence leaving said south line South 00 degrees 41 minutes 01 second East 653.22 feet to the north line of Lot 2 Arlington Park phase 1 as shown by the plat recorded in Plat Cabinet C, Envelope 96, in said office of the Recorder; thence on and along said north line North 89 degrees 46 minutes 58 seconds West 668.32 feet; thence leaving said north line North 00 degrees 48 minutes 30 seconds West 1305.52 feet to the point of beginning, containing within said bounds 20.08 acres, more or less.



PROJECT LOCATION

LOCATION MAP

Easements to be vacated per this plat:

- 1. 60' Roadway and Utility Easement recorded in HB 152 in the office of the Recorder of Monroe County, IN. as granted in that certain Warranty Deed from James T. Morris and Donetta S. Morris, husband and wife, to James T. Morris, as Trustee under the James T. Morris Revocable Trust Agreement dated October 25, 1999, an undivided 50% interest and Donetta S. Morris, as Trustee under the Donetta S. Morris Revocable Trust Agreement dated October 25, 1999 an undivided 50%, dated February 11, 2000 and recorded February 15, 2000 as Document No. 2000002933.
2. 20' & 15' Waterline and Sanitary Sewer Easement record in Deed book 478, Page 426 in the office of the Recorder of Monroe County, IN.

These easements are being vacated at the request of the property owners and with consent and approval of City of Bloomington Utilities.

Table with columns: NUMBER, DELTA ANGLE, RADIUS, ARC LENGTH, CHORD DIRECTION, CHORD LENGTH. Rows C1 through C25.

Table with columns: NUMBER, DIRECTION, DISTANCE, NUMBER, DIRECTION, DISTANCE. Rows L1 through L31.

I certify that I am a Registered Land Surveyor licensed under the laws of Indiana; that this plat accurately represents a survey made by me on October 22, 2020; and that the monuments shown on it exist; and that their locations, sizes, types, and materials are accurately shown.

Signature of Charles D. Graham

Charles D. Graham
Indiana L.S. 29500014
Bynum Fanto & Associates, Inc.
528 North Walnut Street
Bloomington, Indiana 47404-3604
8102-332-8030



W. 17TH STREET P.U.D. SUBDIVISION

FINAL PLAT BLOOMINGTON TOWNSHIP SECTION 29, T 9 N, R 1 W,

SINGLE FAMILY LOT ACREAGES

Table with 4 columns: Lot Number, Area (sq. ft), Area (Acres), and Area (Acres). Rows 35-46.

The undersigned, as owners of the real estate described on this plat, for and in consideration of the City of Bloomington, Indiana, granting to the undersigned the right to tap into and connect to the sewer system of the City of Bloomington for the purpose of providing sewer service to the described real estate, now release the right of the undersigned as owners of the plat and real estate and their heirs in, to, and for the future accommodation by the City of Bloomington, Indiana, of such plat and real estate.

IN-UB 17 HOLDINGS LLC, a Delaware limited liability company, the owners of the real estate shown and described herein, does hereby lay off, plat, and subdivide said real estate in accordance with the within plat.

This subdivision shall be known and designated as W. 17TH STREET P.U.D., an addition to the City of Bloomington. All streets and alleys shown, and not heretofore dedicated are dedicated to the public.

Front and side yard building setback lines are established as shown on the plat, between which lines and the property lines of the adjacent streets no building or other structure shall be erected or maintained.

The strips of ground that are shown on the plat and marked "easement" are owned by the owners of the lots that they respectively affect, subject to the rights of public utilities for the installation and maintenance of water and sewer mains, poles, ducts, lines, and wires. Buildings or other structures shall not be erected or maintained on these strips.

Signed and Sealed _____, 20__

Signature Name: Laren P. King Title: Authorized Representative

STATE OF INDIANA) 55; COUNTY OF _____

before me, the undersigned Notary Public, in and for the said county and state, personally appeared _____ and acknowledged the execution of the foregoing for the purposes therein expressed.

Witness my hand and notarial seal this _____ day of _____, 20__

County of Residence _____ Commission Expiration _____ Notary Public, Written _____ Notary Public, Printed _____

OWNER: SELICK BLOOMINGTON PARK, LLC SOURCE OF TITLE: INSTR. NO. 2013020163

lick Arlington Park, LLC, the owners of the real estate shown as Arlington Park Drive does hereby dedicate to the City of Bloomington by off, plat, and subdivide said real estate in accordance with the within plat.

Signed and Sealed _____, 20__

Signature Name: _____ Office: _____

STATE OF INDIANA) 55; COUNTY OF _____

before me, the undersigned Notary Public, in and for the said county and state, personally appeared _____ and acknowledged the execution of the foregoing for the purposes therein expressed.

Witness my hand and notarial seal this _____ day of _____, 20__

County of Residence _____ Commission Expiration _____ Notary Public, Written _____ Notary Public, Printed _____

EASEMENT LEGEND

UE = Utility Easement

(A) Shall allow both private and public utility providers access associated with the installation, maintenance, repair, or removal of utility facilities.

(B) Prohibits the placement of any unauthorized obstructions within the easement area.

DE = Drainage Easement

(A) Shall be required for any surface swales or other minor improvements that are intended for maintenance by the lot on which they are located.

(B) Shall prohibit any alteration within the easement that would hinder or restrict flow.

(C) Shall provide that the owner of the lot on which the easement is placed shall be responsible for maintenance of the drainage features within such easement.

(D) Shall be enforceable by the City Utilities Department and by owners of properties that are adversely affected by conditions within the easement.

(E) Shall allow the City Utilities Department to enter upon the easement for the purpose of maintenance, to change the cost of such maintenance to the responsible parties, to construct drainage facilities within the easement, and to assume responsibility for the drainage features at its discretion.

P5SE = Private Sanitary Sewer Easement

(A) Shall allow the Property owner or their assigns exclusive access for installation, maintenance, repair, or removal of sanitary sewer facilities.

(B) Trees and structures including, but not limited to, buildings, fences, retaining walls, signs, and light fixtures, shall not be located within the Sanitary Sewer Easement.

(C) Grading activity shall be prohibited within Sanitary Sewer Easements without written permission from the Property owner.

W.L.E. = Waterline Easement

(A) Shall allow the city utilities department exclusive access for installation, maintenance, repair, or removal of potable water facilities.

(B) Encroachment by other utilities is prohibited, unless such encroachment is approved by the city utilities department in conjunction with the preliminary plat. Upon written permission from the city utilities department, encroachments may be permitted after the recording of the final plat.

(C) Trees and structures including, but not limited to, buildings, fences, retaining walls, signs, and light fixtures, shall not be located within waterline easements.

(D) Grading activity shall be prohibited within waterline easements without written permission from the city utilities department.

(E) Signs shall not be located within waterline easements unless the sign is a public sign authorized by Section 20.05.07910(R) or is further authorized by the city.

Conservancy Easement

Prohibits any land-disturbing activities including the placement of a fence, or alteration of any vegetative cover, including mowing, within the easement area.

Allows the removal of dead or diseased trees that pose a safety risk or impede drainage as well as allowing the removal of exotic or invasive species, only after first obtaining written approval from the Planning and Transportation Department.

All conservancy easements shall be identified with public signs located along the boundary of the easement. Public signs shall be placed at intervals of no more than 200 feet, and each public sign shall be a maximum of one and one-half square feet in area. A minimum of one installing and maintaining required signage.

Allows, in cases where removal of exotic or invasive species is proposed, the restoration of disturbed areas with native plant material. Written approval from the Planning and Transportation Department is required prior to any proposed restoration.

CERTIFICATE OF APPROVAL OF PLANNING AND TRANSPORTATION

Under the authority of Indiana code 36-7-4-700 series, enacted by the General Assembly of the State of Indiana and Ordinance adopted by the Common Council of the City of Bloomington, Indiana, this plat was given approval by the City of Bloomington, as follows:

Approved by the City, Planning and Transportation at a meeting held _____, 20__

(Scott Robinson, Director of Planning and Transportation)



CIVIL ENGINEERING
 PLANNING
 CONSULTANTS, INC.
 1000 N. W. 10th Street
 Suite 1000 West
 Bloomington, Indiana
 (317) 339-2990 (FAX)
 (317) 339-8936

PROJECT:
 WEST 17TH STREET
 DEVELOPMENT
 BLOOMINGTON, INDIANA

SCALE TO MATCH
 THE PLAN SHEET
 THE VERTICAL CURVE
 DATA IS BASED ON
 THE DATA PROVIDED
 BY THE CLIENT. THE
 ENGINEER HAS NOT
 CONDUCTED A FIELD
 SURVEY OF THE
 EXISTING CONDITIONS.

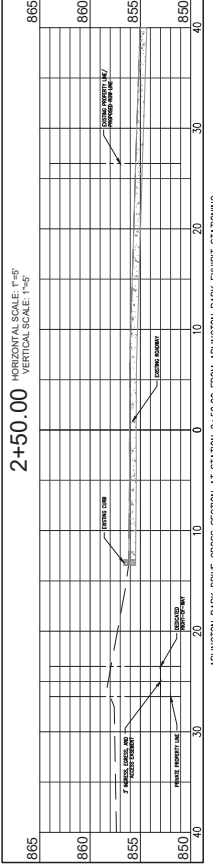
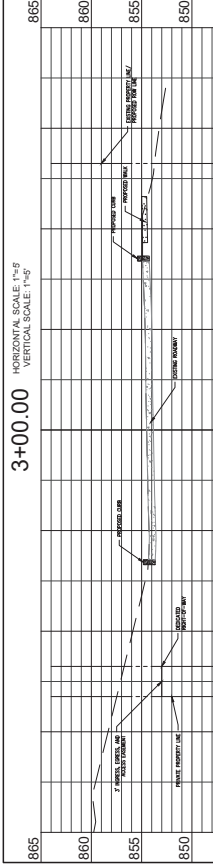
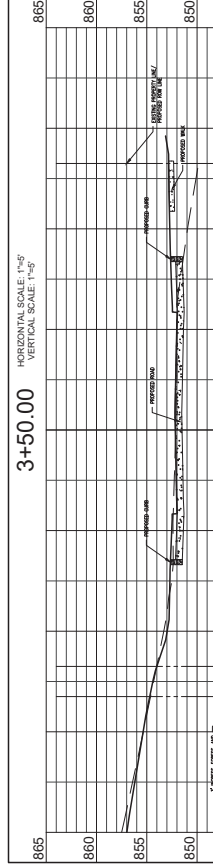
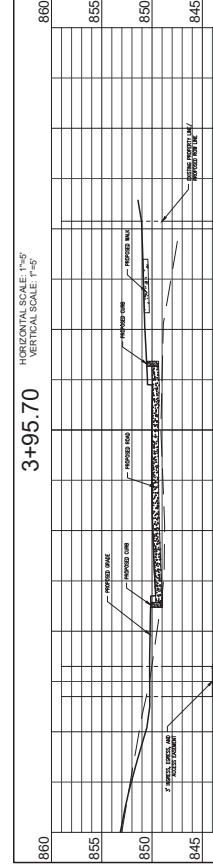
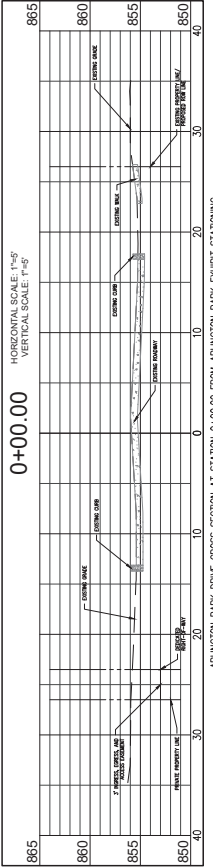
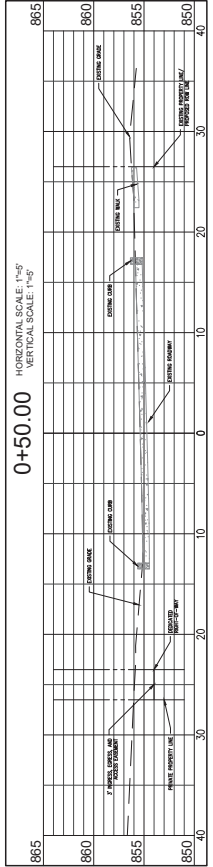
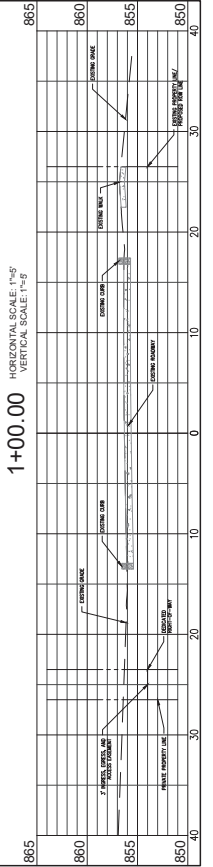
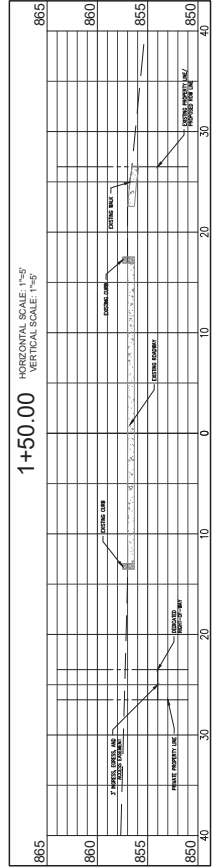
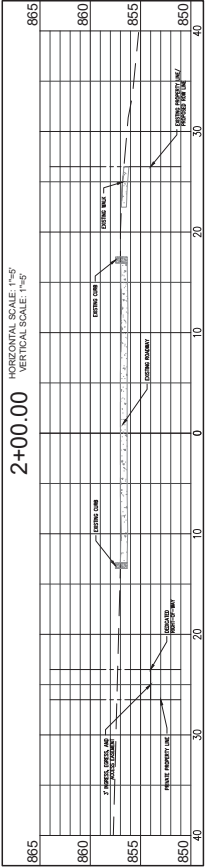
REVISIONS
 NO. DATE BY
 1 08/22/2020 DJB JSP

DRAWING TITLE
 ARLINGTON PARK
 CROSS SECTIONS



EXHIBIT
 EXHIBIT NUMBER
 58

PROJECT NUMBER
 401334



Monument ID Signs
Prepared for

ATLAS ON 17TH S

JANUARY 2022



externally illuminated monument



www.eye4group.com
 11820 Pendleton Pike
 Indianapolis, IN 46236
 317-804-4080

sales representative:
 J.R. Knight
 317-402-8200

designer:
 SR
 color specs:

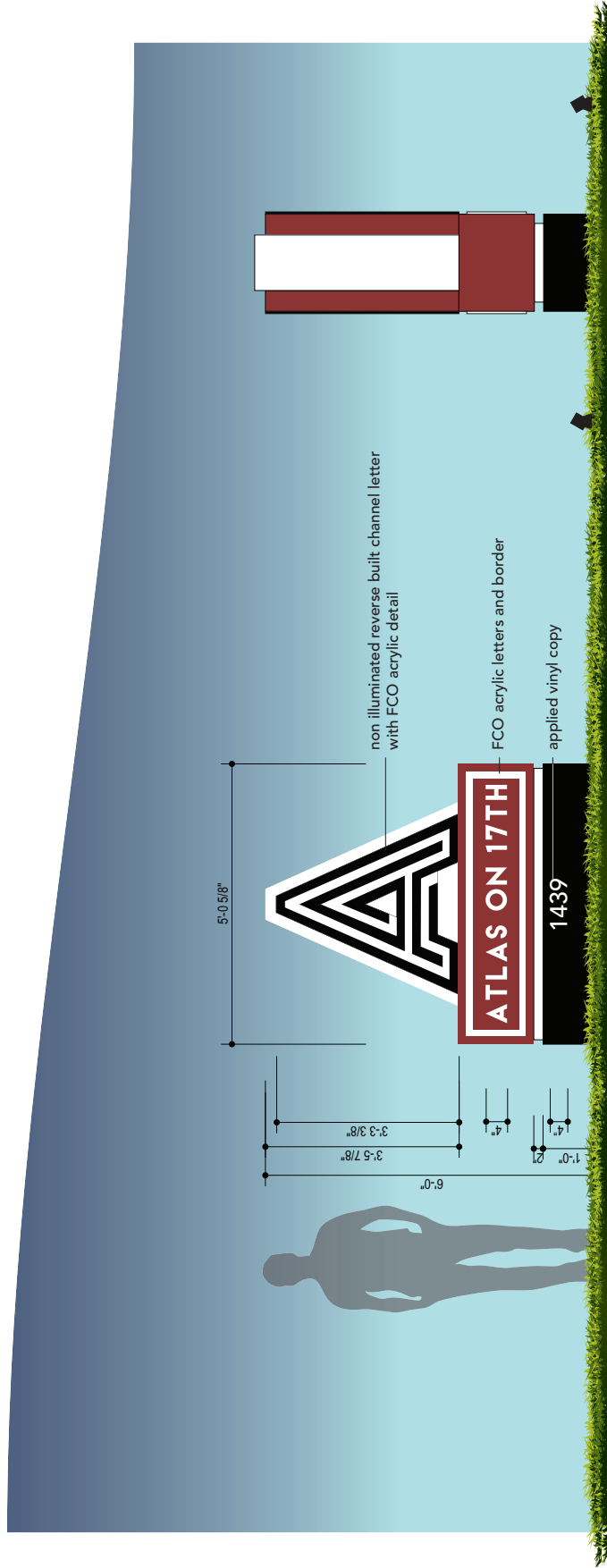
quote#

work order#

date:
 1/2/2022

version:
 7

approval (initials):



1 elevation view
 scale: 1/2"=1'-0"

external LED lightbar/wall wash
 to be coordinated with client

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The illustrations and concepts of signage and related graphic design(s) presented within this packet are the property of Eye 4 Group, LLC, unless other arrangements have been made in advance, in writing.

Colors, Finishes and Materials

The colors that appear within this document are created electronically using the latest in computerized design software. You will be asked to approve the actual paint and vinyl samples prior to the start of fabrication and/or install.

Fabrication per UL/NEC 600

All electrical signage is fabricated per UL/NEC 600 standards. Customer (who is purchasing) is responsible for the electricians fees including parts/labor for hook up of the sign.

Site Survey and Verification

The proposed signage in this packet will most likely require a new sign/site survey prior to fabrication. Production will begin only after the permit is issued/approved by the municipality.

externally illuminated monument



www.eye4group.com
11820 Pendleton Pike
Indianapolis, IN 46236
317-804-4080

sales representative:
J.R. Knight
317-402-8200

designer:

SR

color specs:

quote#

work order#

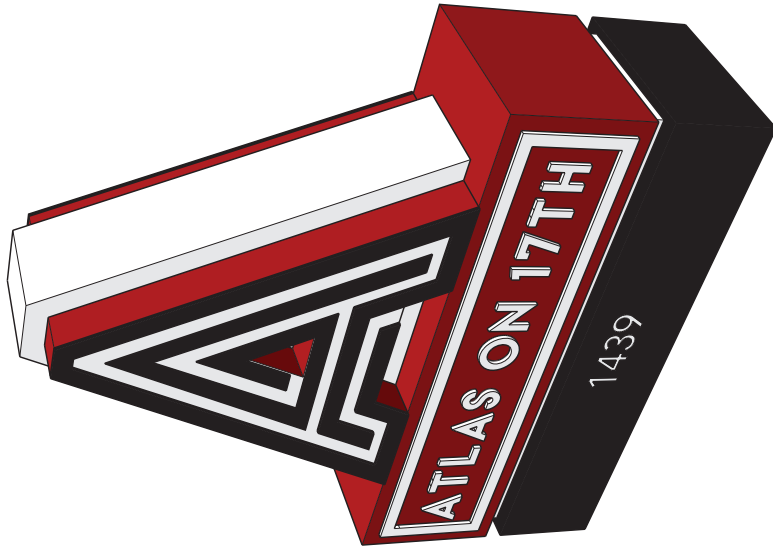
date:

1/2/2022

version:

7

approval (initials):



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bg
2/2

W. 17TH STREET P.U.D. SUBDIVISION

FINAL PLAT BLOOMINGTON TOWNSHIP SECTION 29, T 9 N, R 1 W,

LEGAL DESCRIPTION Updated Parcel 1:

Tract 1 in Morris Subdivision, as per plat thereof, recorded in Plat Book No. 152, in the office of the Recorder of Monroe County, Indiana, recorded May 12, 1999, more particularly described as follows: A part of the Southwest Quarter of Section 29, Township 9 North, Range 1 West, Monroe County, Indiana being more particularly described as follows: commencing at the Southwest corner of the abovesaid quarter section, thence on the West line of said quarter section North 00 degrees 48 minutes 30 seconds West 409.81 feet to the point of beginning.

Thence continuing North 00 degrees 49 minutes 30 seconds West 273.90 feet to a point on the Easterly right-of-way of State Road No. 37 and the beginning on a non-tangent curve concave northwesterly having a radius of 3044.79 feet to which a radial line bears South 67 degrees 04 minutes 34 seconds East, thence on said curve and right-of-way northwesterly 417.99 feet through a central angle of 07 degrees 51 minutes 56 seconds, thence North 11 degrees 44 minutes 49 seconds East 259.69 feet; thence North 15 degrees 03 minutes 30 seconds East 400.00 feet; thence North 22 degrees 11 minutes 00 seconds East 201.56 feet; thence North 18 degrees 08 minutes 01 seconds East 376.07 feet; thence leaving said right-of-way North 74 degrees 17 minutes 27 seconds East 163.21 feet; thence South 00 degrees 48 minutes 30 seconds East 1893.54 feet; thence South 89 degrees 38 minutes 40 seconds West 321.37 feet to the beginning of a curve concave southwesterly having a radius of 300.00 feet to which a radial line North 86 degrees 53 minutes 22 seconds West; thence on said curve Southwesterly 16.16 feet through a central angle of 03 degrees 05 minutes 11 seconds; thence South 00 degrees 01 minutes 26 seconds West 366.64 feet; thence North 89 degrees 50 minutes 58 seconds West 59.88 feet; thence North 00 degrees 01 minutes 26 seconds West 368.18 feet to the beginning of a curve concave southeasterly having a radius of 360.00 feet to which a radial line bears North 89 degrees 53 minutes 34 seconds West; thence on said curve Northwesterly 14.08 feet through a central angle of 02 degrees 14 minutes 34 seconds; thence North 89 degrees 38 minutes 40 seconds East 284.41 feet to the point of beginning, containing 11.33 acres, more or less.

Updated Parcel 2: A part of the East Half of the Southwest Quarter of Section 29, Township 9 North, Range 1 West, Monroe County, Indiana being more particularly described as follows: Commencing at the Southwest corner of the abovesaid quarter section; thence on the West line of said quarter section North 00 degrees 49 minutes 30 seconds West 409.81 feet; thence continuing North 00 degrees 49 minutes 30 seconds West 273.90 feet to a point on the Easterly right-of-way of State Road No. 37 and the beginning on a non-tangent curve concave northwesterly having a radius of 3044.79 feet to which a radial line bears South 67 degrees 04 minutes 34 seconds East, thence on said curve and right-of-way northwesterly 417.99 feet through a central angle of 07 degrees 51 minutes 56 seconds; thence North 11 degrees 44 minutes 49 seconds East 259.69 feet; thence North 15 degrees 03 minutes 30 seconds East 400.00 feet; thence North 22 degrees 11 minutes 00 seconds East 201.56 feet; thence North 18 degrees 08 minutes 01 seconds East 376.07 feet; thence leaving said right-of-way North 74 degrees 17 minutes 27 seconds East 163.21 feet to the southwest corner of the plat of Chandlerville as shown by the plat recorded in Plat Cabinet B, Envelope 29 in the office of the Recorder of Monroe County, Indiana, thence on and along the south line of said plat South 89 degrees 46 minutes 58 seconds East 671.16 feet; thence leaving said south line South 00 degrees 41 minutes 01 second East 653.22 feet and the Point of Beginning.

Thence continuing South 00 degrees 01 second East 75.01 feet; thence North 88 degrees 12 minutes 48 seconds East 456.89 feet to the west right-of-way line of Arlington Road, thence on said right-of-way line North 03 degrees 01 minutes 25 seconds West 75.04 feet; thence leaving said right-of-way South 88 degrees 12 minutes 48 seconds West 456.84 feet to the point of beginning, containing within said bounds 0.78 acres, more or less.

Updated Parcel 3:

A part of the East Half of the West Half of the Southwest Quarter of Section 29, Township 9 North, Range 1 West, Monroe County, Indiana being more particularly described as follows: Commencing at the Southwest corner of the abovesaid quarter section; thence on the West line of said quarter section North 00 degrees 49 minutes 30 seconds West 409.81 feet; thence continuing North 00 degrees 49 minutes 30 seconds West 273.90 feet to a point on the Easterly right-of-way of State Road No. 37 and the beginning on a non-tangent curve concave northwesterly having a radius of 3044.79 feet to which a radial line bears South 67 degrees 04 minutes 34 seconds East, thence on said curve and right-of-way northwesterly 417.99 feet through a central angle of 07 degrees 51 minutes 56 seconds; thence North 11 degrees 44 minutes 49 seconds East 259.69 feet; thence North 15 degrees 03 minutes 30 seconds East 400.00 feet; thence North 22 degrees 11 minutes 00 seconds East 201.56 feet; thence North 18 degrees 08 minutes 01 seconds East 376.07 feet; thence leaving said right-of-way North 74 degrees 17 minutes 27 seconds East 163.21 feet to the southwest corner of the plat of Chandlerville as shown by the plat recorded in Plat Cabinet B, Envelope 29 in the office of the Recorder of Monroe County, Indiana and the Point of Beginning. Thence on and along the south line of said plat South 89 degrees 46 minutes 58 seconds East 671.16 feet; thence leaving said south line South 00 degrees 41 minutes 01 second East 653.22 feet; thence North 88 degrees 12 minutes 48 seconds East 456.89 feet to the west right-of-way line of Arlington Road, thence on said right-of-way line North 03 degrees 01 minutes 25 seconds West 75.04 feet; thence leaving said right-of-way South 88 degrees 12 minutes 48 seconds West 456.84 feet to the point of beginning, containing within said bounds 0.78 acres, more or less.



PROJECT LOCATION

LOCATION MAP

Easements to be vacated per this plat:

- 1. 60' Roadway and Utility Easement recorded in HB 152 in the office of the Recorder of Monroe County, IN, as granted in that certain Warranty Deed from James T. Morris and Donetta S. Morris, husband and wife, to James T. Morris, as Trustee under the James T. Morris Revocable Trust Agreement dated October 25, 1999, an undivided 50% interest and Donetta S. Morris, as Trustee under the Donetta S. Morris Revocable Trust Agreement dated October 25, 1999, an undivided 50%, dated February 11, 2000 and recorded February 15, 2000 as Document No. 2000002933.
2. 20' & 15' Waterline and Sanitary Sewer Easement record in Deed book 478, Page 426 in the office of the Recorder of Monroe County, IN.

These easements are being vacated at the request of the property owners and with consent and approval of City of Bloomington Utilities.

Table with columns: NUMBER, DELTA ANGLE, RADIUS, ARC LENGTH, CHORD DIRECTION, CHORD LENGTH. Rows C1 through C25.

Table with columns: NUMBER, DIRECTION, DISTANCE, NUMBER, DIRECTION, DISTANCE. Rows L1 through L31.

I certify that I am a Registered Land Surveyor licensed under the laws of Indiana; that this plat accurately represents a survey made by me on October 22, 2020; and that the monuments shown on it exist; and that their locations, sizes, types, and materials are accurately shown.

Signature of Charles D. Graham

Charles D. Graham
Indiana L.S. 29500014
Bynum Fanyo & Associates, Inc.
528 North Walnut Street
Bloomington, Indiana 47404-3804
8102-332-8030



W. 17TH STREET P.U.D. SUBDIVISION

FINAL PLAT BLOOMINGTON TOWNSHIP SECTION 29, T 9 N, R 1 W,

SINGLE FAMILY LOT ACREAGES

Table with 4 columns: Lot Number, Area (sq. ft. / Acres), Area (sq. ft. / Acres), and Area (sq. ft. / Acres). Rows 35-46.

SOURCE OF TITLE: INST. NO. 2021000123

OWNER: IN-UB 17 HOLDINGS LLC, a Delaware limited liability company

ZONING: PUD - PLANNED UNIT DEVELOPMENT

The undersigned, as owners of the real estate described on this plat, for and in consideration of the City of Bloomington, Indiana, granting to the undersigned the right to tap into and connect to the sewer system of the City of Bloomington for the purpose of providing sewer service to the described real estate, now release the right of the undersigned owners of this plat and real estate and their heirs in, to, and to the future association by the City of Bloomington, Indiana, of such platred real estate.

IN-UB 17 HOLDINGS LLC, a Delaware limited liability company, the owners of the real estate shown and described herein, does hereby lay off, plat, and subdivide said real estate in accordance with the within plat.

This subdivision shall be known and designated as: W.17TH STREET P.U.D., an addition to the City of Bloomington. All streets and alleys shown, and not heretofore dedicated are dedicated to the public.

Front and side yard building setback lines are established as shown on the plat, between which lines and the property lines of the adjacent streets no building or other structure shall be erected or maintained.

The strips of ground that are shown on the plat and marked "easement" are owned by the owners of the lots that they respectively affect, subject to the rights of public utilities for the installation and maintenance of water and sewer mains, poles, ducts, lines, and wires. Buildings or other structures shall not be erected or maintained on these strips.

Signed and Sealed _____, 20____

Signature Name: Laren P. King Title: Authorized Representative

STATE OF INDIANA) 55; COUNTY OF _____

before me, the undersigned Notary Public, in and for the said county and state, personally appeared _____, and acknowledged the execution of the foregoing for the purposes therein expressed.

Witness my hand and notarial seal this _____ day of _____, 20____

County of Residence _____ Commission Expiration _____ Notary Public, Written _____ Notary Public, Printed _____

OWNER: SELICK BLOOMINGTON PARK, LLC SOURCE OF TITLE: INST. NO. 2013020163

The undersigned, as owners of the real estate shown as Arlington Park Drive does hereby dedicate to the City of Bloomington by off, plat, and subdivide said real estate in accordance with the within plat.

Signed and Sealed _____, 20____

Signature Name: _____ Office: _____

STATE OF INDIANA) 55; COUNTY OF _____

before me, the undersigned Notary Public, in and for the said county and state, personally appeared _____, and acknowledged the execution of the foregoing for the purposes therein expressed.

Witness my hand and notarial seal this _____ day of _____, 20____

County of Residence _____ Commission Expiration _____ Notary Public, Written _____ Notary Public, Printed _____

EASEMENT LEGEND

UE = Utility Easement

(A) Shall allow both private and public utility providers access associated with the installation, maintenance, repair, or removal of utility facilities.

(B) Prohibits the placement of any unauthorized obstructions within the easement area.

DE = Drainage Easement

(A) Shall be required for any surface swales or other minor improvements that are intended for maintenance by the lot on which they are located.

(B) Shall prohibit any alteration within the easement that would hinder or restrict flow.

(C) Shall provide that the owner of the lot on which the easement is placed shall be responsible for maintenance of the drainage features within such easement.

(D) Shall be enforceable by the City Utilities Department and by owners of properties that are adversely affected by conditions within the easement.

(E) Shall allow the City Utilities Department to enter upon the easement for the purpose of maintenance, to change the cost of such maintenance to the responsible parties, to construct drainage facilities within the easement, and to assume responsibility for the drainage features at its discretion.

PSSSE = Private Sanitary Sewer Easement

(A) Shall allow the Property owner or their assigns exclusive access for installation, maintenance, repair, or removal of sanitary sewer facilities.

(B) Trees and structures including, but not limited to, buildings, fences, retaining walls, signs, and light fixtures, shall not be located within the Sanitary Sewer Easement.

(C) Grading activity shall be prohibited within Sanitary Sewer Easements without written permission from the Property owner.

W.L.E. = Waterline Easement

(A) Shall allow the city utilities department exclusive access for installation, maintenance, repair, or removal of potable water facilities.

(B) Encroachment by other utilities is prohibited, unless such encroachment is approved by the city utilities department in conjunction with the preliminary plat. Upon written permission from the city utilities department, encroachments may be permitted after the recording of the final plat.

(C) Trees and structures including, but not limited to, buildings, fences, retaining walls, signs, and light fixtures, shall not be located within waterline easements.

(D) Grading activity shall be prohibited within waterline easements without written permission from the city utilities department.

(E) Signs shall not be located within waterline easements unless the sign is a public sign authorized by Section 20.05.07910(R) or is further authorized by the city.

Conservancy Easement

Prohibits any land-disturbing activities including the placement of a fence, or alteration of any vegetative cover, including mowing, within the easement area.

Allows the removal of dead or diseased trees that pose a safety risk or impede drainage as well as allowing the removal of exotic or invasive species, only after first obtaining written approval from the Planning and Transportation Department.

All conservancy easements shall be identified with public signs located along the boundary of the easement. Public signs shall be placed at intervals of no more than 200 feet, and each public sign shall be a maximum of one and one-half square feet in area. A minimum of one installing and maintaining required signage.

Allows, in cases where removal of exotic or invasive species is proposed, the restoration of disturbed areas with native plant material. Written approval from the Planning and Transportation Department is required prior to any proposed restoration.

CERTIFICATE OF APPROVAL OF PLANNING AND TRANSPORTATION

Under the authority of Indiana code 36-7-4-700 series, enacted by the General Assembly of the State of Indiana and Ordinance adopted by the Common Council of the City of Bloomington, Indiana, this plat was given approval by the City of Bloomington, as follows:

Approved by the City, Planning and Transportation at a meeting held _____, 20____

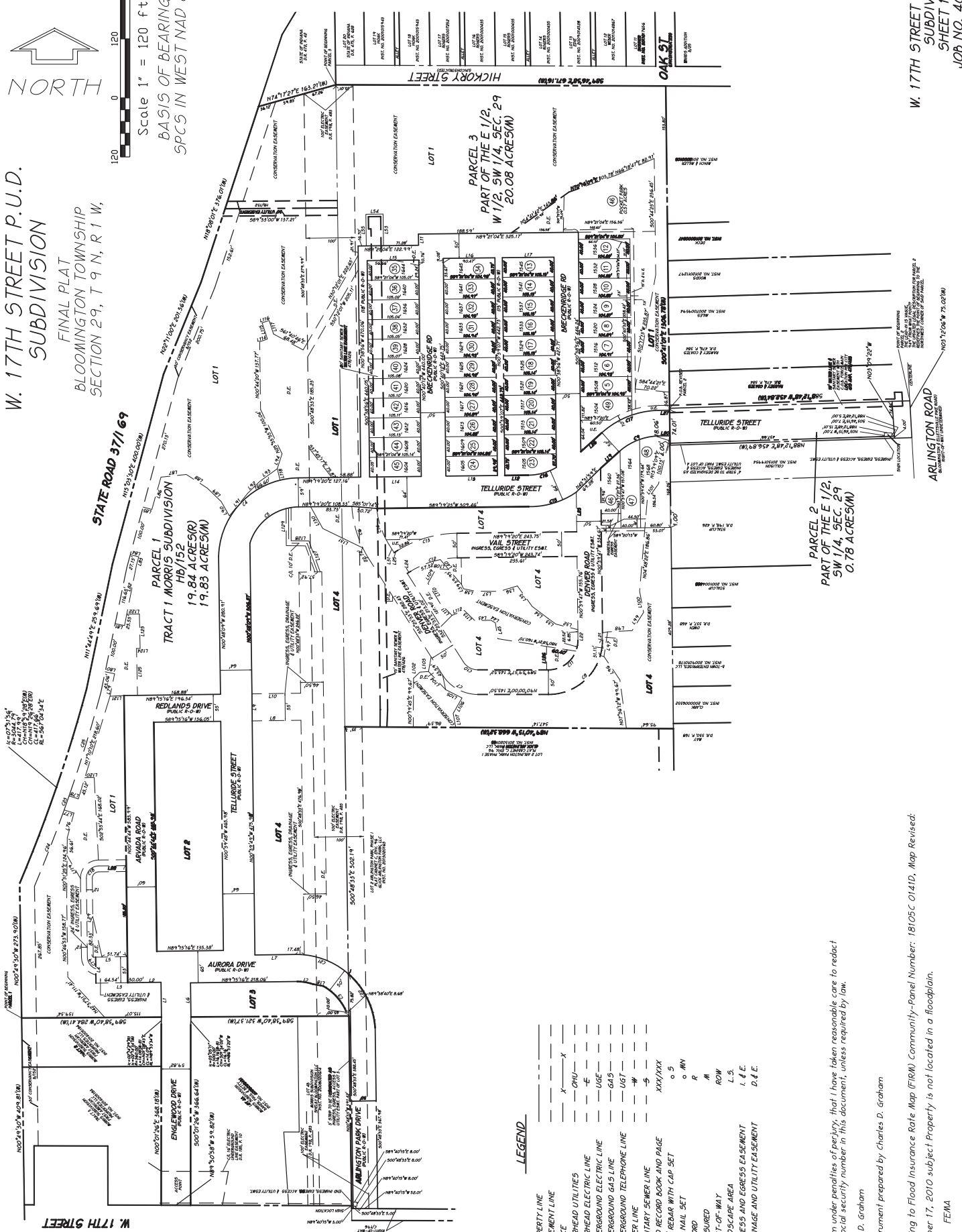
(Scott Robinson, Director of Planning and Transportation)

W. 17TH STREET P.U.D. SUBDIVISION

FINAL PLAT
BLOOMINGTON TOWNSHIP
SECTION 29, T 9 N, R 1 W,



BASIS OF BEARING
SPCS IN WEST NAD 83



LEGEND

- PROPERTY LINE
- EASEMENT LINE
- FENCE
- OVERHEAD UTILITIES
- OVERHEAD ELECTRIC LINE
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND GAS LINE
- UNDERGROUND TELEPHONE LINE
- WATER LINE
- SANITARY SEWER LINE
- DEED RECORD BOOK AND PAGE
- 5/8" REBAR WITH CAP SET
- IRREGULAR SET
- RECORDED
- MEASURED
- RIGHT-OF-WAY
- LANDSCAPE AREA
- INGRESS AND EGRESS EASEMENT
- DRAINAGE AND UTILITY EASEMENT

I affirm under penalties of perjury that I have taken reasonable care to reflect each social security number in this document, unless required by law.

Charles D. Graham

This instrument prepared by Charles D. Graham

According to Flood Insurance Rate Map (FIRM) Community-Panel Number: 18105C 0141D, Map Revised: December 17, 2010 subject property is not located in a floodplain.

Source: FEMA

W. 17TH STREET P.U.D. SUBDIVISION

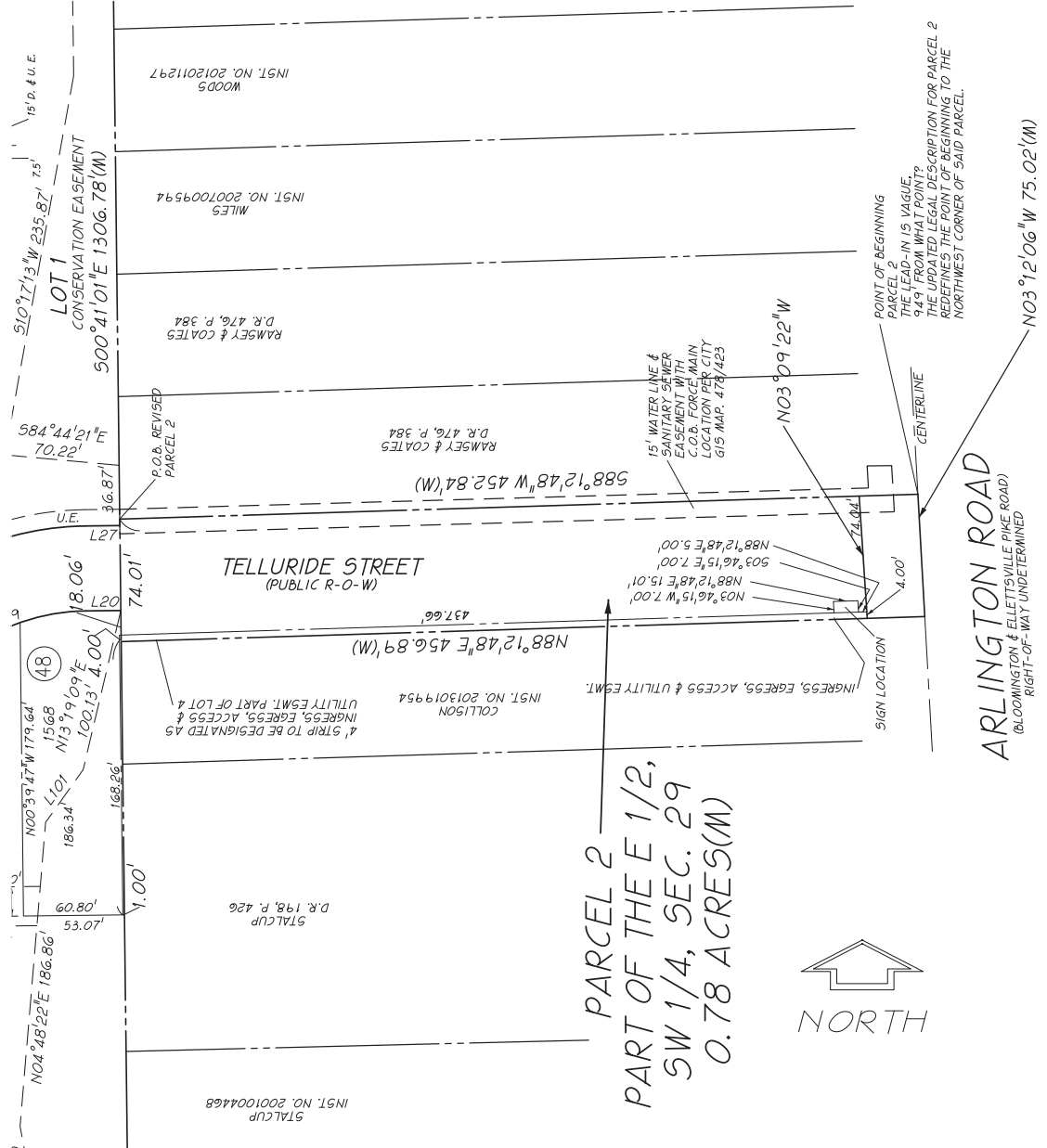
FINAL PLAT
BLOOMINGTON TOWNSHIP
SECTION 29, T 9 N, R 1 W,

LEGEND

- PROPERTY LINE
- EASEMENT LINE
- FENCE
- OVERHEAD UTILITIES
- UNDERGROUND ELECTRIC LINE
- UNDERGROUND GAS LINE
- UNDERGROUND TELEPHONE LINE
- WATER LINE
- SANITARY SEWER LINE
- DEED RECORD BOOK AND PAGE
- 5/8" REBAR WITH CAP SET
- 1/4" NAIL SET
- RECORD
- MEASURED
- RIGHT-OF-WAY
- LANDSCAPE AREA
- L.S.
- INGRESS AND EGRESS EASEMENT
- I. & E.
- DRAINAGE AND UTILITY EASEMENT
- D. & E.

BASIS OF BEARING
SPCS IN WEST NAD 83

Scale 1" = 50 ft



DISTRICT ORDINANCE
W. 17th Street
A Planned Unit Development
Trinitas Development LLC
January 14, 2020



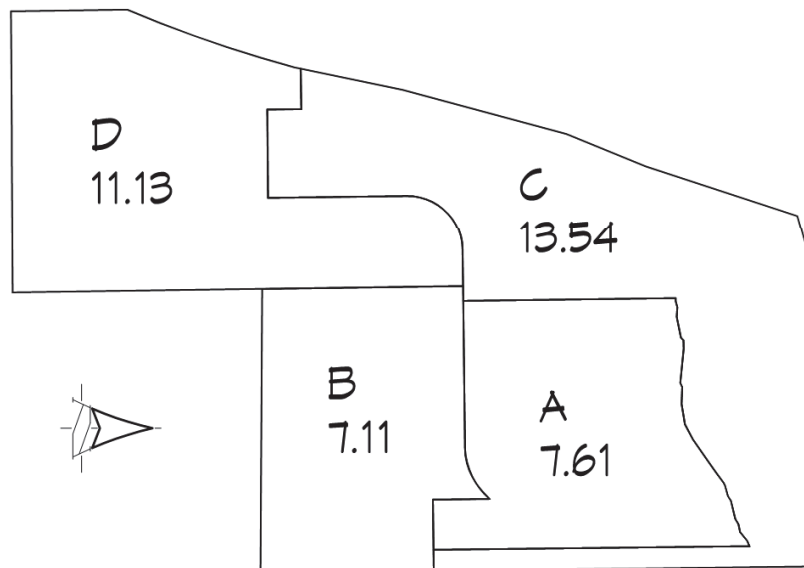
*images in document are representative, not final

W. 17th Street

Planned Unit Development

The W. 17th Street Project (the "Project") is a proposed development on the northwest side of Bloomington, just east of Interstate 69, north of 17th Street, west of Arlington Road and located within the Crescent Bend Neighborhood. This proposed residential development will include a mixture of residential units including apartments, townhomes, duplexes and single-family homes. The site consists of 39.29 acres of land with an overall proposed density of 9.85 units per acre. The plan includes approximately 14.62 acres of green space intended to protect existing environmental features. There is one planned entrance off Arlington Road and two points of access off 17th Street. Currently, the property is zoned PUD and Business Park. A portion of the property was a part of a now expired PUD that included an affordable housing development along 17th Street. This former PUD established one point of access off 17th Street. Another portion of the property is currently zoned Business Park and has been developed over several years with smaller commercial buildings along 17th Street. This provides a second point of access off 17th Street.

SITE AREAS



The proposed development incorporates new urbanist design principles and draws on the existing UDO and Comprehensive Plan to set standards for the development. The desire for complete streets, a variety of housing types, a modified gridded street pattern and meaningful open space have been major drivers for design of the Project. The site layout focuses on preserving existing environmental features such as trees and sloped areas and, most importantly, existing waterways. As environmental features were identified the design resulted in four (4) primary areas of development:

- A. Area A (Single-Family Lots) - The lots outlined in the northeastern portion of the site are purposefully designed with owner-occupied single-family homes in mind. Trinitas is proposing to convey 45 finished (buildable) lots to the City so that the City may decide how best to deliver homes that address Bloomington’s workforce housing needs. All infrastructure, including utilities, will be completed by Trinitas prior to conveyance of the lots to the City.
- B. Area B (Townhomes) - Townhomes are designated in the southeast section of the property. These townhomes will be for rent units located immediately south of the single-family area.
- C. Area C (4-story Multi-family and Amenity Building) - This area consists of one to two 4-story buildings that will feature for rent apartment units. This building(s) will also incorporate a Clubhouse featuring a business center, collaboration areas, fitness rooms, and provide other indoor and outdoor amenity space for residents. Another feature of this building(s) will be a small retail space thought to house coffee, tea and an assortment of snacks available to the public.
- D. Area D (Cottages) - Cottages, also referred to as duplexes, will be located in the southwest portion of the site and will be for rent units.

Trinitas anticipates completing the Project over a 24-month period once construction begins. The preliminary schedule shows Area C, Area D, along with the infrastructure and platting of Area A, and the connection to Arlington Road being completed as the first phase of construction.

Overall, Trinitas believes the Project will substantially improve the aesthetic and economic value of the area and add to the compact urban form within the urban service boundary of the City of Bloomington. The recently adopted Growth Policy Plan calls for neighborhood residential—qualifying densities ranging from 2-15 units per acre. The proposed density for the W. 17th Street Project is 9.85 units per acre on average across all areas of the development.

Overall Site Features

Project Data:

Gross Acreage – 39.29

Total Units (Areas B-D) - 387

Total Beds (Area B-D) – 825

1 Bedrooms – 109

2 Bedrooms – 326

3 Bedrooms – 210

4 Bedrooms - 180

Parking Spaces (Area B-D) – 458

Single-Family Lots (Area A) – 45

Land Use and Development Standards

The Project proposes four (4) areas of residential development as shown on the site plan in Exhibit A. Each of these areas has specific development standards identified from the Bloomington Unified Development Ordinance (UDO). When a standard is not specifically identified in this document, the referenced UDO District, is intended to govern.

Open Space and Environmental Conservation

The site plan incorporates 14.62 acres of undeveloped land. This land, accounting for 37% of the total site area, will remain as dedicated open space or within a Conservation Easement for the benefit of the City of Bloomington. The majority of this area is on the northern and northwestern portions of the site, however, there are undisturbed buffers that extend along the entire western boundary with “fingers” of undisturbed area in and through the central portion of the site.

A limited tree survey was completed focusing on a 50-foot wide strip within the proposed open space easement on the western property boundary. Based on results from this survey, a 30'-50' buffer to protect existing trees has been established along the majority of I-69 frontage.

Please note the existence of a 100-foot Duke Energy power easement located in the center of the site and traverses the entire property from north to south.

Access and Roadways

There will be two (2) entrances to the site located off W. 17th Street and one entrance accessible from/to Arlington Road. Information regarding the two (2) W. 17th Street access points is listed below.

W. 17th Street Eastern Access via N. Arlington Park Drive: A 50' roadway and utility easement was recorded with the Arlington Park (Glick Arlington Park LLC as owner), Phase I plat. This plat is recorded in plat cabinet C envelope 196 (see note 4). Trinitas is in discussions with Glick asking Glick to dedicate this Easement land to the City as public right-of-way.

W. 17th Street Western Access via 60-foot Roadway and Utility Easement: Parcel 1, Tract 1 of the Morris subdivision shows Morris owns a 60' wide strip of land from 17th street to the remainder of the property which has a Roadway and Utility Easement overlay. Since this Easement is to the benefit of the Morris tract, upon purchasing the land (Summer 2020) Trinitas will 1.) vacate the Easement, then 2.) dedicate this land to the City as public right-of-way via the platting process.

Roadways throughout the site are intended to be public where feasible and are designed to meet City standards. These roadways will be dedicated to the City at time of plat recordation.

A multi-use path is designed along the entire length of the main roadway running through the site connecting Arlington Road to W. 17th Street.

Transportation

Trinitas has received a proposal from Bloomington Transit (“BT”) to create a new bus route that would serve the proposed development. Trinitas intends to enter into an agreement with BT to provide bus transit

services for the Project In lieu of operating its own, private shuttle service for daily weekday transportation to and from various points within the City. Trinitas' residents will have the non-exclusive right to access and ride the service at no charge using a means of identification for free passage which shall be mutually agreed upon by BT and Trinitas.

The BT proposal for a new bus route includes a schedule to operate on a 40-minute frequency, Monday-Friday, on a year-round basis from approximately 7:00 am to 10:00 pm and will include multiple stops in the Downtown and IU Campus areas. Any agreement between Trinitas and BT is thought to include a 3-year base term for service. Additional terms are outlined in an email from Lew May to Jeff Kanable dated October 16, 2019 and is included in Exhibit B, Supportive Information. Final terms will be agreed upon approximately 12-months in advance of completion of the Project and are subject to approval by the BT Board of Directors and Trinitas Executive Committee.

Trinitas is planning to provide shuttle service for residents during the late evening, Monday through Friday (after 10 pm) and on weekends.

Pedestrian Access

The Project will be designed and built with the pedestrian in mind, encouraging residents to rely less heavily on personal automobiles. This is accomplished through a mix of well-connected multi-use paths and sidewalks throughout the site. A 10-foot multi-use path will run parallel to the main roadway from Arlington Road to W. 17th Street. Sidewalks allow pedestrians to easily walk throughout the site, to the bus stop, to the Clubhouse and amenity area or even to the recreational area and open spaces. Walking is just one (1) alternate transportation option residents of the Project will enjoy. Bicycle, scooter and other means of transportation also exist as a result of the interconnectivity of sidewalks and paths throughout the Project.

Trinitas explored the feasibility of adding a sidewalk along Arlington Road, however, Right-of-Way does not currently exist and topography and drainage ditches pose significant challenges to the implementation of this sidewalk. A sidewalk stub is currently provided should future Right-of-Way be established.

Occupancy

Occupancy shall be governed by

Occupancy for all other Areas shall be:

1. 1 and 2-bedroom unit occupancy is limited to 3 unrelated adult persons.
2. 3 and 4-bedroom unit occupancy is limited to 5 unrelated adult persons.

Parking requirements

Parking for the overall development, excluding the single-family lots in Area A, is .56 spaces on a per bedroom basis. A 15' parking setback for the perimeter of the overall PUD area is provided. A breakdown of parking is shown below:

Public parking spaces: 125

Surface parking spaces: 251

Garage spaces: 82

Bicycle parking shall be provided based on one space per four bedrooms. This parking will be dispersed throughout the Project.

Sustainability Initiatives

The following sustainability/green initiatives will be implemented in designated areas of the development.

1. The parking for units within Areas B-D shall have a minimum of 2% or 8 spaces that are plug-in ready for electrical vehicle charging stations. Trinitas is currently planning for 12 total spaces to be covered with solar arrays on the roof of those structures. The intent is for solar power to generate the electricity to the electric vehicle charging stations. There will be wayfinding signage directing residents of their location.
2. Designated areas accessible to waste haulers and building occupants for the collection and storage of recyclable materials have been positioned in three separate areas of the site and are noted on the site plan.
3. To reduce water usage on-site, we will eliminate all irrigation and utilize native plantings.
4. The use of natural light in the clubhouse will be incorporated into the design to reduce interior light pollution.
5. Lighting controls and occupancy sensors within designated areas of the clubhouse will be utilized to reduce energy consumption.
6. Energy efficiency will be realized through the installation of energy star appliances throughout all buildings.
7. Water usage will be controlled throughout the clubhouse utilizing low flow plumbing fixtures.
8. Stormwater treatment and detention throughout the site will incorporate bio-filtration strips at the edge of some parking areas for stormwater to sheet flow off and into these areas for immediate treatment.
9. Utilization of low volatile organic compounds will be utilized during construction of the clubhouse, including items such as: paint, adhesives, sealants, flooring and insulation.
10. The development will purchase a minimum of 10% regional building materials (by cost) that are sourced and manufactured within 500 miles of the site.
11. The 4-story Multi-Family and Amenity Building will comply with Energy Standard for Buildings ASHRAE 90.1-2007.
12. The building envelope for the clubhouse will incorporate the following:
 - Window = 0.40 U Factor non-metal, 0.50 U Factor metal, 0.40 SHGC
 - Roof insulation value = R20
 - Wall Insulation value = R13 wood framed wall
13. Each ventilation system in the clubhouse that supplies outdoor air to occupied spaces will have particle filters or air cleaning devices that have a minimum efficiency reporting value (MERV) of 13 or higher, in accordance with ASHRAE Standards 52.2-2007.
14. Smoking will be prohibited in all public areas within the community during all times including but not limited to the clubhouse, fitness areas, pool area, courtyard area, and sports courts.
15. Trinitas will participate in consulting program offered by Duke Energy to identify efficiencies in design to maximize energy savings for four story building in Area C.
16. On site recycling.
17. Invasive species will be removed from conservancy areas.

18. High quality woods on the northern portion of the property will be protected in a conservancy easement, as well as, a 30'-50' easement along the majority of I-69 frontage.
19. Trinitas continues to explore the feasibility of implementing solar to portions of the 4-story building roof deck.

Services (including mechanical, utility and trash services)

Utility services boxes, telecommunication devices, cables, vents, flues, chillers, fans, trash receptacles, dumpsters and service bays located on private property shall be screened from view from the public street. No dumpsters will be located within the front setback area of any public street.

Sign Standards

One freestanding sign is proposed near one of the two entrances on 17th Street and one freestanding sign is proposed near the entrance on Arlington Road. Each of these signs has a maximum square footage of 36 square feet per side and a maximum height of six feet.

For the multifamily building in Area C, 200 total square feet of permanent wall signage is proposed.

Site Drainage Standards

All drainage standards shall be in accordance with the City of Bloomington Utility standards and engineering practices however, the following design considerations may be incorporated into the entire Project site for the BMP plan including stormwater retention/detention and stormwater quality:

1. The drainage area (contributing or effective) of the entire Project site is allowed to be served by one post-construction BMP or can be split into many throughout the site.
2. The maximum treatable ponding depth for stormwater quality areas may be up to 4 feet.

Architecture

Proposed structures are intended to reflect a contemporary residential development. Each of the areas as defined herein are intended to have flexibility and predictability in product type while also consisting of an overall theme that weaves together each of the Areas A-D. Representative images can be found within this document. More specific detail pertaining to each Area A-D can also be found within this document.

Structures in Areas A, B and D are intended to be one to three stories in height with front porches and rear patios. Area C proposes a four-story apartment building(s) over a parking garage. Exterior construction across each of the Areas will include high quality siding with some additional architectural accents such as shake and/or board and batten in addition to residential windows and doors.

The Project will follow the anti-monotony standards as specified herein. The community will be adequately landscaped with native plantings and buffer yard landscaping. Planting emphasis will be placed on the east and west property lines. Each dwelling unit shall feature landscaping which will consist of native plantings, shrubbery and perennials. Final landscape plans will be provided with each final Area plan and will be consistent with the UDO as adopted on the date the preliminary plan is approved.

Lot Standards and Uses

| Area | Description | Acreage | Units | DUE |
|-------|-------------------------|---------|-------|-------|
| A | Single-family lots | 7.61 | 45 | N/A |
| B | Townhomes | 7.11 | 162 | 92.75 |
| C | Multi-family apartments | 13.54 | 113 | 105.5 |
| D | Duplexes or townhomes | 11.13 | 112 | 108.5 |
| Total | | 39.29 | 387 | 328.5 |

Anti-monotony Code

The following variations will be used to break up the monotony in the design such that no two structures sitting side by side are identical in at least 2 aspects as listed below at the time of building permit. Examples of proposed colors and exterior materials are found within the body of this document.

- A. Difference in roofline.
- B. Difference in overall building footprint.
- C. Difference in building color.
- D. Difference in exterior materials.
- E. Setback

Easements

Easements shall be per UDO standards.



Area A

Area A is a single family residential platted lot subdivision designed to the standards of the Residential Urban (R4) District of the Unified Development Ordinance of the City of Bloomington. This area is approximately 7.61 acres and is intended to include approximately 45 single family lots, which can be developed and owned individually. Specific standards with respect to lot size, lot coverage and elements of design (building materials and setbacks) are those of the R4 District unless specified below. The finished lots in Area A are intended to be conveyed to the City of Bloomington for the purposes of providing workforce housing. Allowable uses in this area include single family, attached single family, and plexes.

Impervious Surface Coverage: 3.04 acres (40%)

**permeable pavers may be used toward meeting impervious surface coverage requirements*

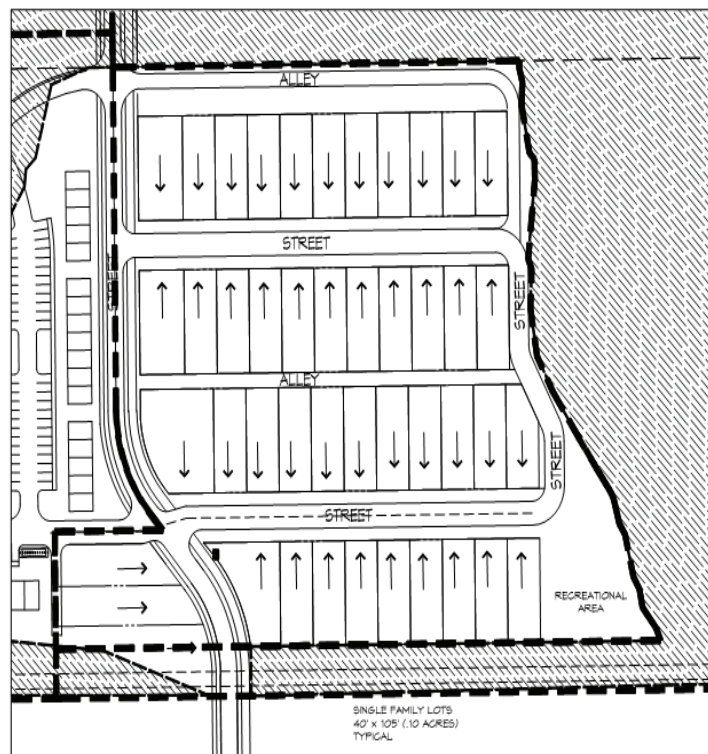
Setbacks from outer property lines: 15'

Individual Lot Setbacks:

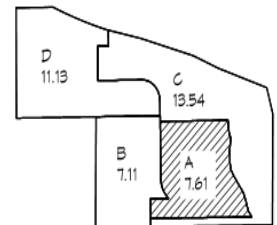
Front yard – 10'

Side yard – 5'

Rear yard – 5'



SITE AREAS



AREA A - SINGLE FAMILY
(45) LOTS
40'X105', .10 ACRE TYPICAL LOT
(5.91) UNITS PER ACRE

Area B

Area B is a townhome residential area. This area could be single family lots, paired homes, townhomes, zero lot line homes or condominiums as set forth in the standards of the Residential Multifamily (RM) of the Unified Development Ordinance. This area is approximately 7.11 acres and is intended to include approximately 162 townhome dwelling units, which could be individually owned in the future, but are currently planned as rental units. Specific standards with respect to lot size, lot coverage and elements of design (building materials and setbacks) are those of the RM District unless specified below.

Impervious Surface Coverage: 2.63 acres (40%)

**permeable pavers may be used toward meeting impervious surface coverage requirements*

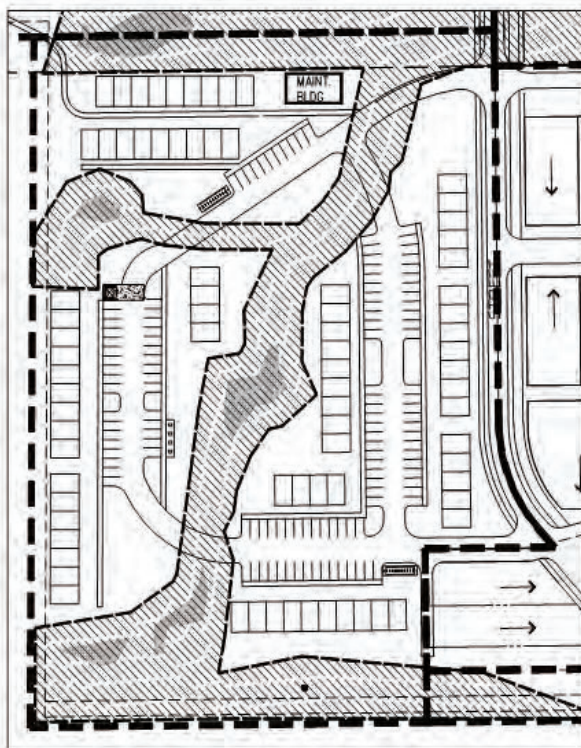
Density: 162 units, 22.78/acre

Setback from outer property line – 15'

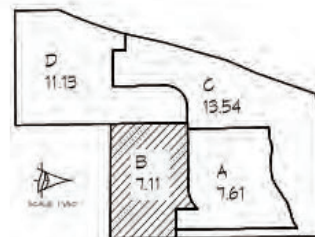
Permitted Uses – Single family detached, single family attached, rowhouses, townhomes (no more than 16 units in a building)

Building Materials: Fiber cement horizontal lap siding, fiber cement vertical board and batten, asphalt roof shingles, vinyl windows, limestone, brick, or masonry

**Dwelling Unit Equivalentents are calculated using the following breakdown: 4 bedroom unit (1.5 units), 3 bedroom unit (1.0 unit), 2 bedroom unit with <950 sq ft (.66 of a unit), 1 bedroom unit with <700 sq ft (.25 of a unit)*



SITE AREAS



AREA B - TOWNHOUSES
 (92.75) DUE UNITS, (255) BEDS
 (13.05) DUE UNITS PER ACRE
 (123) SURFACE PARKING SPACES

AREA B UNIT MIX -

| | | |
|--------------|------------|-------------|
| 1 BED | 70 | 43.2% |
| 2 BED | 70 | 43.2% |
| 3 BED | 16 | 9.9% |
| 4 BED | 6 | 3.7% |
| TOTAL | 162 | 100% |

Area C

Area C is a multi-family residential area which could include limited commercial on the first floor. This area can be apartment or condominiums as set forth in the standards for Residential High-Density (RH) District of the Unified Development Ordinance. Allowable use will include up to 113 dwelling units and up to 1,700 square feet of commercial space allowing for coffee/tea sales, food/snack sales and other retail sales. This Area will allow for up to 65-feet in building height. Other specific standards with respect to lot size, lot coverage and elements of design (building materials and setbacks) are those of the RH District unless specified below. This area is approximately 13.54 acres.

Impervious Surface Coverage: 1.56 acres (12%)

**permeable pavers may be used toward meeting impervious surface coverage requirements*

Density: 113 units, 8.35/acre

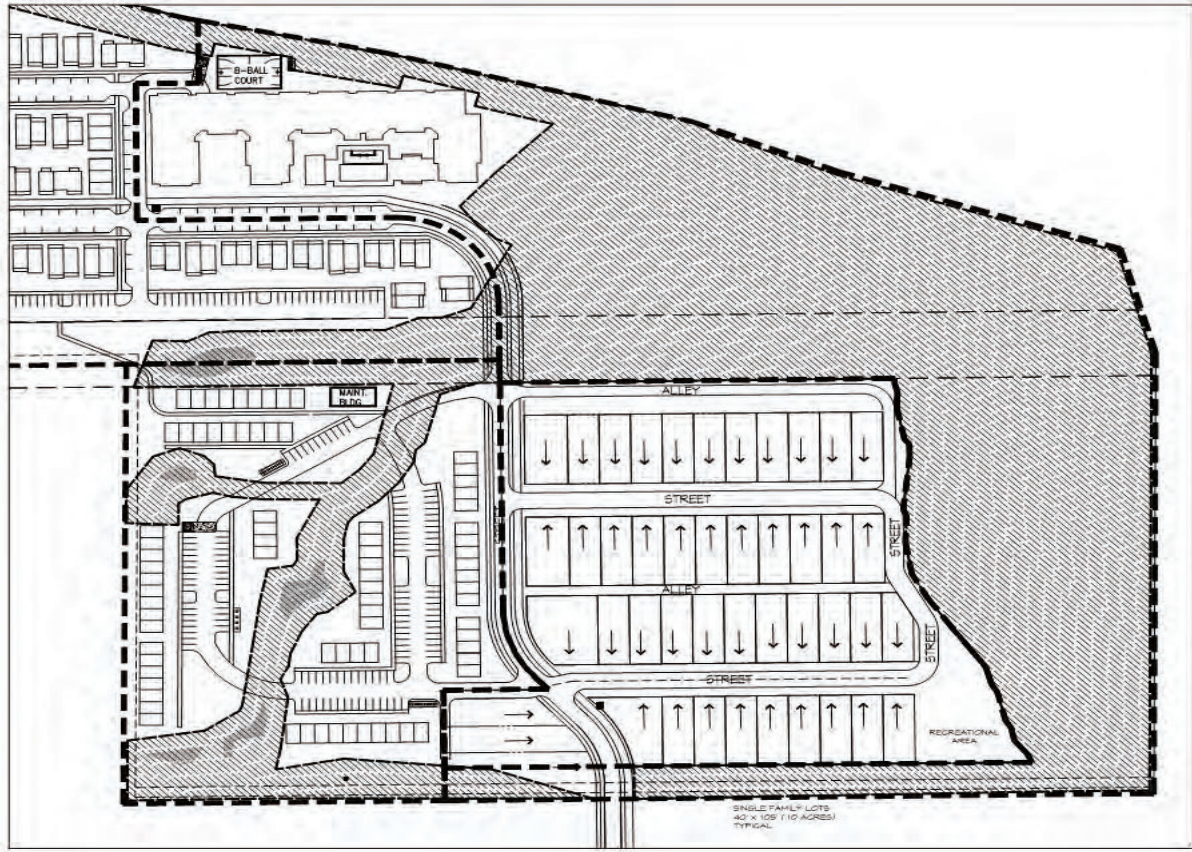
Setback from outer property line – 15'

Permitted Uses – Multifamily dwellings and the following commercial uses: antique sales, apparel and shoe sales, art gallery, artists studio, arts/craft/hobby store, barber/beauty shop, bicycle sales/service, bookstore, brewpub, business/professional office, community center, computer sales, convenience store (without gas), copy center, day care center, drugstore, fitness/training studio, florist, garden shop, gift shop/boutique, government office, grocery store/supermarket, hardware store, health spa, jewelry shop, library, medical clinic, museum, music/media sales, musical instrument sales, pet grooming, pet store, photography studio, police/fire/rescue station, recreation center, restaurant, restaurant (limited service), retail (low intensity), school, shoe repair, social services, sporting goods sales, veterinary clinic, video rental

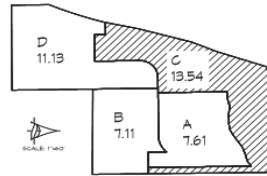
Building Materials: Fiber cement horizontal lap siding, fiber cement vertical board and batten, asphalt roof shingles, vinyl windows, limestone, brick, or masonry

**Dwelling Unit Equivalents are calculated using the following breakdown: 4 bedroom unit (1.5 units), 3 bedroom unit (1.0 unit), 2 bedroom unit with <950 sq ft (.66 of a unit), 1 bedroom unit with <700 sq ft (.25 of a unit)*

Area C Site Plan and Unit Breakdown included on next page.



SITE AREAS



AREA C - HIGHER DENSITY MULTIFAMILY
 (105.5) DUE UNITS, (261) BEDS
 (7.74) DUE UNITS PER ACRE
 (13) SURFACE PARKING SPACES
 (82) GARAGE PARKING SPACES

AREA C UNIT MIX -

| | | |
|-------|-----|-------|
| 1 BED | 12 | 10.6% |
| 2 BED | 57 | 50.4% |
| 3 BED | 41 | 36.3% |
| 4 BED | 3 | 2.7% |
| TOTAL | 113 | 100% |

Area D

Area D is a cottage or duplex residential area. This area could be apartments or condominiums (1-6 units per building) as set forth in the standards of the Residential Multifamily (RM) District of the Unified Development Ordinance of the City of Bloomington. This area is approximately 11.13 acres and is intended to include approximately 112 dwelling units which could be under single or individually ownership but are currently planned as rental units. Specific standards with respect to lot size, lot coverage and elements of design (building materials and setbacks) are those of the RM District unless specified below.

Impervious Surface Coverage: 5.44 acres (49%)

**permeable pavers may be used toward meeting impervious surface coverage requirements*

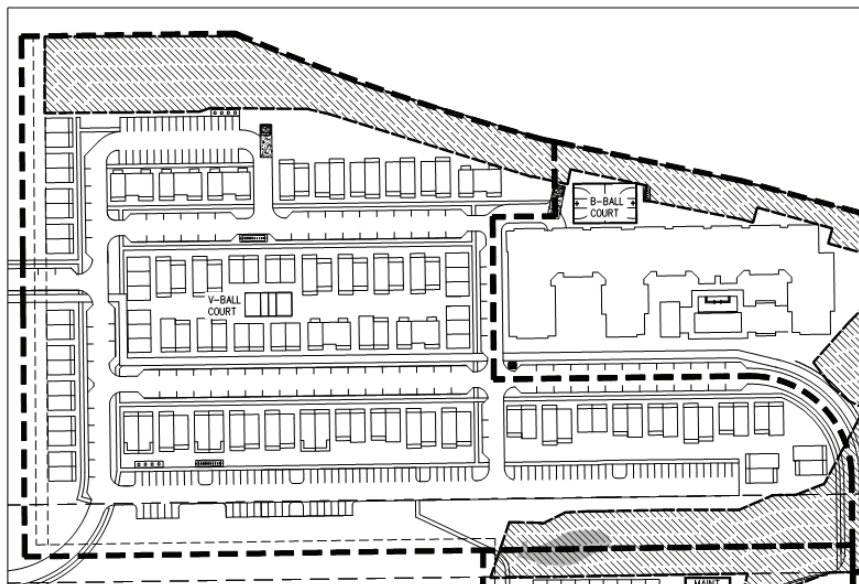
Density: 112 units, 10.06/acre

Setback from outer property line – 15'

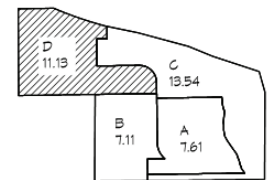
Permitted Uses – Single family attached dwelling

Building Materials: Fiber cement horizontal lap siding, fiber cement vertical board and batten, asphalt roof shingles, vinyl windows, limestone, brick, or masonry

**Dwelling Unit Equivalents are calculated using the following breakdown: 4 bedroom unit (1.5 units), 3 bedroom unit (1.0 unit), 2 bedroom unit with <950 sq ft (.66 of a unit), 1 bedroom unit with <700 sq ft (.25 of a unit)*



SITE AREAS



AREA D - COTTAGES (DUPLEXES)
 (12) TOWNHOUSES
 (106) COTTAGES
 (108.5) DUE UNITS, (309) BEDS
 (9.15) DUE UNITS PER ACRE
 (240) SURFACE PARKING SPACES

AREA D UNIT MIX -

| | | |
|-------|-----|-------|
| 1 BED | 26 | 23.2% |
| 2 BED | 38 | 33.9% |
| 3 BED | 12 | 10.7% |
| 4 BED | 36 | 32.2% |
| TOTAL | 112 | 100% |

**BLOOMINGTON PLAN COMMISSION
STAFF REPORT**

**CASE #: SP-09-22
DATE: March 14, 2022**

Location: 617 N Madison St / 422 W 10th St

PETITIONER: City of Bloomington Redevelopment Commission
401 N. Morton Street
Bloomington, IN

CONSULTANT: Ashley Thornberry, Axis Architecture and Interiors
618 E. Market Street
Indianapolis, IN

REQUEST: The petitioner is requesting a Major Site Plan approval to build one building in the Mixed-Use Downtown Showers Technology Character Area (MD-ST).

BACKGROUND:

Area: a portion of 0.95 acres
Current Zoning: MD-ST (Mixed-Use Downtown - Showers Technology)
Comprehensive Plan Designation: Downtown
Existing Land Use: Vacant
Proposed Land Use: Office
Surrounding Uses: North – Vacant
South – Office
East – Parking Lot
West – Vacant

REPORT: The property is currently zoned Mixed-Use Downtown with a Showers Technology Park Character Area Overlay (MD-ST) and is located at the southwest corner of the intersection of Madison Street and Maker Way. All surrounding properties are also zoned MD-ST. The site is on the north end of a large vacant lot that extends south to 10th Street. The properties to the north and west are also vacant. The Monroe County Government Center is to the south, and The Mill and a parking lot are to the northeast and east, respectively.

The petitioner is requesting major site plan approval for a new 3-story, 21,000 square foot office building. The building consists of two floors of office lease space and a smaller third floor with outdoor terrace area. No on-site parking is required or proposed. The petitioner seeks to only develop the northern portion of the existing parcel, and will require a subdivision to create the lot.

MAJOR SITE PLAN REVIEW 20.06.050(a)(2)(C)(ii): Major site plan approval is required for developments that contain more than 15,000 square feet of gross floor area. This proposed site plan contains 21,000 square feet.

DEVELOPMENT STANDARDS & INCENTIVES 20.04: The following UDO standards are required to be reviewed for all activities that require New Development approval.

Dimensional Standards:

Setbacks: The maximum front building setback is 15 feet from the proposed right-of-way line in the MD-ST zoning district. The majority of the building is set 4-5 feet from the adjoining right-of-way lines, however the northeast corner creates a small outdoor plaza that is set back from the rights-of-way. The building is roughly 63 feet from Maker Way and 35 feet from Madison Street. A variance is required for this design. A condition has been included. The side building setback requirement is 5 feet, and the proposal meets this requirement for the proposed property lines.

Height: The maximum height in the MD-ST zoning district is 4 stories not to exceed 50 feet at average finished grade. For nonresidential uses on the ground floor, the minimum floor to ceiling height on the ground floor is 12 feet. The proposed building in this development is 3 stories and below 50 feet from average finished grade. The first floor is proposed at 14 feet.

Impervious Surface Coverage: The maximum impervious surface coverage in the MD-ST zoning district is 75%. The current plan is showing coverage at 80.4% with hardscape area coverage of 19.8% of the lot. The petitioner either needs to adjust the hardscape or propose a southern lot line that makes the new parcel meet impervious surface requirements. A condition of approval has been included.

Bicycle Parking/Alternative Transportation: Commercial uses in the MD zoning district are required to provide a minimum of 6 bicycle parking spaces or 5% of the provided vehicle parking. There is no parking on site. Six bicycle parking spaces are required. They are proposing at least 10 bicycle parking spaces.

This development is also within the Trades District, which contains extensive public pedestrian facilities in existing right-of-way. The petitioner is considering a pedestrian easement along the southern portion of the site, to allow for public access from the future alley to the west through the site to the path running adjacent to Madison Street.

Landscaping: A minimum of one canopy tree shall be planted per 40 feet of property that abuts a public right-of-way, which is 4 trees along Maker and 3 trees along Madison based on the current proposed property size. As the final parcel size is determined, the total number of trees along Madison will be finalized. Because the Trades District was recently built, street trees are already present at the site. A compliant landscape plan for the site, including the landscaped plaza, the street trees and entrance plaza amenities is required before a grading permit will be issued. A condition has been added.

Access: The building's main pedestrian entrance will be via the plaza in the northeast corner.

Parking: No parking is required in the MD-ST for this use, and none is proposed.

Architecture: The structure will be finished with a mix of masonry (brick) and metal panels. Metal is not an approved primary material in Table 02-28 for the MD-ST. A variance is required to utilize it as a primary material. The exterior façades of the building incorporate wall elevation projections, a regular pattern of glass, and changes in façade color and texture to comply with the Patterns requirements of the UDO. The rear of the building that is not visible to the street incorporates similar materials to the visible sides. The façade incorporates a recessed entry to comply with the primary pedestrian entry and articulation requirements of the UDO. The flat roof must feature parapets to meet the roof design requirements. The entrance plaza meets the plaza amenity requirements. A 15-foot building setback above the second floor is incorporated to comply with

the Upper Floor Façade Stepbacks requirement in the UDO. The first floors facing the street contain more than the required 40% of the façade as windows and doorways. The upper floors use a minimum of 20%. The primary pedestrian entrances must meet the entrance design standards in Table 02-26.

SITE PLAN REVIEW: The Plan Commission shall review the major site plan petition and approve, approve with conditions, or deny the petition in accordance with Section 20.06.040(g) (Review and Decision), based on the general approval criteria in Section 20.06.040(d)(6)(B) (General Compliance Criteria).

20.06.040(d)(6)(B) General Compliance Criteria

- i. Compliance with this UDO
- ii. Compliance with Other Applicable Regulations
- iii. Compliance with Utility, Service, and Improvement Standards
- iv. Compliance with Prior Approvals

PROPOSED FINDING:

This development does not meet all applicable standards in the UDO, and will require variances for front building setback, as well as materials. This development is in compliance with city regulations including utility, service, and improvement standards. This development is in compliance with other applicable regulations. No relevant prior approvals are found with this petition.

CONCLUSION: This petition meets most requirements of the UDO and will add office space in the developing Trades District. The scale of the development is appropriate at this location. The Department believes that the building will build on and enhance the public improvements already made in the Trades District, while not building out-of-scale of the existing historic buildings in the area.

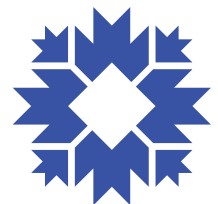
RECOMMENDATION: The Planning and Transportation Department recommends that the Plan Commission adopt the proposed findings and approve SP-09-22 with the following conditions:

1. The petitioner must file a Preliminary Plat amendment to create the lot for the parcel within six months of approval of this site plan. The Secondary Plat must be approved before a grading permit will be issued.
2. The petitioner must adjust either the hardscape or lot size in order to meet impervious surface requirements.
3. The petitioner must submit a compliant landscape plan once the parcel size is finalized and before a grading permit will be issued.
4. This petition is approved contingent upon approval of variances for both front building setback and materials. If the approved materials list changes to allow metal, no variance for materials is required.
5. The petitioner must receive a grading permit before any earth moving on the site.



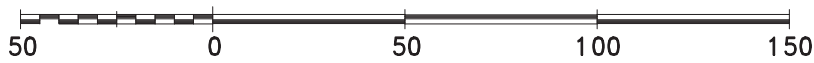
MD-ST

City of Bloomington
Planning



Scale: 1" = 50'

By: scanlanj
28 Jan 22



For reference only; map information NOT warranted.

Trades District Technology Center – Petitioner's Statement

Axis Architecture + Interiors, on behalf of the City of Bloomington Redevelopment Commission (the Petitioner) is issuing this Petitioner's Statement for the Trades District Technology Center Plan Commission Filing.

The City of Bloomington Redevelopment Commission and the Bloomington Economic Development Commission were awarded a \$3,525,075 EDA investment from US Department of Commerce in support of the Trades District Technology Center (TDTC). The primary objective of the TDTC is to create an environment that supports growth in tech-focused industries and fosters emerging technology startup clusters in Bloomington, Monroe County, and South-Central Indiana.

The building is located southwest of the intersection of Maker Way and Madison Street within the Bloomington Trades District, a 12-acre Technology Park envisioned as a place for innovation, attraction, and job-creation for the City of Bloomington. The site is located within walking distance southeast of Downtown Bloomington D, the B-line trail to the south, and residential and commercial development to the north and west. The current lot will be subdivided so future development can occur south of the TDTC building. The property boundaries will be set so the site can achieve the minimum landscape openness requirements.

The central location of the TDTC offers several advantages to the Trades District. Being directly adjacent to the Dimension Mill Building, a start-up incubator space, a synergy is created between the Mill and Tech Center providing physical, social, and economic advantages to tenants. It allows the Tech Center Building to become a hub of activity for the Trades District and sets the building precedent for scale, architectural style, and outdoor collaboration space.

The building is 21,000 gross square feet (GSF) and is organized into two program "bars" separated by an atrium and lobby space that serves as the "social core" of the building. The north program bar and atrium space are set back from Madison Street to create an East Entry Plaza and a courtyard which becomes an amenity and potential gathering space for both the tenants of the Tech Center, Dimension Mill, and the public.

The materiality and overall architectural aesthetic were developed by creating a palette and expression that creates connections both with the industrial past and the technology focused present and future, giving the building a sense of timelessness. Natural materials like charcoal masonry help anchor the building with the historic buildings that neighbor the site. Generous transparency is used along the east façade to provide ample natural light into the office spaces and creating connections to the Entry Plaza and Madison Street to the interior office and atrium spaces. The upper levels are clad with a Corten (rusted metal), charcoal metal, and a smaller opening skin that creates a dynamic rhythm and contemporary language to the north, west, and south facades. Lastly, a photovoltaic array canopy is lifted above the building to create a celebrated piece of sustainable infrastructure that provides shade for the outdoor roof terraces and is a strong aesthetic piece to the building.

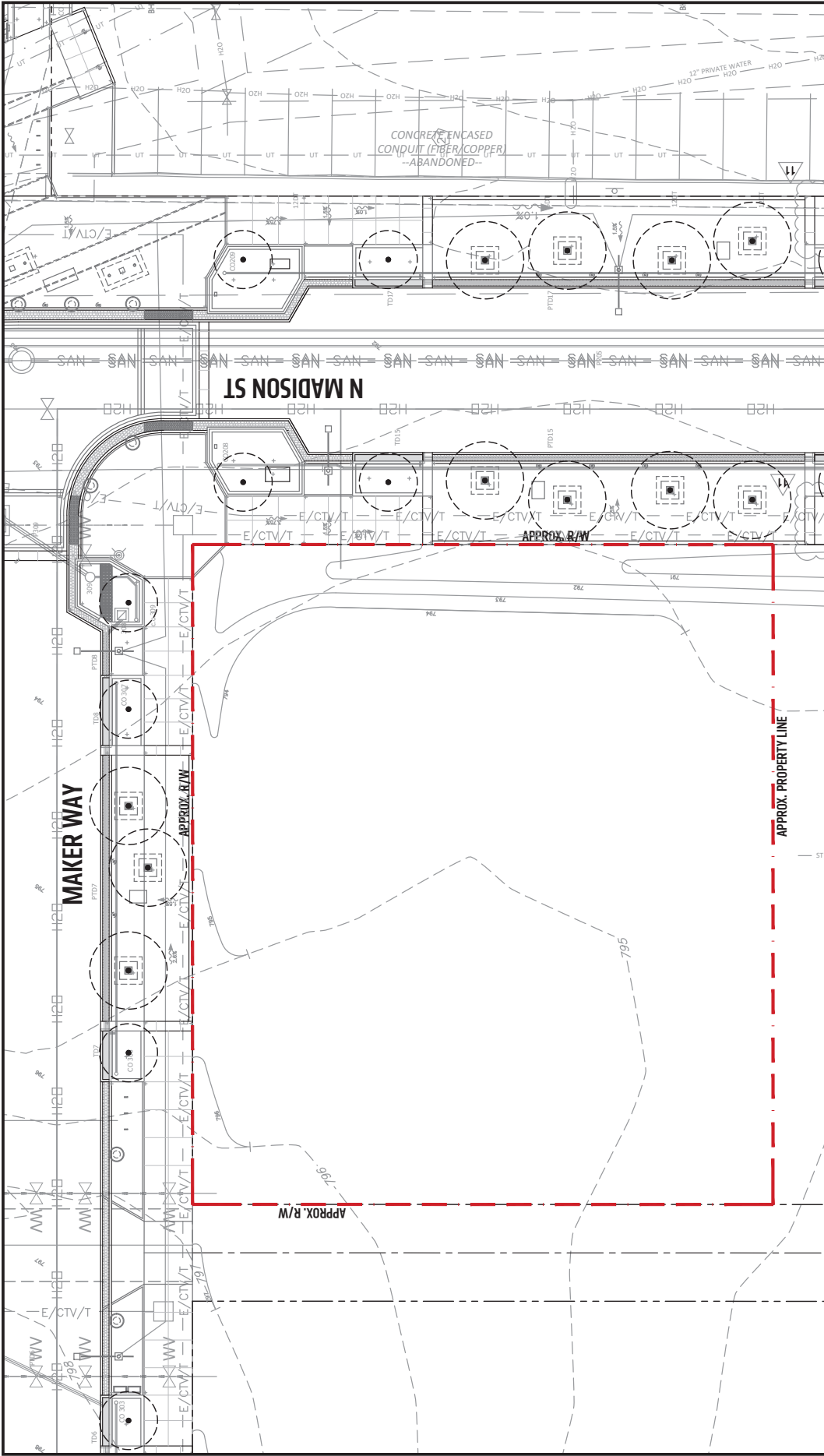


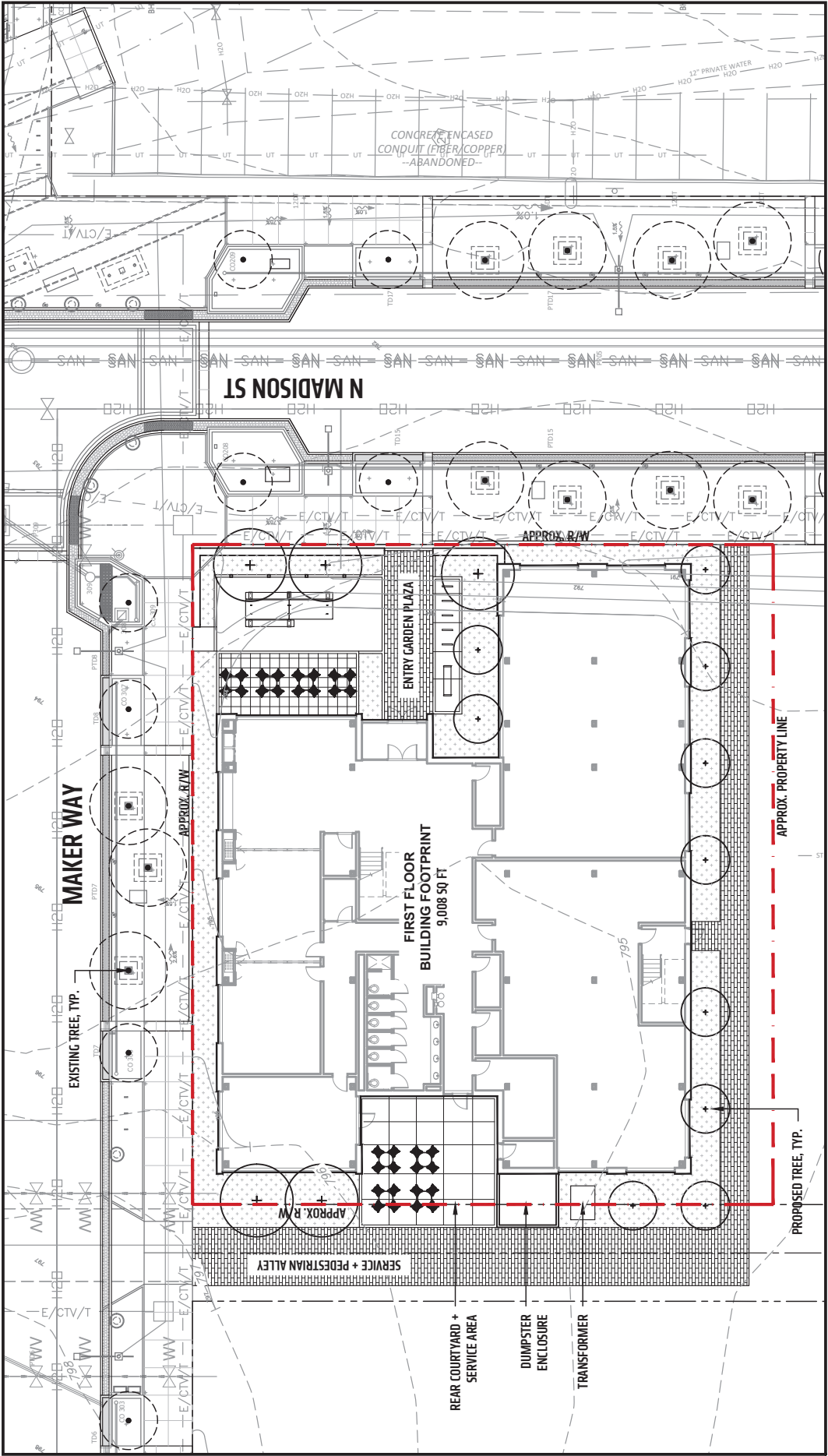
TRADES DISTRICT TECHNOLOGY CENTER

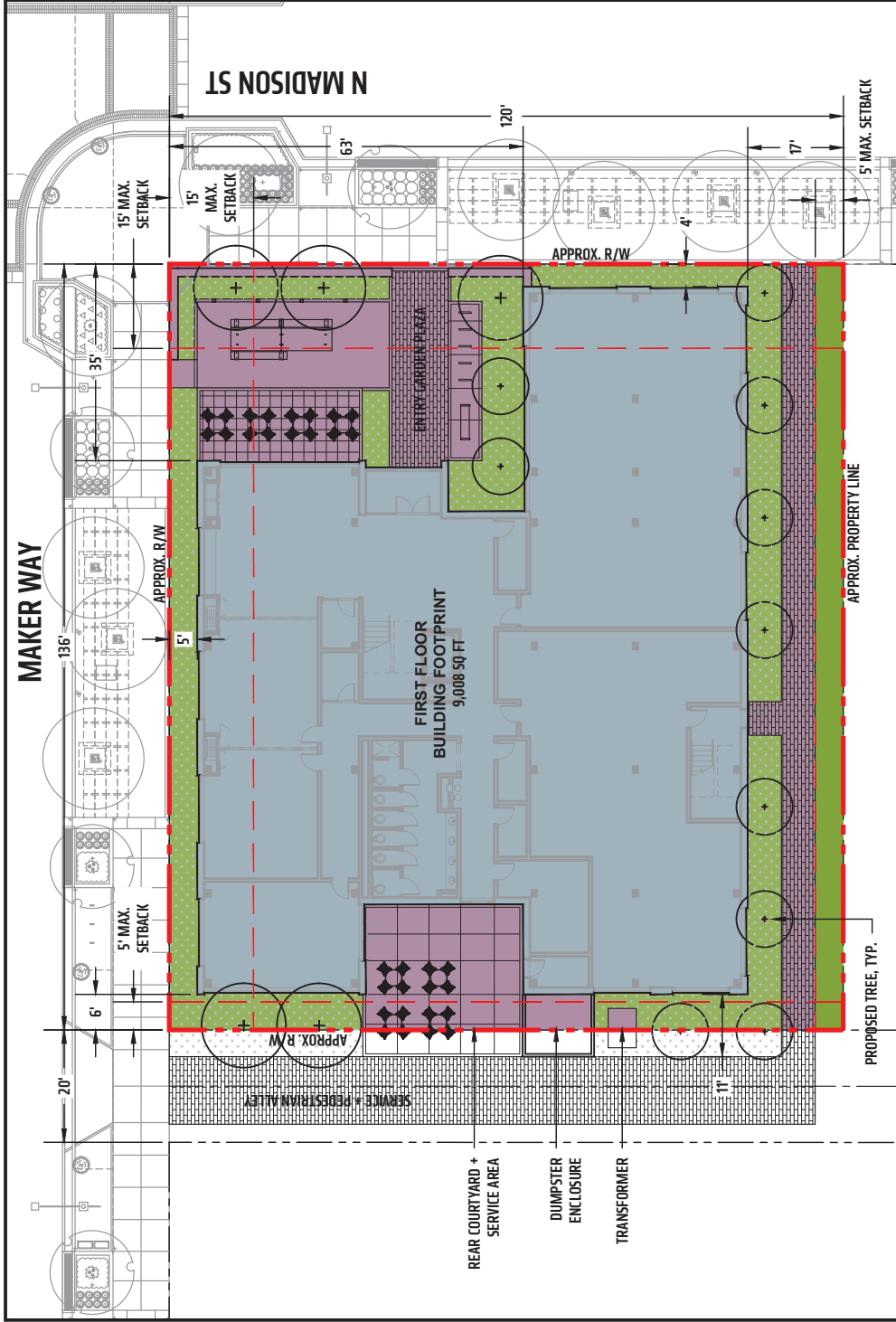
PLAN COMMISSION FILING PACKET

02/07/2022



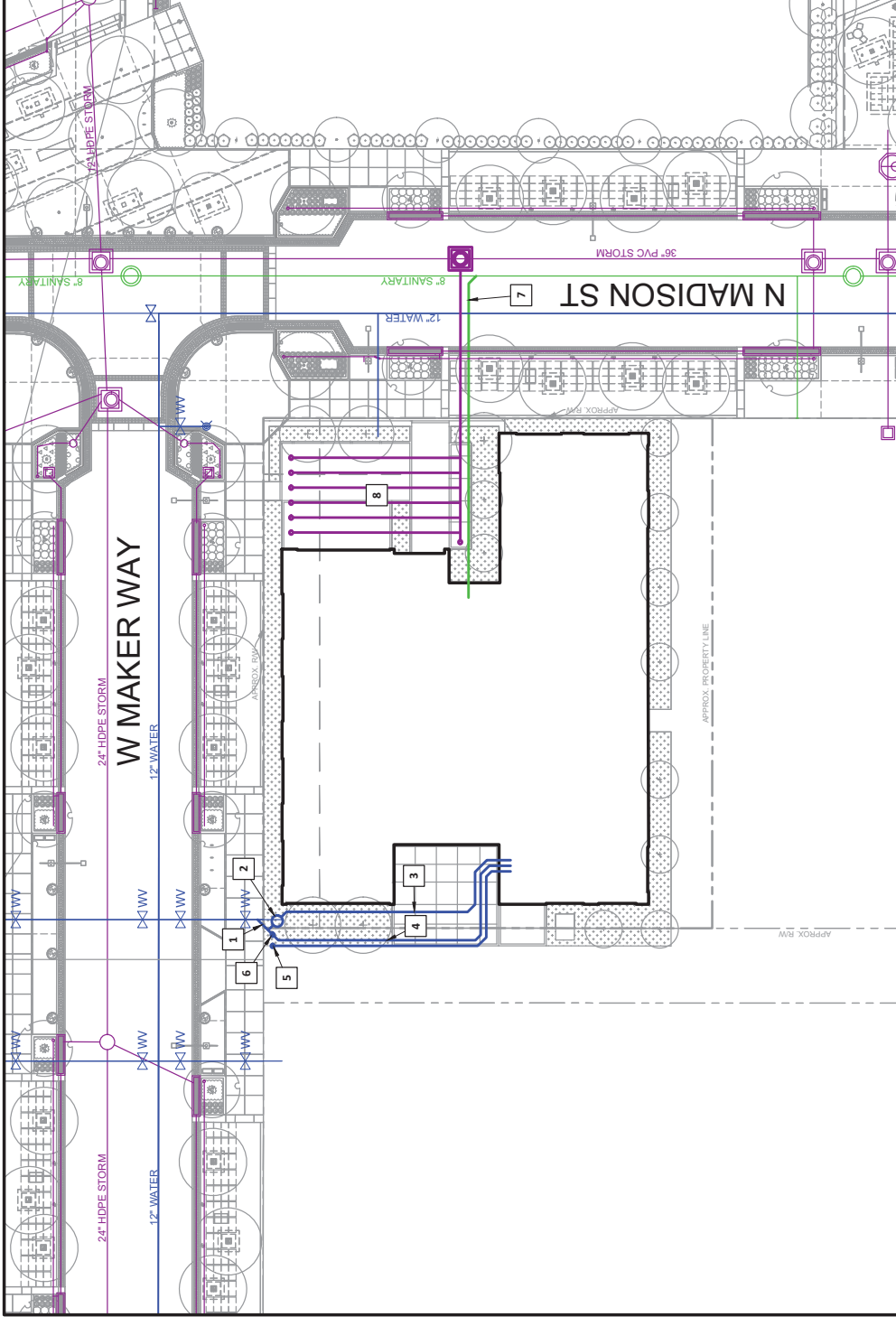






LAND COVERAGE LEGEND

| | | |
|--|--------------------|----------------------------------|
| | Parcel | 16,363 ft ² |
| | Building Footprint | 9,908 ft ² (60.6%) |
| | Total Hardscape | 3,245 ft ² (19.8%) |
| | Total Planted Area | 3,210 ft ² (19.6%) |



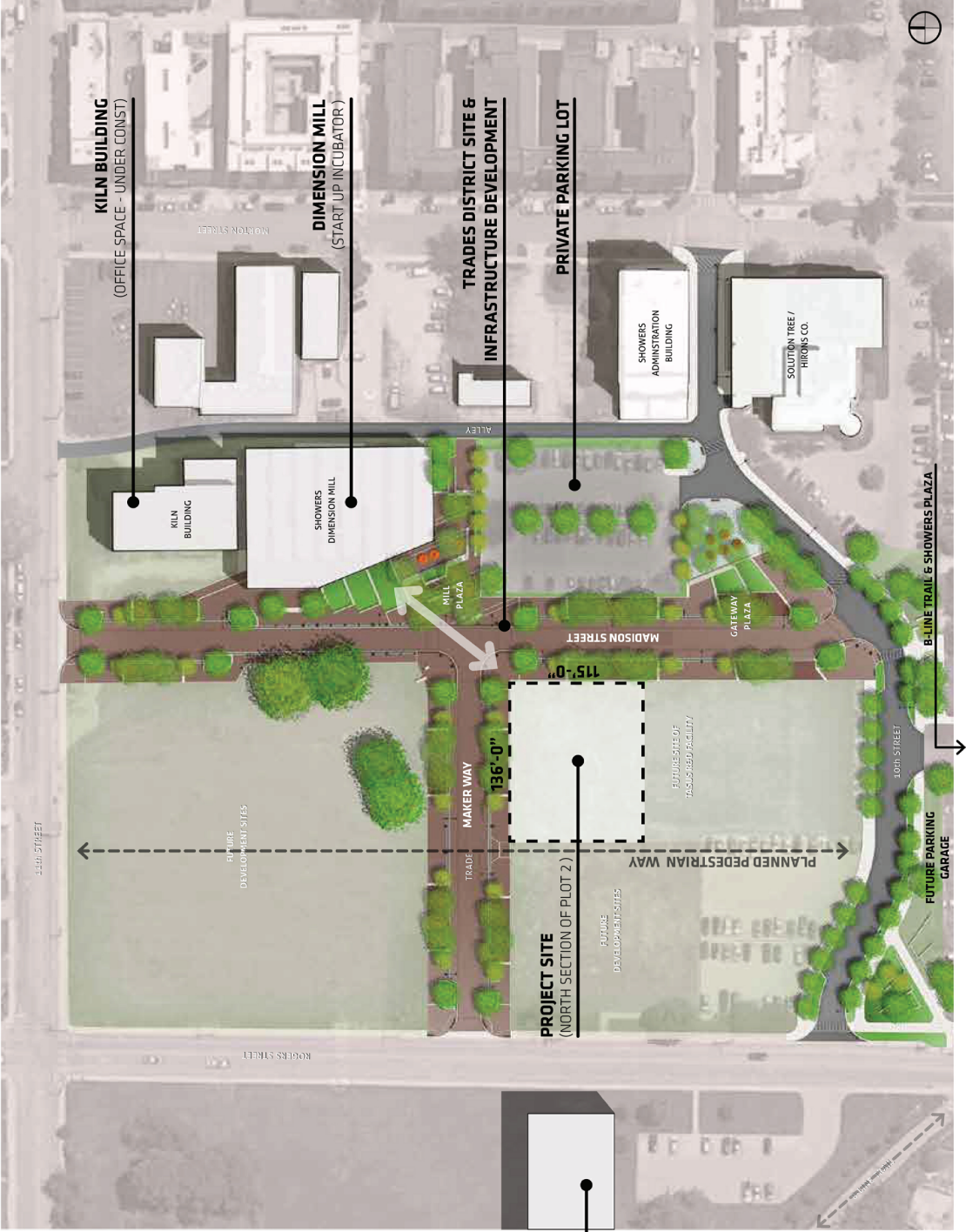
GENERAL NOTES

A. THIS SITE UTILITIES PLAN IS BASED ON INFORMATION OBTAINED FROM GDS MAPPING AND THE CITY OF BLOOMINGTON TRADES DISTRICT DESIGN.

PLAN NOTES 1

1. PRIVATE COMBINED WATER SERVICE LINE. CONNECT TO EXISTING VALVE.
2. METER PIT FOR PRIVATE DOMESTIC METER.
3. PRIVATE DOMESTIC WATER SERVICE LINE.
4. PRIVATE FIRE PROTECTION WATER SERVICE LINE.
5. FIRE DEPARTMENT CONNECTION (FDC) AND PRIVATE FIRE PROTECTION WATER SERVICE LINE.
6. SUPERVISED POST INDICATOR VALVE (SPV).
7. PRIVATE SANITARY SEWER SERVICE LATERAL.
8. UNDERGROUND STORMWATER DETENTION SYSTEM.





NEW RESIDENTIAL DEVELOPMENT

KILN BUILDING
(OFFICE SPACE - UNDER CONST)

DIMENSION MILL
(START UP INCUBATOR)

TRADES DISTRICT SITE 6
INFRASTRUCTURE DEVELOPMENT

PRIVATE PARKING LOT

SHOWERS ADMINISTRATION BUILDING

SOLUTION TREE / HIRONS CO.

KILN BUILDING

SHOWERS DIMENSION MILL

MILL PLAZA

MADISON STREET

GATEWAY PLAZA

B-LINE TRAIL & SHOWERS PLAZA

4th STREET

FUTURE DEVELOPMENT SITES

MAKER WAY

PROJECT SITE
(NORTH SECTION OF PLOT 2)

FUTURE DEVELOPMENT SITES

PLANNED PEDESTRIAN WAY

FUTURE SITE OF FASHIONED FACILITY

FUTURE PARKING GARAGE

10th STREET





- NOTES**
- 1 ENTRY PLAZA
 - 2 DINING PATIO
 - 3 BOSQUE & COMMUNITY TABLE
 - 4 BICYCLE PARKING & BENCH
 - 5 SITE WALL
 - 6 SEATING PLAZA
 - 7 TRASH ENCLOSURE
 - 8 PLANT BED



MAKER WAY

MADISON STREET





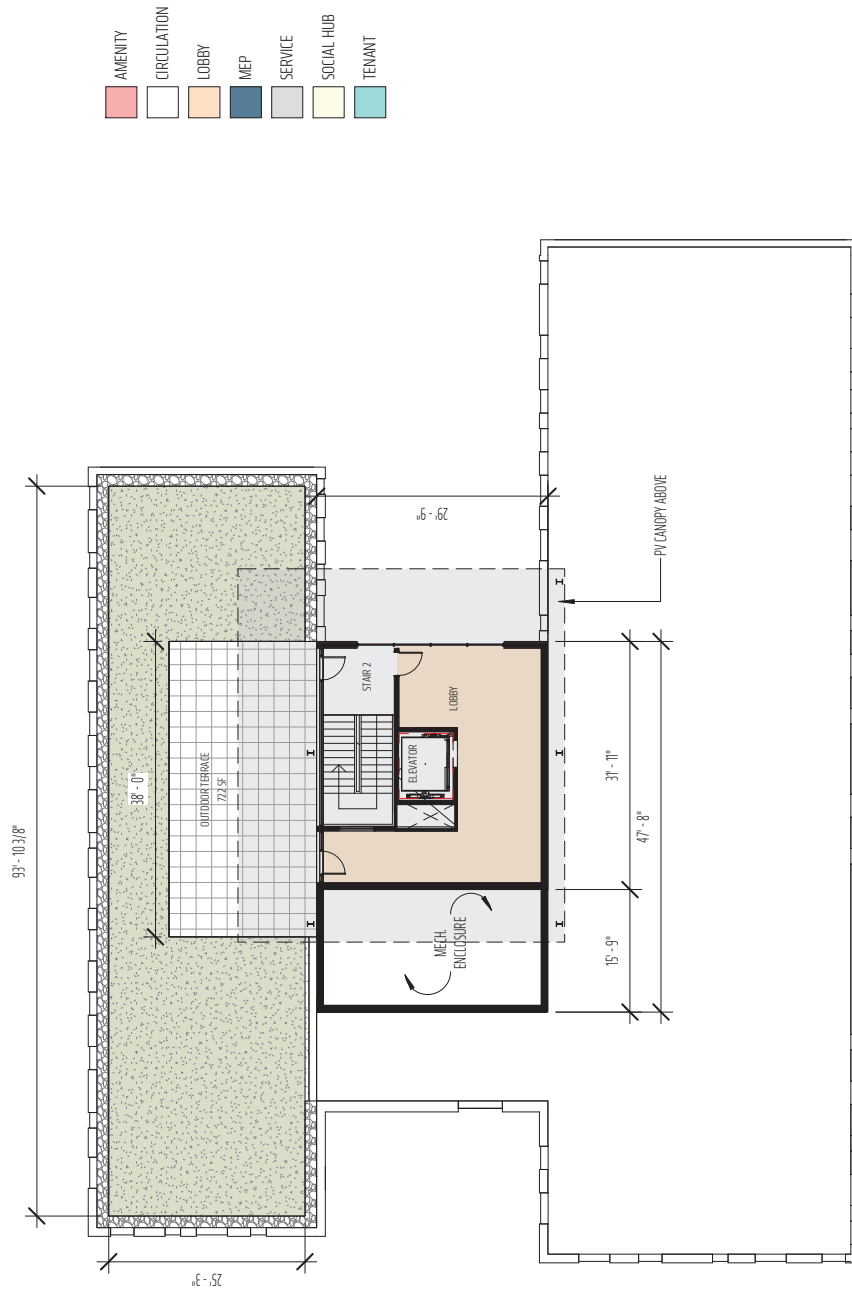




TRADES DISTRICT TECHNOLOGY CENTER | THIRD FLOOR PLAN

02/07/2022 1/16" = 1'-0"

05



- AMENITY
- CIRCULATION
- LOBBY
- MEP
- SERVICE
- SOCIAL HUB
- TENANT



EAST ELEVATION



WEST ELEVATION



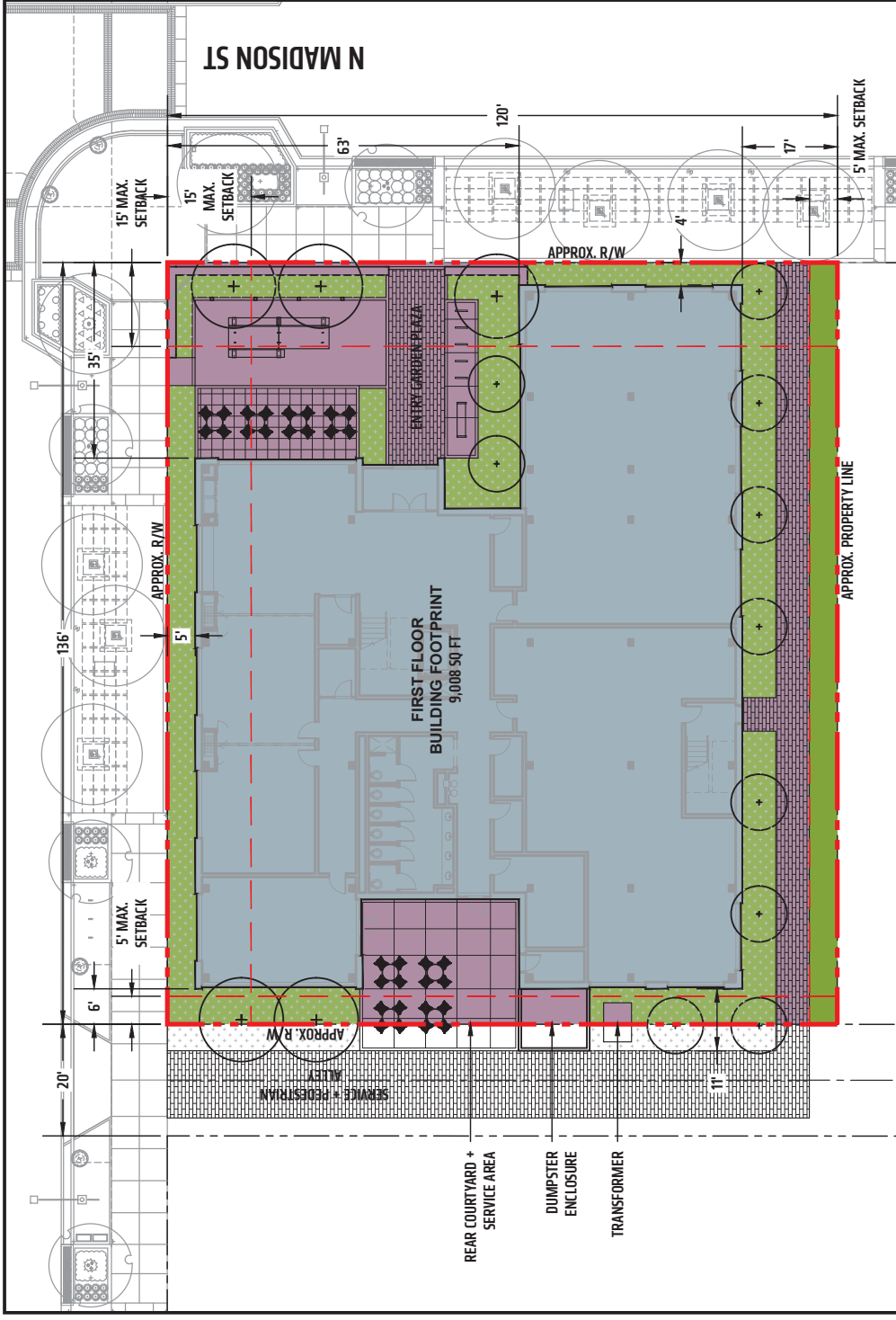
NORTH ELEVATION

- PHOTOVOLTAIC CANOPY ARRAY
- DARK CHARCOAL METAL PANEL
- ALUMINUM STOREFRONT
- CORTEN METAL PANEL
- GRAY FLY ASH BRICK MASONRY



SOUTH ELEVATION

- PHOTOVOLTAIC CANOPY ARRAY
- MECHANICAL SCREEN WALL
- DARK CHARCOAL METAL PANEL
- ALUMINUM STOREFRONT
- CORTEN METAL PANEL
- GRAY FLY ASH BRICK MASONRY



LAND COVERAGE LEGEND

| | | |
|--|--------------------|----------------------------------|
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| | Total Planted Area | 3,210 ft ² (19.6%) |



Case #s ZO-10-22 through ZO-13-22 Memo

To: Bloomington Plan Commission

From: Jackie Scanlan, AICP Development Services Manager

Date: March 11, 2022

Re: Text Amendments to Unified Development Ordinance

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. Those petitions are as follows:

1. ZO-10-22 | Technical Corrections
2. ZO-11-22 | Chapter 3: Use Regulations
3. ZO-12-22 | Chapter 4: Development Standards & Incentives
4. ZO-13-22 | Chapter 5: Subdivision Standards; Chapter 6: Administration & Procedures; Chapter 7: Definitions

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.

ZO-11-22 | Chapter 3: Use Regulations

This petition contains amendments related to uses allowed in the code. The amendments largely deal with adjusting building floor plate maximums for multifamily and student housing or dormitory uses. The amendments lower the by-right size for those uses in particular districts, as well as adjusting when the incentives for affordable housing and sustainable housing amend those size restrictions. The amendments increase the separation requirements for student housing or dormitory uses in a number of districts, which can be amended with incentive use. The amendments propose architectural requirements for parking garages. The amendments propose

to allow interior connection from the primary residential use and an attached accessory dwelling unit. There are 8 amendments identified. The changes are necessary for various reasons. The bulk of the changes are needed in order to recalibrate the existing parameters from student housing or dormitory and some multifamily buildings in order to encourage more workforce, affordable, and sustainable development. The parking garage requirements will ensure that developers understand the design parameters before attempting the use, and allow the City to gain architectural design that is similar to non-parking garage design when such a use cannot be wrapped by commercial or residential. The ADU change is intended to ease aging-in-place options.

ZO-12-22 | Chapter 4: Development Standards & Incentives

This petition deals with the amendment of details related to design requirements for uses. These amendments vary greatly. The amendments match development standards to designs in the Hospital Redevelopment Plan, as well as the Certified Technology Park Plan; add Solar energy ready requirements; clarify on drive aisle widths; clarify street stub connection expectations; add a maximum parking for contractor's yard; delete redundant parking design information; add architectural standards for multifamily development; revise the street tree species list; clarify where buffer yards are required; detail additional types of ground-mounted equipment; clarify freestanding sign rules; and add small projecting sign allowances. There are 21 amendments identified. These changes are important for various reasons. Some help align future development with City Plans, and some clarify existing practice related to vehicular, landscape, and equipment requirements. Revising the street tree species list is important in order to align the UDO list with Urban Forester expectations for most successful species. The sign regulation amendments ensure new ground signs are not located in future right-of-way, as well as allowing tenants various types of signage.

ZO-13-22 | Chapter 5: Subdivision Standards; Chapter 6: Administration & Procedures; Chapter 7: Definitions

This petition clarifies protections for environmental features in non-platting situations; adds the Engineering Department to procedures for new street lighting; requires attendance at Development Review Committee for applicants; syncs our public notice requirements with those of the State; modifies and syncs the triggers for both minor and major site plans; modifies the triggers for grading permits; clarifies confusing language related to secondary plat expiration and minor modifications; and allows minor modifications to be done for certificates of zoning compliance. There are 12 amendments identified. These amendments are needed to provide clarity on environmental protection requirements. These amendments also correct and update an error from the UDO overhaul related to notice requirements for hearings. The amendments also clarify a number of other areas where the language in code was not quite clear, as well as extends the minor modification procedure to certificates of zoning compliance, which was originally intended.

| ZO-10-22 | | Redline Page Number | Online UDO Page Number | Chapter | Citation | Current Language | Proposed Language | Synopsis |
|------------------------|---|------------------------|---|---------|-------------------|--|---|--|
| 282, 284, 341, 343 | i | 274, 276, 333, 335 | various | 0 | Table of Contents | zoning board of appeals RH: Residential High Density | Replace and use "Board of Zoning Appeals" RH: Residential High-Density Multifamily | Syns language with rest of UDO Fixes incorrect label |
| 24 | | 24 | 20.02.010(m) | 2 | | RH: Residential High Density | RH: Residential High-Density Multifamily | Fixes incorrect label |
| 33 | | 33 | 20.02.020 Table 02-11 | 2 | | MM: Dimensional Standards | Synching 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 | 20.02.020 Tables 02-15; 02-16; 02-17; 02-18; 02-19; 02-20 | 2 | | None | Add row for Side and Rear Parking Setback in Downtown. Requirements set per 20.04.080(h)(1)(A)(i). | Synching with Ch. 4 regulation in Landscaping section |
| 53 | | 51 | 20.02.020 Table 02-20 | 2 | | Maximum Impervious Surface coverage = 25% Landscape Area = 75% / Minimum | Change maximum impervious surface coverage to 85% and minimum landscape area to 15%. | Syns with urban design envisioned in Plan |
| 67 | | 65 | 20.02.050 Table 02-28 | 2 | | 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, syns with Plan |
| 83 | | 81 | 20.03.030(b)(13)(B) | 3 | | 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, 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)(i) apply to each student housing or dormitory use in the RM, RH, MM, MC, and MI zoning districts. | Fixes incorrect citation |
| 83 | | 81 | 20.03.030(b)(13)(C)(i) | 3 | | 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 | 20.03.030(b)(13)(C)(ii) | 3 | | 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 | 20.03.030(b)(13)(C)(iii) | 3 | | 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 | 20.03.030(d)(7) and Definitions | 3 ; 7 | | "homeless shelter" | Removing old term | Removing old term |
| 111 | | 108 | 20.04.020 Table 04-4 | 4 | | None | Add row for Side and Rear Parking Setback in Downtown. Requirements set per 20.04.080(h)(1)(A)(i). | Synching 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 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 developmentally disabled persons 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 |

TABLE OF CONTENTS

Chapter 20.01: Ordinance Foundation 1

| | | |
|------------------|--|----------|
| 20.01.010 | Title, Purpose, and Effective Date | 1 |
| (a) | Title | 1 |
| (b) | Purpose | 1 |
| (c) | Effective Date | 2 |
| 20.01.020 | Authority, Applicability, and Jurisdiction | 2 |
| (a) | Authority | 2 |
| (b) | General Applicability | 2 |
| (c) | Jurisdiction | 3 |
| (d) | Severability | 3 |
| (e) | Official Zoning Map | 3 |
| 20.01.030 | Interpretation and Conflicting Provisions | 3 |
| (a) | Rules of Interpretation | 3 |
| 20.01.040 | Transition from Prior Regulations | 5 |
| (a) | General Transition Rules | 5 |
| (b) | Effect of Change in the Law after Filing of Complete Petition | 8 |
| (c) | Petitions for Variance or Rezoning (Map Change Other Than PUD) | 9 |
| 20.01.050 | Comprehensive Plan | 9 |
| (a) | Purpose | 9 |
| (b) | Comprehensive Plan Incorporated | 9 |
| (c) | Transportation Plan | 9 |
| (d) | Relationship between Comprehensive Plan and this UDO | 9 |
| (e) | Relationship of Subarea Plans to the Comprehensive Plan | 10 |

Chapter 20.02: Zoning Districts 11

| | | |
|------------------|---|-----------|
| 20.02.010 | Zoning Districts Established | 11 |
| (a) | Summary Table of Zoning Districts | 11 |
| (b) | Base Zoning Districts | 12 |
| (c) | Planned Unit Development Districts | 12 |
| (d) | Overlay Zoning Districts | 12 |
| (e) | Official Zoning Map Revisions | 12 |
| (f) | Standards | 13 |
| (g) | Overlay District Applicability | 13 |
| (h) | R1: Residential Large Lot | 14 |
| (i) | R2: Residential Medium Lot | 16 |
| (j) | R3: Residential Small Lot | 18 |
| (k) | R4: Residential Urban | 20 |
| (l) | RM: Residential Multifamily | 22 |
| (m) | RH: Residential High-Density Multifamily High-Density | 24 |
| (n) | RMH: Manufactured/Mobile Home Park | 26 |
| 20.02.020 | Mixed-Use Zoning Districts | 28 |
| (a) | MS: Mixed-Use Student Housing | 28 |
| (b) | MN: Mixed-Use Neighborhood Scale | 30 |
| (c) | MM: Mixed-Use Medium Scale | 32 |
| (d) | MC: Mixed-use Corridor | 34 |
| (e) | ME: Mixed-use Employment | 36 |
| (f) | MI: Mixed-use Institutional | 38 |
| (g) | MD: Mixed-use Downtown | 40 |
| (h) | MH: Mixed-use Healthcare | 54 |
| 20.02.030 | Nonresidential Zoning Districts | 56 |
| (a) | EM - Employment | 56 |

Figure 10: RM Dimensional Standards

(m) RH: Residential High-Density MultifamilyHigh-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) | | |
|---|---|--|
| 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] [6] |
| E | Rear | 7 feet [1] [6] |
| Other Standards | | |
| F | 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% |
| 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 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 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.

(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 | | |
|-------------------|---|---|
| A | Build-to range | 0 to 5 feet |
| 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 |
| | Side and Rear parking setback (minimum) | Requirements set per Section 20.04.080(h)(1)(A)(ii) |
| | Impervious surface coverage (maximum) | 100% |
| C | 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

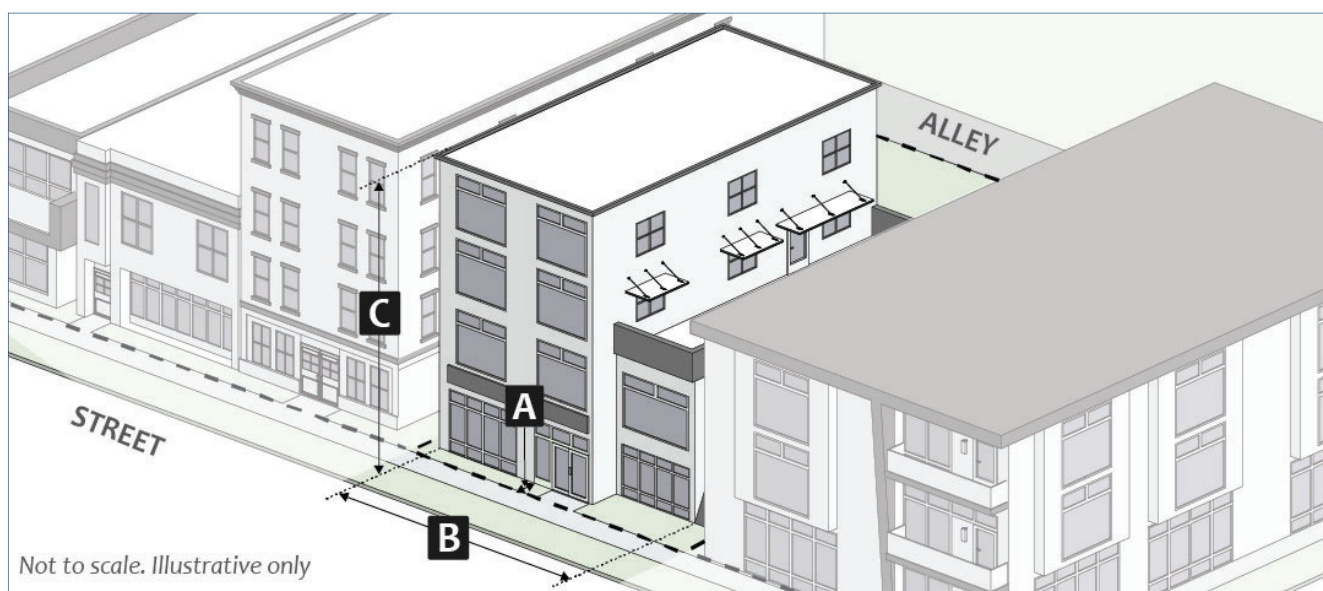
The following table is a summary of the character area specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

Table 02-16: MD-DC Dimensional Standards

| Building Setbacks | | |
|-------------------|---|---|
| A | Build-to range | 0-5 feet |
| B | Building façade at build-to range (minimum) | 70% |
| | Adjacent to B-Line (minimum) | 10 feet |
| | Side (minimum) | None [1] |
| | Rear (minimum) | None [1] |
| Other Standards | | |
| | 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% |
| C | 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

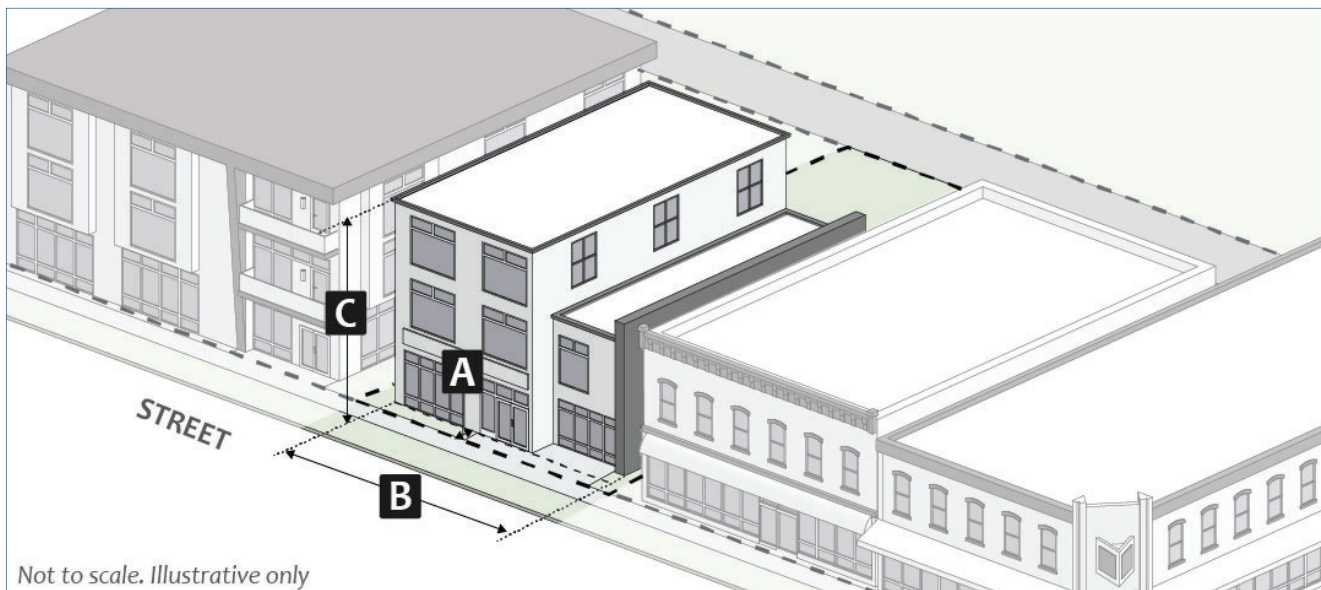
The following table is a summary of the character area specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

Table 02-17: MD-UV Dimensional Standards

| Building Setbacks | | | | |
|-------------------|--|---|--|--|
| A | Build-to range | 0 to 15 feet | | |
| 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 | | |
| | Side and Rear parking setback | Requirements set per Section 20.04.080(h)(1)(A)(ii) | | |
| | Impervious surface coverage (maximum) | 85 % | 100 % | 85% |
| | Landscape area (minimum) | 15% | n/a | 15% |
| C | 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 |
| | Side and Rear parking setback (minimum) | Requirements set per Section 20.04.080(h)(1)(A)(ii) |
| | 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).

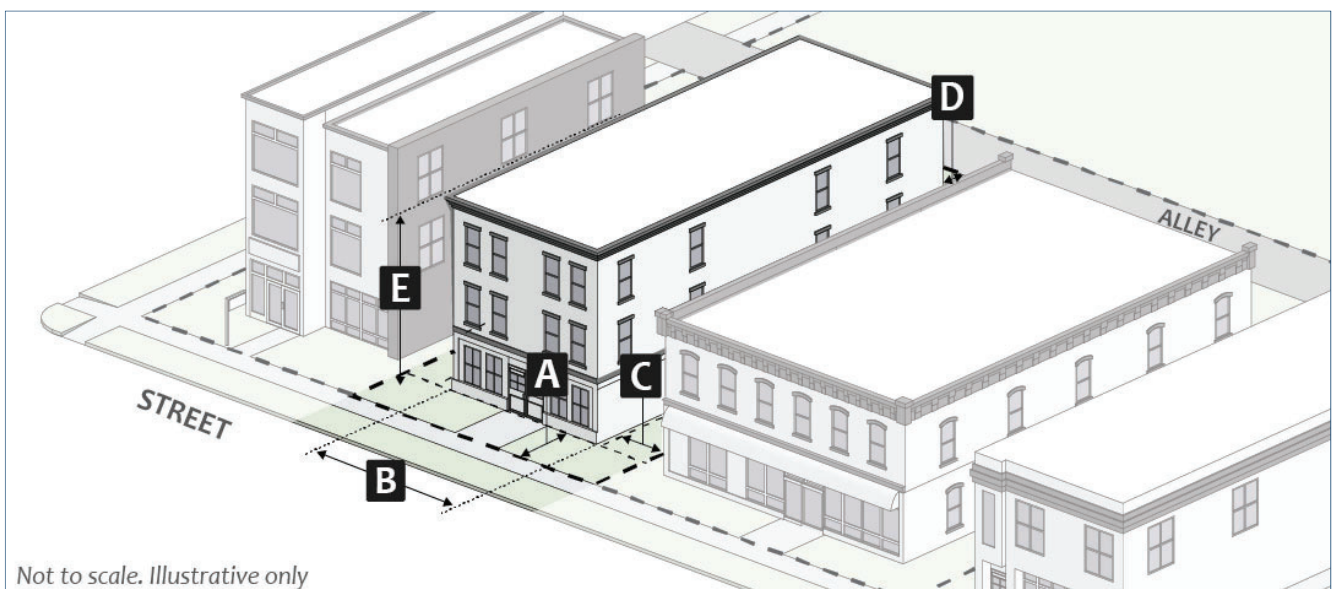


Figure 34: MD-DE Downtown Character Overlay Dimensional Standards

(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 |
| | Side and Rear parking setback (minimum) | Requirements set per Section 20.04.080(h)(1)(A)(ii) |
| | 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).

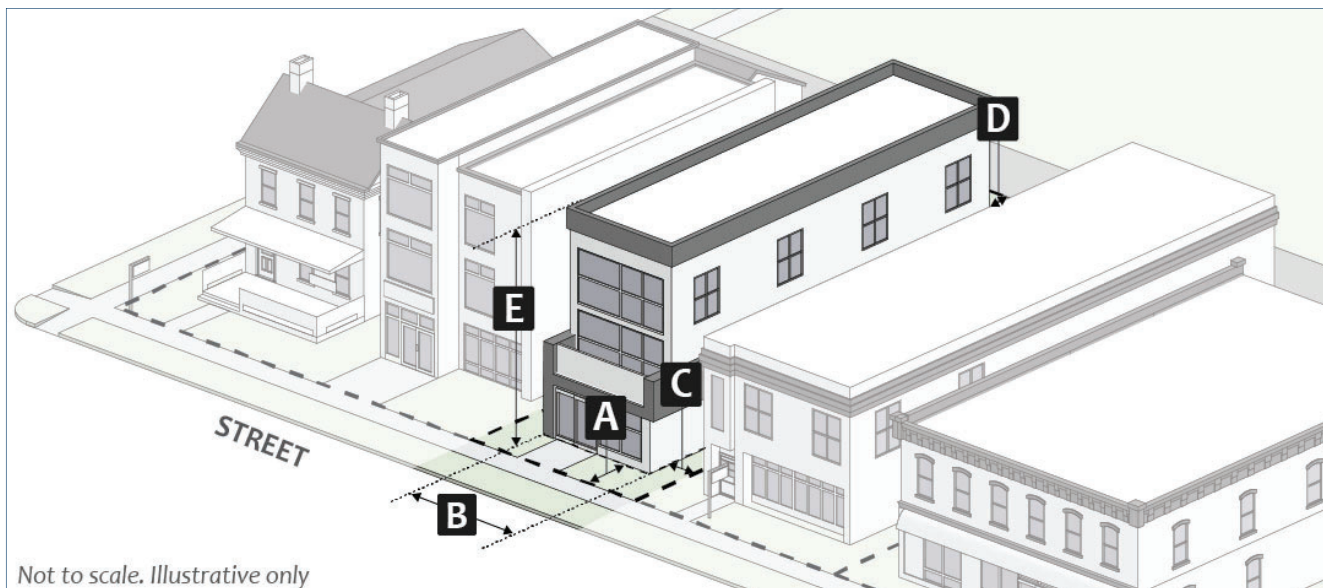


Figure 36: MD-DG Downtown Character Overlay Dimensional Standards

(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 |
| | Side and Rear parking setback (minimum) | Requirements set per Section 20.04.080(h)(1)(A)(ii) |
| | Impervious surface coverage (maximum) | 75% 85% |
| | Landscape area (minimum) | 25% 15% |
| 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).

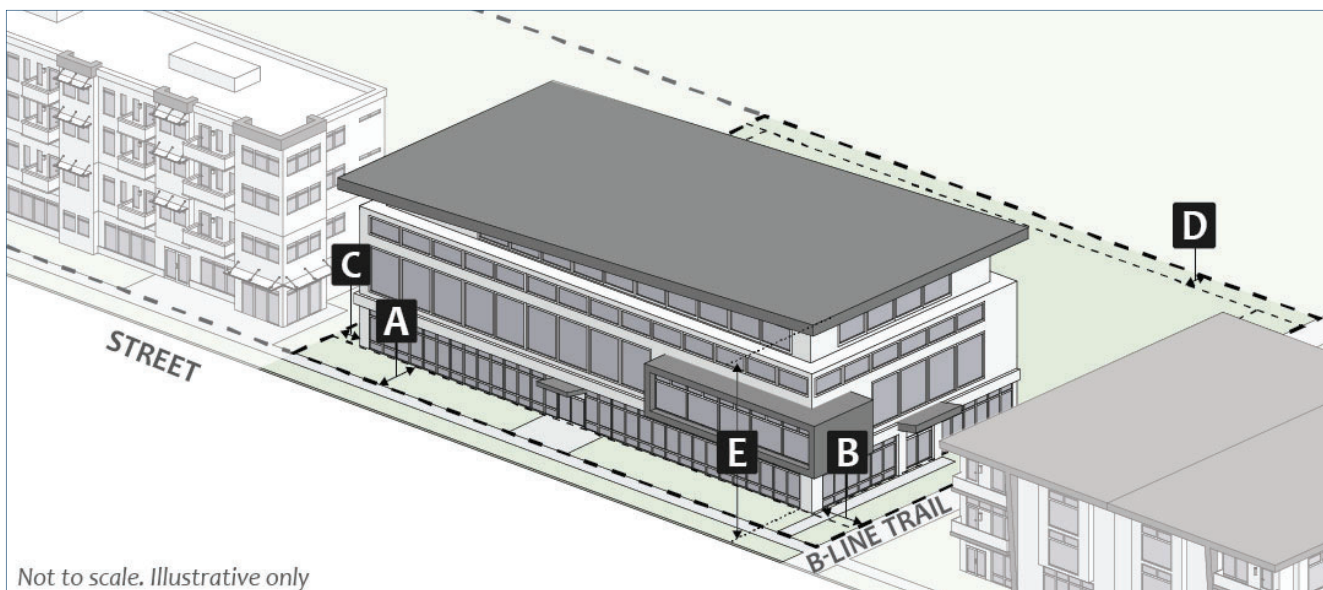


Figure 38: MD-ST Downtown Character Overlay Dimensional Standards

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, ST | EIFS, vinyl, highly reflective materials, wood, smooth or split-faced cement block, metal, and precast concrete | EIFS, vinyl, and highly reflective materials |
| ST | EIFS, vinyl, highly reflective materials, wood, smooth or split-faced cement block, and precast concrete | EIFS, vinyl, and highly reflective materials |
| 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)(B)(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 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) 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 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) 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 |
|-----------------------|----|----|----|----|----|----|----|----|
|-----------------------|----|----|----|----|----|----|----|----|

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.

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 |
|---|--|-------------|--|--------------|--------------|----------------|
| Lot Dimensions (Minimum) | | | | | | |
| Lot area | None | None | None | None | None | None |
| Lot width | None | None | None | None | None | None |
| Building Setbacks | | | | | | |
| 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 |
| 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) | 100% | 100% | General and Restaurant Row: 85% Kirkwood Corridor: 100% | 75% | 75% | <u>75% 85%</u> |
| Landscape area (minimum) | None | None | General and Restaurant Row: 15% Kirkwood Corridor: None | 25% | 25% | <u>25% 15%</u> |

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.

(d) Pedestrian and Bicycle Circulation

(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.

(g) Buffer Yards

(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 |
| Development Permits and Procedures | | | | | | | | | | | | | | |
| 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) | | | | | | | | | | | | |
| Subdivision Procedures | | | | | | | | | | | | | | |
| 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* | | | | |
| Plan/Ordinance Amendments | | | | | | | | | | | | | | |
| 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).

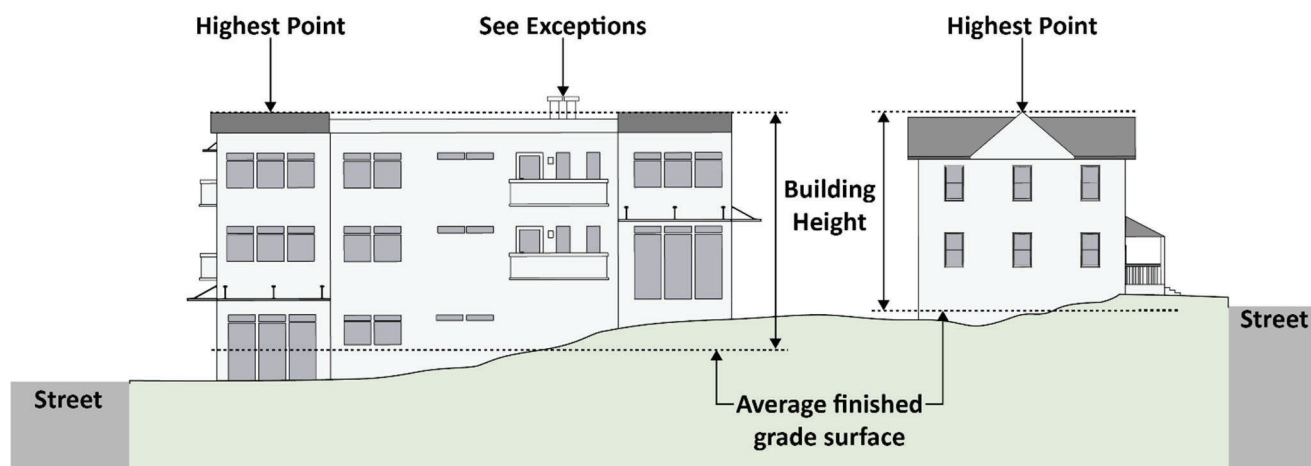


Figure 6: Building Height

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-11-22 | Redline Page Number | Online UDO Page Number | Citation | Current Language | Proposed Language | Synopsis |
|----------|---------------------|--------------------------|----------|--|--|--|
| 79 | 77 | 20.03.030(b)(5) | None | 300 foot separation for Student Housing or Dormitory Use in RM, RH, MN, MM, MC, and MI | Buildings with more than 20 dwelling units cannot have a floorplate larger than 10,000 square feet. Buildings that utilize either the affordable housing or sustainable incentives may be allowed a floorplate up to 15,000 square feet per qualified building. Utilizing both allows up to 30,000 square feet per building. | Adds maximum floor plate language to encourage smaller buildings for medium to large multifamily developments |
| 83 | 81 | 20.03.030(b)(13) | None | 300 foot separation for Student Housing or Dormitory Use in RM, RH, MN, MM, MC, and MI | Increase to 900 feet. No separation requirement with use of both incentives. | Adjusting separation of student housing or dormitory unless using both incentives. |
| 83 | 81 | 20.03.030(b)(13)(C)(i) | None | 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). 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 and dormitory use shall be 5,000 square feet per building. | 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 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 plan of a student housing and dormitory use shall be 5,000 square feet per building . | Reduces floor plate for student housing or dormitory. |
| 84 | 81 | 20.03.030(b)(13)(C)(i) | None | 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, 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 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 plan of a student housing and dormitory use shall be 10,000 square feet per building . | Reduces floor plate for student housing or dormitory. |
| 84 | 81 | 20.03.030(b)(13)(C)(ii) | None | 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 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 plan of a student housing and dormitory use shall be 20,000 square feet per building . | Reduces floor plate for student housing or dormitory. |
| 84 | 82 | 20.03.030(b)(13)(C)(iii) | None | In the MS zoning district, the maximum building floor plate for a student housing or dormitory use shall be 20,000 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, there shall be no maximum building floor plate for a student housing or dormitory use in the MS zoning district. | 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, the maximum building floor plate for a student housing or dormitory use per building shall be 14,000 square feet . 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. | Adds appropriate section number, reduces maximum floor plate, and clarifies that the maximum floor plate applies to each individual building and not cumulative. |
| 84 | 82 | 20.03.030(b)(13)(C)(iv) | None | In the MS zoning district, the maximum building floor plate for a student housing or dormitory use shall be 20,000 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, there shall be no maximum building floor plate for a student housing or dormitory use in the MS zoning district. | 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, the maximum building floor plate for a student housing or dormitory use per building shall be 14,000 square feet . 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. | Adds appropriate section number, reduces maximum floor plate, and clarifies that the maximum floor plate applies to each individual building and not cumulative. |

| | | | | |
|--|--|---|-------------------------------|-----------|
| | <p>Amend existing to (A) and Add (B) new language for all districts, design of parking garage. In all districts, if exterior facades of a parking garage structure are not covered with residential or commercial spaces, then the following design elements must all be included: a.Exterior facades shall utilize a punched-out window design with a minimum of 2' solid space between openings and defined lintils and sills that utilize different finishing material than adjacent facade. b.The building shall be designed so that the presence of parked vehicles is not visible. c.A minimum of one pedestrian entrance with required entrance detailing is required per street frontage. d.A minimum of 25% of the facades facing a public street shall incorporate public art or planter boxes or the like as determined by Staff.</p> | | | |
| <p>Adds specific architectural requirements for parking garage use</p> | | <p>None</p> | <p>20.03.030(d)(16)</p> | <p>89</p> |
| <p>Addressing separation requirement for attached ADUs.</p> | <p>No more than one family, as defined in Chapter 20.07: (Definitions), shall reside in one accessory dwelling unit; provided, however, that units lawfully in existence prior to the effective date of the ordinance from which this section derives where the number of residents located in one accessory dwelling unit lawfully exceed that provided by the definition of family in Chapter 20.07: (Definitions), may continue to be occupied by the same number of persons as occupied the accessory dwelling unit on that effective date. For purposes of this section, attached ADUs approved under this ordinance with internal access shall be considered one dwelling unit.</p> | <p>No more than one family, as defined in Chapter 20.07: (Definitions), shall reside in one accessory dwelling unit; provided, however, that units lawfully in existence prior to the effective date of the ordinance from which this section derives where the number of residents located in one accessory dwelling unit lawfully exceed that provided by the definition of family in Chapter 20.07: (Definitions), may continue to be occupied by the same number of persons as occupied the accessory dwelling unit on that effective date.</p> | <p>20.03.030(g)(5)(B)(iv)</p> | <p>99</p> |
| | | | | <p>96</p> |

1. Roof pitch;
 2. Front porch width and depth;
 3. Front building setback; and
 4. Vehicle parking access (i.e., front-, side-, or rear-access garage or parking area).
- iii. In the R4 zoning district, no triplex dwelling structure shall contain more than nine bedrooms total, and no fourplex dwelling structure shall contain more than 12 bedrooms total.
 - iv. Each individual dwelling unit shall have separate utility meters.

(5) Dwelling, Multifamily

(A) Ground Floor Parking

Any 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) Size

In the MN and R4 zoning districts, no more than eight multifamily dwelling units shall be constructed on one single lot or parcel.

(C) Building Floor Plate

Buildings with more than 20 dwelling units cannot have a floor plate larger than 10,000 square feet. Buildings that utilize either the affordable housing or sustainable incentive shall be allowed a maximum of 15,000 square feet per qualified building. Buildings that utilize both the affordable housing and sustainable incentives shall be allowed a maximum of 30,000 square feet per qualified building.

(D) Ground Floor Units

- i. Ground floor dwelling units shall be prohibited in the MD-ST (Showers Technology) and MD-CS (Courthouse Square) Downtown Character Overlays, and the ME zoning district.
- ii. In the MD zoning district, each dwelling unit located on the ground floor shall be located at least 20 feet behind each building façade facing a public street.

(6) Dwelling, Live/Work

- (A) The residential unit shall be located above or behind the nonresidential areas of the structure.
- (B) The residential living space shall be occupied by the owner of the commercial or manufacturing activity or the owner's employee, including that person's household.
- (C) The resident owner or employee is responsible for the commercial or manufacturing activity performed.
- (D) In the R4, RM, and RH zoning districts, the commercial activity area shall not exceed 50 percent of the gross floor area of the unit.
- (E) Signs are limited to not more than two internally illuminated wall or window signs not exceeding 10 square feet in total area.
- (F) The work activities shall not adversely impact the public health, safety, or welfare of adjacent properties.

- (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)(B)(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 ~~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) 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 ~~buildinglot~~, 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.

(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. For the purpose of this section, each hose shall count as one fuel dispenser unit.
- (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
 - iii. At least 50 percent of the total number of dispenser units shall provide alternative fuels including, but not limited to biodiesel, electricity, majority ethanol blend, hydrogen or natural gas.

(15) Vehicle Impound Storage

Vehicle impound storage lots shall be screened with a solid fence or wall at between eight and 10 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.

(16) Vehicle Parking Garage

- A. In the MD-CS, MD-DC, MD-UV, MD-DG, and MD-ST Downtown Character Overlays, a freestanding primary use vehicle parking garage, or a parking garage that is attached to but not located within the building envelope of a structure containing another primary use shall require conditional use permit approval pursuant to Section 20.06.050(b) (Conditional Use Permit).
- B. In all districts, if exterior facades of a parking garage structure are not covered with residential or commercial spaces, then the following design elements shall all be included:

- a. Exterior facades shall utilize a punched-out window design with a minimum of 2' solid space between openings and defined lentils and sills that utilize different finishing material than adjacent façade.
- b. The building shall be designed so that the presence of parked vehicles is not visible.
- c. A minimum of one pedestrian entrance with required entrance detailing is required per street frontage.
- a-d. A minimum of 25% of each facade facing a public street shall incorporate public art, planter boxes, or similar elements.

(17) Vehicle Repair, Major or Minor

- (A) All major overhaul, body and fender work, upholstery and welding, and spray painting shall be conducted within a completely enclosed building.
- (B) No outdoor storage of automobile parts, discarded tires, or similar materials shall be permitted.
- (C) Outdoor storage of more than three wrecked or temporarily inoperable vehicles awaiting repairs shall be prohibited.

(18) Vehicle Wash

Where a car wash facility is located adjacent to a Residential zoning district, the following restrictions shall apply:

- (A) The hours of operation for automated car wash facilities shall be limited to between 7:00 a.m. and 10:00 p.m.
- (B) Automated audio warnings (e.g., beepers), instructions and other audio recordings associated with the car wash facility are not permitted.

(e) Employment Uses

(1) Storage, Outdoor

(A) Parking of Vehicles

All outdoor parking of vehicles in all zoning districts shall comply with the following standards:

- i. Vehicles and trailers shall not be stored or parked on an unimproved surface.
- ii. Stored or parked vehicles shall not block, impede, or otherwise encroach upon a sidewalk.
- iii. Stored or parked vehicles shall not be used for other purposes, including, but not limited to, living quarters, or storage of materials.

(B) Screening

Primary use outdoor storage yards 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.

(C) Prohibited Storage Materials

In all zoning districts where this use is allowed, except for the MI zoning district, outdoor storage of equipment, materials, waste or scrap materials, and pallets is prohibited.

(5) Dwelling, Accessory Unit**(A) Purpose**

These accessory dwelling unit ("ADU") standards are intended to permit the creation of legal ADUs that are compatible with residential neighborhoods while also adding housing options for the City's workforce, seniors, families with changing needs, and others for whom ADUs present an affordable housing option.

(B) Generally

- i. This use shall be accessory to a single-family or duplex dwelling that is the principal use on the same lot or parcel.
- ii. Not more than one ADU may be located on one lot.
- iii. ADUs shall not contain more than two bedrooms.
- iv. No more than one family, as defined in Chapter 20.07: (Definitions), shall reside in one accessory dwelling unit; provided, however, that units lawfully in existence prior to the effective date of the ordinance from which this section derives where the number of residents located in one accessory dwelling unit lawfully exceed that provided by the definition of family in Chapter 20.07: (Definitions), may continue to be occupied by the same number of persons as occupied the accessory dwelling unit on that effective date. For purposes of this section, attached ADU's with internal access that were approved under this ordinance shall be considered one dwelling unit.
- v. A request for an ADU shall be required to submit a separate site plan petition with the Planning and Transportation Department.

(C) Utilities

All ADUs shall be connected to the public water main and sanitary sewer that are adjacent to the property on which the ADU is located, per City of Bloomington Utilities' Rules and Regulations or Construction Specifications. Where water or sanitary sewer mains are not adjacent to the property and the primary dwelling on the lot uses a septic system, the ADU may use the septic system in compliance with Monroe County Health Department Standards.

(D) Standards for Attached ADUs

- i. The maximum square footage of any attached ADU shall be 840 square feet.
- ii. The maximum height of any attached ADU shall be the same as that applicable to the primary dwelling structure in the zoning district where the ADU is located.
- iii. Each ADU shall be set back from each property line by at least the same setback distance applicable to the primary dwelling structure in the zoning district where the ADU is located.

(E) Standards for Detached ADUs

Detached ADUs shall meet the architectural and foundation requirements for a single-family dwelling within the applicable zoning district as found in Section 20.04.070(d)(3) (Residential).

- i. The maximum gross floor area of the detached ADU portion of any accessory structure shall be 840 square feet or the maximum square footage allowed for accessory structures permitted by Section 20.03.030(g) (Accessory Uses and Structures), whichever is less.
- ii. The detached ADU shall not exceed 25 feet in height.

| Redline Page Number | Online UDO Page Number | Citation | Current Language | Proposed Language | Synopsis |
|---------------------|------------------------|--------------------------|---|---|---|
| 110-111 | 107 | 20.04.020 Table 04-3 | none | [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 the Impervious surface coverage (maximum) shall be 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 the Landscape Area minimum shall be 15%. | Syncs the UDO with the Bloomington Hospital Site Reuse Master Plan (pages 62-63) with lot areas available for redevelopment. |
| 111 | 108 | Table 04-4 | Side and Rear Parking Setback for Downtown Character Overlays | Matching those standards to existing standards in 20.04.080(n)(1)(A)(ii) | Setbacks are currently only in landscape section |
| 116 | 113 | Table 04-4 Table 04-7 | DU-dwelling unit | Change to 85%/15% delete DU-dwelling unit, add Solar Collector and reference 20.03.030(f)(2) | To reflect a more urban design as proposed various Plans fix a typo and cross-reference solar collector use standards |
| 139 | 136 | 20.04.050(c)(3)(B)(ii) | No entrance or drive shall exceed the following pavement widths for two-way traffic (if one-way, the measurements shall be one-half of the below requirements): | No entrance or drive located in the front yard of a property shall exceed the following pavement widths for two-way traffic (if one-way, the measurements shall be one-half of the below requirements): | Clarifies location for restriction of driveway width |
| 140 | 136 | 20.04.050(c) | None | Add new section (4) Connectivity - Where adjacent properties have street or access drive stubs to the shared property lines, these stubs shall be connected and extended. | Adds new language for connecting to adjacent street or driveway stubs |
| 149 | 145 | 20.04.060(d) Table 04-9 | Minimum parking requirements for duplexes, triplexes, fourplexes are required always | Add footnote [3] that minimum parking for duplexes, triplexes, fourplexes only applies in the R1, R2, R3, and R4 districts. | Clarifies that minimum parking only applies in certain districts. There is no minimum parking for multi-family in the mixed use and higher density residential districts |
| 152 | 149 | 20.04.060(e) Table 04-10 | No limit on parking for contractor's yard | one parking space per approved building occupancy | Provides a maximum parking requirement for contractor's yard, as it presents issues with change of use |
| 157 | 153 | 20.04.060(i)(3)(B) | (A) The length of a parking stall may be reduced to 16 feet allowing the front of vehicles to orienting 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. | (A) The length of a parking stall may be reduced to 16 feet allowing the front of vehicles to orienting 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. | Removes unnecessary language which is better represented in the table |
| 157 | 153 | 20.04.060(i)(3) | All on-site parking and maneuvering areas shall be constructed according to the following minimum dimensional standards | All on-site parking and maneuvering areas shall be constructed according to the following minimum dimensional standards and per Table 04-11 | States that Table 04-11 contains the standards |
| 169 | 165 | 20.04.070(i)(3) | None | Add architectural standards section from non-residential section (D, E, H) | Adds architectural standards for RM and RH district (new H, I, J) |
| 172 | 167 | 20.04.070(g) | none | Add a new section (g) Solar Ready Buildings | adds a new standard that buildings will be built to solar ready standards |
| 178-179 | 172 | 20.04.080 Table 04-14 | Landscaping list | Revised species allowed for street trees | Per Urban Forester, there are some changes to the list of approved species for street trees |
| 189 | 181 | 20.04.080(g)(2)(B) | All required buffer yard areas shall be provided entirely on the subject property and shall be in addition to setbacks required by Section 20.04.020 (Dimensional Standards). The required buffer yards shall be installed despite the presence of streets, alleys, streams or other features that may separate the two properties. | All required buffer yard areas shall be provided entirely on the subject property and shall be in addition to setbacks required by Section 20.04.020 (Dimensional Standards). The required buffer yards shall be installed despite the presence of streets, alleys, streams or other features that may separate the two properties. | Clarifies that buffer yards are not required for the portions of a property along a public street |
| 194 | 187 | 20.04.080(m)(2)(A) | (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 streets, or from adjacent properties to the maximum extent practicable. | (A) Outdoor ground-mounted mechanical equipment which relates to power supply, water, heating, ventilating, and similar purposes (e.g., including but not limited to, subpanels, and transformers, 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. | Clarifies the type of equipment and fixtures classified as ground mounted mechanical equipment |
| 205 | 198 | 20.04.100(g)(1)(A) | All freestanding signs shall be set back a minimum of two feet from the front property line or outside of the required clear zone of a public sidewalk, whichever is greater, unless specifically approved by the City's Transportation and Traffic Engineer | All freestanding signs shall be set back a minimum of two feet from the front-property-line proposed right-of-way line or outside of the required clear zone of a public sidewalk, whichever is greater, unless specifically approved by the City's Transportation and Traffic Engineer | Revises the setback language so that freestanding signs are not located in the proposed right-of-way |
| 207 | 200 | 20.04.100(i)(6)(B) | (A) On lots with less than 30 feet of street frontage, no additional freestanding signs; and | (A) On lots with less than 30 feet of street frontage, no additional freestanding signs; and | Removes confusing text |
| 207 | 200 | 20.04.100(i)(6)(C) | (A) On lots with 30 feet or more of street frontage, one additional freestanding sign not to exceed 12 square feet in maximum area per side, and not to exceed four feet in height. | (A) On lots with 30 feet or more of street frontage, one additional freestanding sign not to exceed 12 square feet in maximum area per side, and not to exceed four feet in height. | Removes confusing text |
| 208 | 201 | 20.04.100(j)(2)(A)(ii) | No use shall be limited to less than 30 square feet of wall signage and no use shall be permitted to exceed 300 square feet of wall signage. | No use shall be limited to less than 30 square feet of wall signage. Uses with less than 200,000 square feet of building area and no-use shall not be permitted to exceed 300 square feet of wall signage. Uses with 200,000 square feet of building area or more shall not be permitted to exceed 400 square feet of wall signage. | Adjusts maximum signage allowance to allow more signage for larger buildings. Reflects variances that were done for Bloomington High School South and Calatent that have significantly larger building square footage than normal |
| 209 | 201 | 20.04.100(j) | None | Add new section (3) Projecting Signs- A 5 square foot projecting sign is allowed on a tenant's lease space. Projecting signs shall count toward wall signage allotment | Adds language for small projecting signs |
| 212 | 204 | 20.04.100(k) | None | Add new section (3) Projecting Signs- A 5 square foot projecting sign is allowed on a tenant's lease space. Projecting signs shall count toward wall signage allotment. | Adds language for small projecting signs |

Table 04-3: Mixed-Use District Dimensional Standards

sq. ft. = square feet

| Dimensional Standards | | MS | MN | MM | MC | ME | MI | MD | MH |
|---|---------|--|----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------------------------|----------------|--|
| Lot Dimensions (Minimum, only for lots created after the effective date) | | | | | | | | | |
| 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 |
| Building Setbacks (Minimum) | | | | | | | | | |
| 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] [6] | 15 feet | 7 feet | 7 feet | 7 feet | 10 feet | 10 feet | 10 feet | | |
| Rear [1] [6] | | 10 feet | | | | | | | |
| Other Standards | | | | | | | | | |
| 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 |
| Side parking setback (minimum) | | 8 feet | 8 feet | 8 feet | 8 feet | 8 feet | 8 feet | | 8 feet |
| Rear parking setback (minimum) | | 8 feet | 8 feet | 8 feet | 8 feet | 8 feet | 8 feet | | 8 feet |
| Impervious surface coverage (maximum) [4] | | 70% | 60% | 60% | 60% | 70% | 60% | | 60% |
| Landscape area (minimum) [5] | | 30% | 40% | 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:

Table 04-3: Mixed-Use District Dimensional Standards

sq. ft. = square feet

| Dimensional Standards | MS | MN | MM | MC | ME | MI | MD | MH |
|-----------------------|----|----|----|----|----|----|----|----|
|-----------------------|----|----|----|----|----|----|----|----|

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.

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 |
|---|--|-------------|--|--------------|--------------|----------------|
| Lot Dimensions (Minimum) | | | | | | |
| Lot area | None | None | None | None | None | None |
| Lot width | None | None | None | None | None | None |
| Building Setbacks | | | | | | |
| 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 |
| 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) | 100% | 100% | General and Restaurant Row: 85% Kirkwood Corridor: 100% | 75% | 75% | <u>75% 85%</u> |
| Landscape area (minimum) | None | None | General and Restaurant Row: 15% Kirkwood Corridor: None | 25% | 25% | <u>25% 15%</u> |

(B) Overall Dimension

The height of buildings shall be measured as the vertical distance from the average finished grade surface of the building, structure, or wall exposed above the ground surface to the highest point of the roof, parapet wall, or uppermost part.

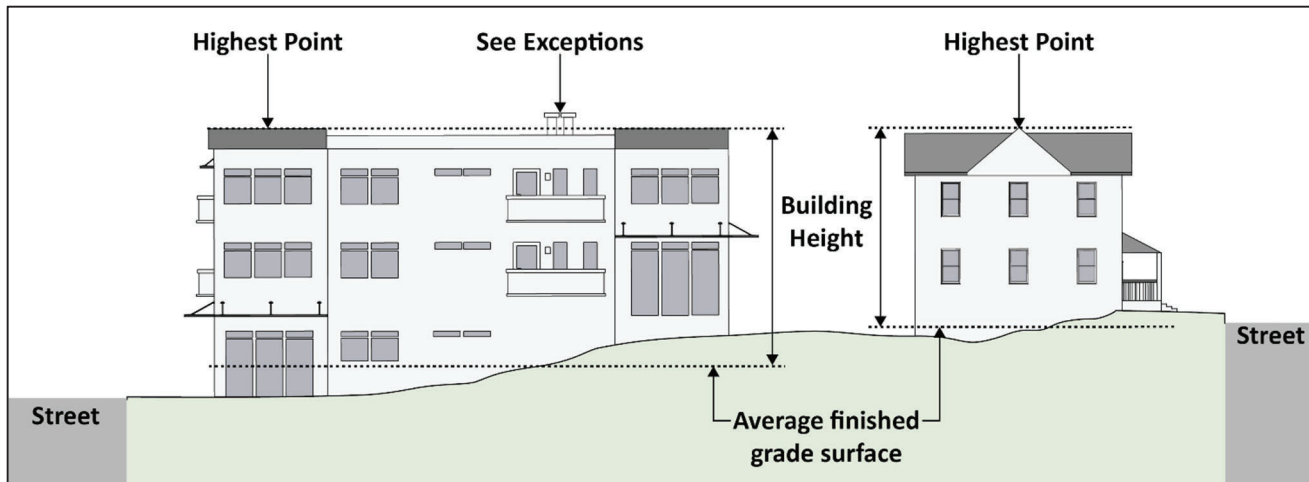


Figure 48: Building Height

(2) Exceptions to Height Requirements

No building or structure or part of a building or structure shall exceed the maximum building height within any zoning district unless authorized in Table 04-7, or elsewhere in this UDO.

Table 04-7: Authorized Exceptions to Height Requirements

DU = dwelling unit

| Type of Exception | Extent of Exception |
|--|--|
| Place of worship elements | Steeple, bell towers, and similar features may exceed the maximum height of the applicable zoning district by no more than 25 percent of the applicable maximum height. |
| Chimneys and other ornamental architectural features | Chimneys and other ornamental architectural features may extend 10 feet above the roof's highest point. |
| <u>Solar Collector</u> | <u>In the 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.</u> |
| Water towers and quarry derricks | Water towers and quarry derricks are allowed up to a height of 150 feet. |
| Mechanical equipment and elevator bulkheads | Roof-mounted mechanical equipment including, but not limited to, utility boxes, telecommunication devices, cables, conduits, vents, chillers and fans, may extend up to 10 feet above the roof's highest point. In such cases, roof-mounted equipment shall comply with the requirements of Section 20.04.080(m)(1) (Roof-Mounted Mechanical Equipment). |
| Communication facilities | Communication facilities are exempt from height restrictions, subject to the limitations of 20.03.030(f)(1) (Communication Facility). |

[b] Within 50 feet of another driveway entrance.

2. If the distance separation requirement cannot be met, then the entrance or drive shall be located equidistant from the two adjacent drives, or as approved by the City Engineer.

(F) Improved Alley Access in the R3 and R4 District

In the R3 and R4 zoning district, a driveway accessing the street shall be prohibited if the side or rear setback is accessible via an improved alley. Required parking spaces pursuant to Section 20.04.060 (Parking and Loading), shall be accessed directly from the adjacent alley.

(3) Driveway and Access Design

(A) Generally

- i. The City Planning and Transportation Department shall determine curb radii and other construction standards for all entrances based on the smallest design vehicle possible and to still accommodate the most common vehicle and occasional larger vehicles with appropriate encroachments, and whether an acceleration lane, deceleration lane, or passing blister is required.
- ii. Driveways shall not impede the flow of drainage. Where driveway culverts are necessary to accommodate drainage, the culvert pipe size shall be determined by a licensed engineer to prevent flooding.

(B) Driveway Pavement Widths

i. Single-Family, Duplex, Triplex, and Fourplex Residential Uses

The width of a driveway between the required front building setback and the street shall not exceed 18 feet.

ii. All Other Uses

No entrance or drive located in the front yard of a property shall exceed the following pavement widths for two-way traffic (if one-way, the measurements shall be one-half of the below requirements):

1. 24 feet if from a nonresidential use onto an arterial or collector street. The City Engineer may authorize a 34-foot entrance to accommodate heavy truck use.
2. 24 feet if from a nonresidential use onto a local street.
3. 24 feet if from a mixed-use multifamily residential use onto any type of street.

(C) Surface Material

- i. Unless specifically stated otherwise in this UDO, all entrances and drives shall be asphalt, concrete, or other material approved by the city.
- ii. The Planning and Transportation Director may approve structurally engineered, permeable parking pavers for entrances and drives provided these areas are intended for low intensity or intermittent vehicular use and pavers are designed and used to mitigate the negative environmental impacts of impervious surfaces.
- iii. Areas using permeable pavers shall not be counted in impervious surface calculations.
- iv. For new development, all driveway aprons onto a street shall be constructed of concrete.

- v. Enlargement or modification of an existing driveway shall require the driveway apron to be surfaced with asphalt or concrete.
- vi. Drive cuts shall ramp to meet the pedestrian and/or bicycle facility in order to keep the pedestrian and/or bicycle facility at the same grade, unless approved by the Transportation and Traffic Engineer due to site elevation constraints.
- vii. Surface materials for single-family residential driveways shall be as required in Section 20.04.060(i)(7).

(4) Connectivity

Where properties have adjacent street or access drive stubs intended for connection, these stubs shall be extended and connected on the developing property.

(4)(5) Vision Clearance Triangle

(A) Applicability

- i. A vision clearance triangle shall be maintained at every street intersection.
- ii. Vision clearance triangles for intersections may be reduced upon a determination by the City Planning and Transportation Department that such a reduction is not expected to have a significant impact on vehicle, bicycle, or pedestrian safety at the intersection and such a reduction is within engineering standards or guidelines for vehicle, bicycle, or pedestrian modes.

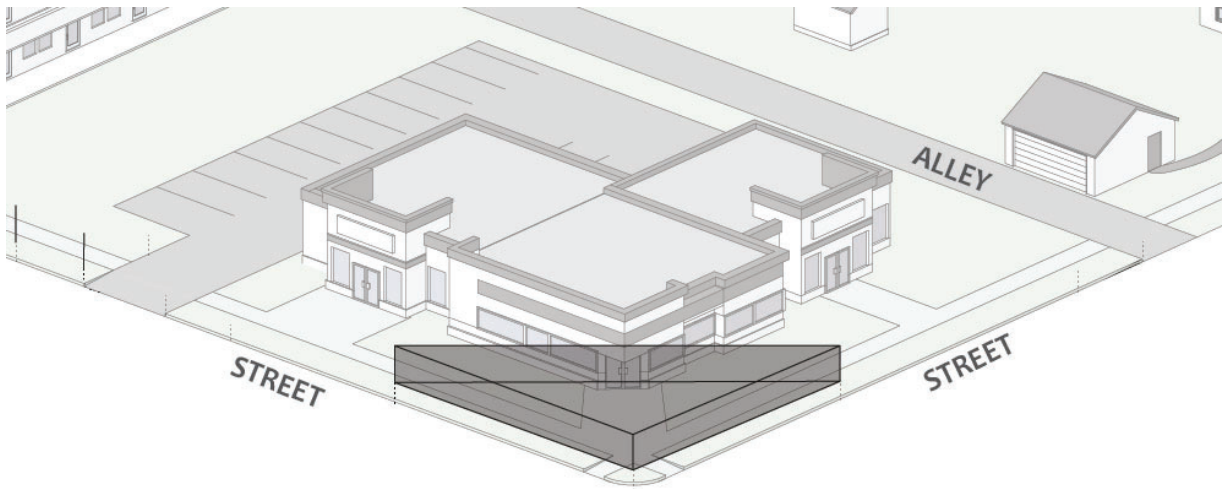


Figure 49: Vision Clearance Triangle

(B) Vision Clearance Triangle Leg Lengths

The vision clearance triangle leg lengths shall be as specified in the most current edition of the policy on geometric design of highways and streets published by the American Association of State Highway and Transportation Officials. Deviation from these standards shall require written approval from the City Planning and Transportation Department.

Table 04-9: Minimum Vehicle Parking Requirements

DU = dwelling unit

| | All Other Zoning Districts | MD Zoning District |
|--|---|--------------------|
| Dwelling, single-family (detached) | No requirement | |
| Dwelling, single-family (attached) | | |
| Dwelling, duplex [3] | 0.5 spaces per DU [1] | No requirement |
| Dwelling, triplex [3] | | |
| Dwelling, fourplex [3] | | |
| Dwelling, multifamily [2] | Studio: 0.5 space per DU 1 bedroom: 1 space per DU 2 bedrooms: 1.5 spaces per DU 3 bedrooms: 2 spaces per DU | |
| Dwelling, live/work | No requirement | |
| Dwelling, cottage development | 1 space per DU | |
| Dwelling, mobile home | 1 space per DU | |
| Manufactured home park | | |
| Noncommercial urban agriculture | 2 spaces per lot | |
| Student housing or dormitory | 0-10 bedrooms: no requirement 11 or more bedrooms: 0.5 spaces per bedroom | |

NOTES:

[1] See Section 20.04.110 (Incentives) for alternative standards.

[2] Minimums shall only apply to multifamily development within or adjacent to the R3 zoning district and all multifamily development in the MD zoning district.

[3] [Minimum parking for duplexes, triplexes, and fourplexes only applies in the R1, R2, R3, and R4 districts.](#)**(e) Maximum Vehicle Parking Allowance**

In no case shall any land use or development subject to this Section 20.04.060 provide more than the maximum number of vehicle parking spaces allowed for each land use listed in Table 04-10: Maximum Vehicle Parking Allowance.

Table 04-10: Maximum Vehicle Parking Allowance

DU = dwelling unit sq. ft. = square feet

| Use | Maximum Vehicle Parking Allowance |
|------------------------------------|---|
| RESIDENTIAL USES | |
| Household Living | |
| Dwelling, single-family (detached) | No limit |
| Dwelling, single-family (attached) | |
| Dwelling, duplex | 2 spaces per DU |
| Dwelling, triplex | |
| Dwelling, fourplex | |
| Dwelling, multifamily | 125 percent of the required minimum, or 1.25 spaces per bedroom, whichever is less. |

Table 04-10: Maximum Vehicle Parking Allowance

DU = dwelling unit sq. ft. = square feet

| Use | Maximum Vehicle Parking Allowance |
|--|--|
| Fitness center, large | 2.5 spaces per 1,000 sq. ft. GFA |
| Office | 3.3 spaces per 1,000 sq. ft. GFA |
| Personal service, small | 3.3 spaces per 1,000 sq. ft. GFA |
| Personal service, large | 3.3 spaces per 1,000 sq. ft. GFA |
| Tattoo or piercing parlor | 3.3 spaces per 1,000 sq. ft. GFA |
| Retail Sales | |
| Building supply store | 2 spaces per 1,000 sq. ft. GFA |
| Grocery or supermarket | 5 spaces per 1,000 sq. ft. GFA |
| Liquor or tobacco sales | 3.3 spaces per 1,000 sq. ft. GFA |
| Pawn shop | 3.3 spaces per 1,000 sq. ft. GFA |
| Retail sales, small | 4 spaces per 1,000 sq. ft. GFA |
| Retail sales, medium | 4 spaces per 1,000 sq. ft. GFA |
| Retail sales, large | 3.3 spaces per 1,000 sq. ft. GFA |
| Retail sales, big box | 3.3 spaces per 1,000 sq. ft. GFA |
| Vehicles and Equipment | |
| Equipment sales or rental | 2.85 spaces per 1,000 sq. ft. GFA of indoor sales/leasing/ office area; plus 1 space per service bay |
| Transportation terminal | No limit |
| Vehicle fleet operations, small | No limit |
| Vehicle fleet operations, large | No limit |
| Vehicle fuel station | 5 spaces per 1,000 sq. ft. GFA |
| Vehicle impound storage | No limit |
| Vehicle parking garage | No limit |
| Vehicle repair, major | 2.85 spaces per 1,000 sq. ft. of indoor sales/leasing/ office area; plus 1 space per service bay |
| Vehicle repair, minor | |
| Vehicle sales or rental | |
| Vehicle wash | No limit |
| EMPLOYMENT USES | |
| Manufacturing and Processing | |
| Commercial Laundry | No limit |
| Food production or processing | No limit |
| Manufacturing, artisan | No limit |
| Manufacturing, light | No limit |
| Manufacturing, heavy | No limit |
| Salvage or scrap yard | No limit |
| Storage, Distribution, or Warehousing | |
| Bottled gas storage or distribution | No limit |
| Contractor's yard | No limit 1 parking space per approved building occupancy |

(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 and per Table 04-11:

- (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.~~~~

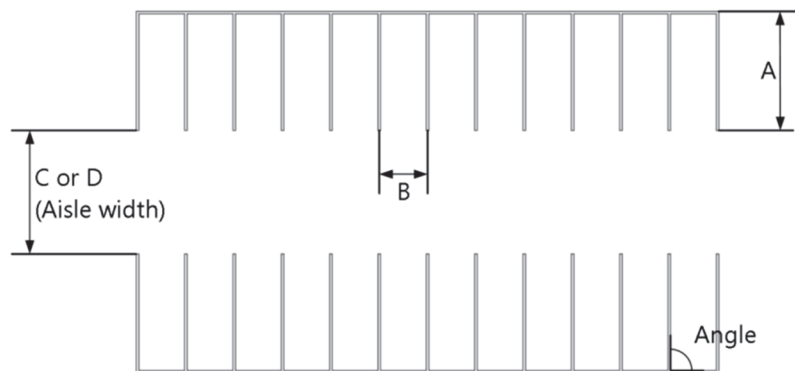


Figure 50: Illustrative Scale and Character

Table 04-11: Parking Dimensions (in feet) [2]

| 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:

- [1] End spaces may be a minimum of 20 feet in length where no obstruction exists.
- [2] Parking spaces for motorcycles may be provided and must be a minimum of 3 feet in width and 6 feet in depth.

~~(B)~~ If the petitioner can provide different acceptable standards based on a professionally recognized source of parking lot design, the City Planning and Transportation Department may approve alternative standards pursuant to the minor modification process outlined in Section 20.06.080(a) (Minor Modification).

(4) Stacked Parking

Stacked parking arrangements are permitted.

(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.

(H) Patterns

In the case of new construction of multifamily units in the RM and RH zoning districts, all facades of a primary building visible from any roadway shall contain the following color and texture changes:

- i. Facades shall consist of at least one primary and one secondary color.
- ii. At least one of these elements, either texture or color, shall repeat horizontally across the facade.
- iii. Variations in texture and color elements shall repeat vertically a minimum of every 30 feet.

(I) Primary Pedestrian Entry

In the case of new construction of multifamily units in the RM and RH zoning districts, the following standards shall apply:

- i. One primary pedestrian entrance shall be provided for every façade facing a street.
- ii. On corner or through lots, the façade facing the higher classified street shall have the primary pedestrian entrance. For purposes of this section, I-69 shall not be used as the higher classified street.
- iii. The pedestrian entry shall contain at least three of the following architectural details:
 1. Pilasters or facade modules;
 2. Public art display;
 3. Prominent building address, building name, and lighting;
 4. Raised corniced entryway parapet; or
 5. Buttress and arched entry.

(J) Exterior Facades

In the case of new construction of multifamily units in the RM and RH zoning districts, all facades of a primary building shall incorporate three or more of the following design elements every 40 feet to avoid blank, uninterrupted walls:

- i. Awning or canopy;
- ii. Change in building façade height (minimum of five feet of difference);
- iii. A regular pattern of transparent glass constituting a minimum of 50 percent of the total wall/facade area of the first-floor facade/elevation facing a street;
- iv. Wall elevation recesses and/or projections, the depth that are at least three percent of the horizontal width of the building façade.

(4) Belt Courses

- (A) Building facades shall incorporate exterior horizontal belt course design elements for the building base, middle and cap through techniques such as copestone, dripstone, string course, water table, and/or plinth using natural stone or masonry.
- (B) Building facades shall incorporate exterior vertical banding techniques using natural-stone or masonry to visually define building subdivisions of wall planes, modules, or building facade focal points.

(f) Universal Design

- (1) In multifamily residential buildings and student housing and dormitory buildings constructed after 4/18/2020 that contain more than 25 dwelling units, at least 20 percent of the dwelling units shall incorporate at least one entrance at grade level and not requiring any steps up or down or a ramp for entry.
- (2) In addition, one of the following additional elements of "universal design" is required:
 - (A) All interior doorways with at least 32-inch wide openings;
 - (B) At least one bathroom with 32-inch counter height;
 - (C) At least one bathroom with wall reinforcements for handrails; and/or
 - (D) All light switches installed between 44 and 48 inches in height.

(g) Solar Ready Building Design

All new construction of primary structures shall meet either (1) or (2) below:

1. Design building as solar or renewable energy ready and incorporate the following into the site plan:
 1. Roof load bearing specifications shall be sized to bear the weight of a solar installation;
 2. The roof should be oriented to maximize solar capacity and roof types shall be compatible with solar installation mounting;
 3. Non-solar rooftop equipment (HVAC systems, chimneys, vents) shall be placed to avoid shading of solar equipment and maximize the amount of continuous roof space;
 4. Electrical panels shall be sized to accommodate a future solar system and space shall be allocated in the utility room or outside for a solar DC-AC inverter; and
 5. Conduit for wiring shall be placed from the roof to the electrical panel.
2. Submit a completed U.S. EPA Renewable Energy Ready Home Solar Site Assessment or another approved solar-ready assessment is required.

Modifications to either 1 or 2 above can be approved by the Director of Planning and Transportation.

Table 04-14: Permitted Street Tree Species

Bold text indicates evergreen species

| Common Name | Scientific Name |
|--|--------------------------------------|
| Large Street Trees - 45 feet or more at mature height | |
| Black Maple | <i>Acer nigrum</i> |
| Red Maple | <i>Acer rubrum</i> |
| Sugar Maple | <i>Acer saccharum</i> |
| Sugar Hackberry | <i>Celtis laevigata</i> |
| Hackberry | <i>Celtis occidentalis</i> |
| American Beech | <i>Fagus grandifolia</i> |
| Thornless Honeylocust | <i>Gleditsia triacanthos inermis</i> |
| Kentucky Coffee Tree | <i>Gymnocladus dioica</i> |
| Sweetgum | <i>Liquidambar styraciflura</i> |
| Tulip Tree | <i>Liriodendron tulipifera</i> |
| Blackgum or Tupelo | <i>Nyssa sylvatica</i> |
| Sycamore | <i>Platanus occidentalis</i> |
| London Planetree | <i>Platanus x acerfolia</i> |
| White Oak | <i>Quercus alba</i> |
| Swamp White Oak | <i>Quercus bicolor</i> |
| Scarlet Oak | <i>Quercus coccinea</i> |
| Shingle Oak | <i>Quercus imbricaria</i> |
| Overcup Oak | <i>Quercus lyrata</i> |
| Bur Oak | <i>Quercus macrocarpa</i> |
| Blackjack Oak | <i>Quercus marilandica</i> |
| Chinkapin Oak | <i>Quercus muhlenbergi</i> |
| Red Oak | <i>Quercus rubra</i> |
| Shumard Oak | <i>Quercus shumardii</i> |
| Post Oak | <i>Quercus stellata</i> |
| Black Oak | <i>Quercus velutina</i> |
| Bald Cypress | <i>Taxodium distichum</i> |
| Basswood or American Linden | <i>Tilia americana</i> |
| Elm | <i>Ulmus</i> |
| Medium Street Trees - 25 feet to 45 feet at mature height | |
| Autumn Flame Red Maple | <i>Acer rubrum</i> |
| River Birch | <i>Betula nigra</i> |
| Downy Serviceberry | <i>Amelanchier arborea</i> |
| American Hornbeam or Blue Beech | <i>Carpinus caroliniana</i> |
| Yellowwood | <i>Cladrastis lutea</i> |
| Hop Hornbeam or Ironwood | <i>Ostrya virginiana</i> |
| Regal Prince Oak | <i>Quercus x warei</i> |
| Crimson Spire Oak | <i>Quercus</i> |

Table 04-14: Permitted Street Tree Species

Bold text indicates evergreen species

| Common Name | Scientific Name |
|--|---|
| Small Street Trees - Under 25 feet at mature height | |
| Apollo Maple | Acer saccharum "Barrett Cole" |
| Shadblow Serviceberry | <i>Amelanchier canadensis</i> |
| Allegheny Serviceberry | <i>Amelanchier laevis</i> |
| Apple Serviceberry hybrids | Amelanchier x grandiflora |
| Eastern Redbud | <i>Cercis canadensis</i> |
| Flowering Dogwood | <i>Cornus florida</i> |
| Thornless Cockspur Hawthorn | <i>Crataegus crus-galli</i> |
| Washington Hawthorn | <i>Crataegus phaenopyrum</i> |
| Green Hawthorn | <i>Crataegus viridis</i> |

Table 04-15: Permitted Interior Tree Species

Bold text indicates evergreen species

| Common Name | Scientific Name |
|---|------------------------------------|
| Large Trees - 45 feet or more at mature height | |
| Ohio Buckeye | <i>Aesculus glabra</i> |
| Yellow Buckeye | <i>Aesculus octandra</i> |
| Bitternut Hickory | <i>Carya cordiformis</i> |
| Pignut Hickory | <i>Carya glabra</i> |
| Shellbark Hickory | <i>Carya laciniata</i> |
| Shagbark Hickory | <i>Carya ovata</i> |
| Mockernut Hickory | <i>Carya tomentosa</i> |
| Northern Catalpa | <i>Catalpa speciosa</i> |
| Black Walnut | <i>Juglans nigra</i> |
| Eastern Red Cedar | <i>Juniperus virginiana</i> |
| Cucumber Tree | <i>Magnolia acuminata</i> |
| White Pine | <i>Pinus strobus</i> |
| Virginia Pine | <i>Pinus virginiana</i> |
| Black Cherry | <i>Prunus serotina</i> |
| Chestnut Oak | <i>Quercus prinus</i> |
| Canadian or Eastern Hemlock | <i>Tsuga Canadensis</i> |
| Medium Trees - 25 feet to 45 feet at mature height | |
| River Birch | <i>Betula nigra</i> |
| Sassafras | <i>Sassafras albidum</i> |
| American Arborvitae | <i>Thuja occidentalis</i> |
| Small Trees - Under 25 feet at mature height | |
| Pawpaw | <i>Asimina triloba</i> |
| Pagoda Dogwood | <i>Cornus alternifolia</i> |

(B) Location

All required buffer yard areas shall be provided entirely on the subject property and shall be in addition to setbacks required by Section 20.04.020 (Dimensional Standards). The required buffer yards shall be installed despite the presence of ~~streets~~, alleys, streams or other features that may separate the two properties.

(C) Plant Material

All plant material used to meet the buffer yard requirements shall meet the standards of this section, and shall be selected from the list of permitted plant species in Section 20.04.080(d).

(D) Groundcover

All portions of a buffer yard not planted with trees, shrubs, or other required landscape materials shall be covered with grass or similar ground-covering vegetation. Landscaping stone or other non-vegetative materials may not be substituted for ground-covering vegetation except for areas that incorporate stormwater treatment alternatives, such as swales and culvert outfalls. Decorative mulch or stone planting beds may be used around trees, provided that such planting beds are six feet or less in diameter.

(E) Planned Unit Development

For development adjacent to a Planned Unit Development, or for a Planned Unit Development adjacent to existing development, the zoning district that most closely matches the predominant use of the Planned Unit Development shall be used to determine the buffer yard type, as determined by the decision-making body.

(F) Credit Toward Other Requirements

New landscaping that is required to meet these buffer yard requirements shall not count toward other site or parking lot landscaping requirements.

(3) Buffer Yard Types

Required buffer yards shall be installed according to the following standards:

Table 04-19: Required Buffer Yard Types

| Buffer Yard Treatment | Buffer Type | | |
|-----------------------|-----------------------------|------------------------------|--|
| | Type 1 | Type 2 | Type 3 |
| Minimum setback [1] | 10 feet | 15 feet | 20 feet |
| Deciduous trees | 1 tree every 30 linear feet | 1 tree every 25 linear feet | 1 tree every 20 linear feet |
| Evergreen trees | No requirement | 2 trees every 25 linear feet | (see below) |
| Other | No requirement | No requirement | Any one of the following: 1 evergreen tree every 10 linear feet; or A 6-foot opaque fence; or A stone/brick wall; or A 5-foot tall undulating berm planted with shrubs |

Notes:

[1] The buffer yard setback is measured from the property line along the boundary between the subject and adjoining properties and shall be provided in addition to the required building and parking setbacks required by this UDO.

- (A) Outdoor ground-mounted mechanical equipment which relates to power supply, watering, heating, ventilating, and similar purposes (e.g. including, but not limited to, subpanels, transformers, 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 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.
 - (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.

(3) Roofs

On the roof of a structure, or extending above the eave, roof line or parapet of a building, except that signs may be located on the vertical portion of a mansard roof if no vertical wall space is available on the wall space associated with that tenancy or occupancy below.

(4)

(5)~~(5)~~**(6) Miscellaneous**

On any traffic control signs, highway construction signs, fences, utility poles, street signs, trees or other natural objects.

(g) General Design Standards

Unless otherwise stated in this UDO, the following standards apply to all signs.

(1) Freestanding Signs

All freestanding signs shall comply with the following standards:

(A) Setback

All freestanding signs shall be set back a minimum of two feet from the ~~front property line~~ proposed right-of-way line or outside of the required clear zone of a public sidewalk, whichever is greater, unless specifically approved by the City's Transportation and Traffic Engineer.

(B) Mounting

All freestanding signs shall be permanently affixed to the ground.

(C) Base

Sign bases shall conform to the following standards:

- i. Sign bases shall have an aggregate width of at least 40 percent of the total horizontal width of the sign; or have supports that are less than 25 percent of the vertical height of the sign.
- ii. The base and exposed foundation of all freestanding signs shall be covered with a finished material such as brick, stone, metal, or wood.

(D) Cap

A decorative cap may extend up to 18 inches above the height limit specified in this Section 20.04.100. The decorative cap shall have no identifying text, images, or identifying traits.

(E) Landscaping

- i. For any new freestanding sign, a landscaped area located around the entire base of a freestanding sign is required.
- ii. The landscaped area shall contain materials consisting of shrubs, spread no greater than three feet on center, and densely planted perennial ground cover.
- iii. The landscaped area shall be greater than or equal to the freestanding sign face area.

(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.

(3) Multifamily

(A) Multifamily developments containing between three and 14 dwelling units shall be permitted one wall sign not to exceed 24 square feet per development.

(B) Multifamily developments containing at least 15 dwelling units shall be permitted:

- i. One freestanding sign per development vehicle entrance, not to exceed 32 square feet per side in maximum sign area and not to exceed six feet in height; and
- ii. One wall sign per building not to exceed 24 square feet each.

(4) Conforming Nonresidential Uses

For any nonresidential use approved as a permitted use or conditional use, the provisions of Section 20.04.100(k) shall apply. These provisions may be modified by action of the Board of Zoning Appeals as part of a conditional use approval.

(5) Legal Nonconforming Multifamily Residential Uses

Legal nonconforming multifamily residential uses in single family zoning districts with at least three units shall be permitted wall signage not to exceed 10 square feet in area but shall not be permitted any freestanding signs. This subsection supersedes Section 20.04.100(i)(3)(A).

(6) Legal Nonconforming Nonresidential Uses

Legal nonconforming nonresidential uses shall be permitted:

(A) Wall signage not to exceed 10 square feet in area and:

(B) On lots with less than 30 feet of street frontage, no ~~additional~~ freestanding signs; and

(C) On lots with 30 feet or more of street frontage, one ~~additional~~ freestanding sign not to exceed 12 square feet in maximum area per side, and not to exceed four feet in height.

(7) Illumination

Signs within residential districts shall not be internally illuminated.

(8) Window Signs

Window signs are not permitted for residential uses.

(9) Temporary Signs

In addition to the temporary signs exempted under Section 20.04.100(c)(2)(C), conforming nonresidential uses and multifamily structures with at least 15 dwelling units are permitted to display temporary signage provided that the temporary signs comply with the following standards:

(A) All temporary signs shall receive a sign permit from the City Planning and Transportation Department before being displayed;

(B) A maximum of three temporary signs per display period described below are permitted;

(C) Temporary sign types shall be limited to freestanding portable signs or materials not prohibited in 20.04.100(e)(8);

- (D) Temporary signs shall not exceed 16 square feet in area per side;
- (E) Freestanding temporary signs shall not exceed six feet in height; and
- (F) External illumination of temporary signs is prohibited.
- (G) Display of temporary signs shall be permitted for a maximum of three periods of up to 30 days per period, per calendar year. These permitted periods may be combined into one or two periods per year provided that the total display period does not exceed 90 days.

(j) MS, MM, MC, ME, MI, MH, EM, and PO District Sign Standards

(1) Applicability

This sign standards section applies to the MS, MM, MC, ME, MI, MH, EM, and PO zoning districts.

(2) Wall Signs

The following standards shall apply to wall signs for individual uses or tenants within a multi-tenant center:

(A) Allowance

i. Individual Nonresidential Uses

The cumulative square footage of all wall signs shall not exceed one and one-half square feet per lineal foot of primary facade facing a public or private street.

ii. Multi-tenant Nonresidential Center

The cumulative square footage of all wall signs for any individual tenant shall not exceed one and one-half square feet per lineal foot of the tenant's facade width facing either a public or private street or facing a parking area if no street frontage is adjacent. For purposes of this Section 20.04.100(j), only one facade of the building may be used to measure the sign allowance, with the exception of corner locations in multi-tenant buildings, which shall be permitted to use the side facade as additional facade width.

iii. Size Limits

No use shall be limited to less than 30 square feet of wall signage. Uses with less than 200,000 square feet of building area and no use shall not be permitted to exceed 300 square feet of wall signage. Uses with 200,000 square feet or more of building area shall not be permitted to exceed 400 square feet of wall signage.

(B) Maximum Projection

Except an awning sign, no part of a wall sign shall project more than 12 inches from the wall or face of the building to which it is attached.

(C) Location

Wall signs for individual tenants within a multi-tenant nonresidential center shall be located on a wall of the tenant's lease space.

(D) Multi-tenant Nonresidential Centers

In addition to other wall signs permitted in this Section 20.04.100(j)(2), multi-tenant nonresidential centers shall be permitted a single wall sign not exceeding 20 square feet in area.

(3) Projecting Signs

A 5 square foot projecting sign is allowed on a tenant's lease space. Projecting signs shall count toward wall signage allotment.

(3)(4) Freestanding Signs

The following standards shall apply to all freestanding signs:

(A) Number

- i. Freestanding signs shall not be permitted on lots with 30 feet or less of public street frontage.
- ii. Lots with greater than 30 feet and less than 500 feet of frontage on a public street are permitted one freestanding sign.
- iii. Lots with 500 feet or more of public street frontage, one freestanding sign shall be permitted for each 250 feet of public street frontage.
- iv. The number of signs allowed per street frontage shall be determined based on the length of frontage on each street. Each frontage is regulated separately, and total square footages may not be aggregated.
- v. In no case shall any lot have more than four freestanding signs.

(B) Area**i. Individual Nonresidential Uses**

1. Freestanding signs on lots with greater than 30 feet and less than 50 feet of public street frontage shall not exceed 20 square feet.
2. Freestanding signs on lots with at least 50 feet and less than 75 feet of public street frontage shall not exceed 30 square feet.
3. Freestanding signs on lots with at least 75 feet of public street frontage shall not exceed 45 square feet.
4. Where a lot has more than one public street frontage, each street frontage shall be regulated independently.

ii. Multi-tenant Nonresidential Centers

1. Freestanding signs for centers with less than 20,000 square feet of gross floor area are permitted a maximum sign area based on individual nonresidential use allowances listed in the above section 20.04.100(j)(4)(B)i.
2. Freestanding signs for centers with at least 20,000 and less than 35,000 thousand square feet of gross floor area shall not exceed 60 square feet.
3. Freestanding signs for centers with at least 35,000 and less than 50,000 square feet of gross floor area shall not exceed 75 square feet.
4. Freestanding signs for centers with at least 50,000 square feet of gross floor area shall not exceed 125 square feet.
5. Individual tenant panels shall not exceed 36 square feet.
6. Outlots that are not counted toward center square footages shall be permitted freestanding signage based on individual nonresidential uses in Section 20.04.100(j)(4)(B)i.

iii. Limits

No property shall be limited to less than 20 square feet of wall signage and no use or tenant shall be permitted to exceed 100 square feet of wall signage.

(B) Location

No wall signage shall be located on a side or rear building façade facing a residential use.

(C) Maximum Projection

No part of a wall sign, other than an awning sign, shall protrude more than 12 inches from the wall or face of the building to which it is attached.

(3) Projecting Signs

A 5 square foot projecting sign is allowed on a tenant's lease space. Projecting signs shall count toward wall signage allotment

(3)(4) Freestanding Signs

The following standards apply to permanent freestanding signs:

- (A) Lots with 30 feet or less of public street frontage shall not be permitted any freestanding signs. Lots with more than 30 feet of public street frontage on a single street are permitted a maximum of one freestanding sign.
- (B) No freestanding sign shall exceed 15 square feet in area per side.
- (C) No freestanding sign shall exceed four feet in height.
- (D) Internally illuminated signs are prohibited.

(4)(5) Permanent Display Cabinets

Permanent display cabinets shall be subject to the following standards:

- (A) Permanent display cabinets may incorporate interchangeable signage such as banners, flyers, posters, and menus.
- (B) Permanent display cabinets shall count toward the wall signage allowance of the use.
- (C) Individual display cabinets shall not exceed 16 square feet in area per display, measured at the outer edge of the cabinet frame.
- (D) A permanent display cabinet shall not exceed eight feet in height from ground level.
- (E) The permanent display cabinet shall be framed with wood, metal, or other durable material, and enclosed with a transparent cover.

(5)(6) Temporary Signs

In addition to the temporary signs exempted under Section 20.04.100(c)(2)(C), each property is allowed to display temporary signage provided that the temporary signs comply with the following standards:

- (A) All temporary signs shall receive a sign permit from the Planning and Transportation Department prior to being displayed.
- (B) The following numbers of signs are permitted:
 - i. Individual nonresidential uses shall be permitted a maximum of three temporary signs.
 - ii. Multifamily structures with at least 15 dwelling units shall be permitted a maximum of three temporary signs.

| Redline Page Number | Online UDO Page Number | Chapter | Citation | Current Language | Proposed Language | Synopsis |
|---------------------|------------------------|---------|------------------------|---|---|---|
| 232 | 224 | 5 | 20.05.040(c) | The following environmental features that are determined to not be developable per Section 20.04.030 (Environment) shall be placed within the appropriate easements on the secondary plat, as identified in Section 20.04.030 (Environment). | The following environmental features that are determined to not be developable per Section 20.04.030 (Environment) shall be placed within the appropriate easements on the secondary plat or set aside in easements on a deed in situations where no plat is required, as identified in Section 20.04.030 (Environment). | Clarifies that if an easement is required per Chapter 4, that the easement language and conditions surrounding it are adhered to per Chapter 5 standards |
| 246 | 238 | 5 | 20.05.050(j)(10)(A) | All subdivisions shall be required to have a street lighting plan submitted to the City Board of Public Works as a component of the secondary plan proposal. The street lighting plan shall be certified by the local public electric company | All subdivisions shall be required to have a street lighting plan approved by the City Engineering Department and submitted to the City Board of Public Works as a component of the secondary plan proposal. The street lighting plan shall be certified by the local public electric company | Clarifies that the Engineering Department shall review and approve a street lighting plan |
| 259 | 251 | 6 | 20.06.040(b)(2)(A) | The petitioner may attend the DRC meeting; however, it is not required. | The petitioner may attend or petitioner's representative is required to attend the DRC meeting. | Requires the petitioner or their representative to attend the DRC meeting |
| 272 | 264 | 6 | 20.06.040(e)(3)(B) | Mailed notices shall be postmarked and sent via first class mail to all interested parties at least 21 days before the date of the initial scheduled public hearing before the Plan Commission or Board of Zoning Appeals and at least 10 days before the date of the initial scheduled public hearing before the Plat Committee or Hearing Officer | Mailed notices shall be postmarked and sent via first class mail to all interested parties at least 21 days before the date of the initial scheduled public hearing before the Plan Commission, Plat Committee, or Board of Zoning Appeals, or Hearing Officer, and at least 10 days before the date of the initial scheduled public hearing before the Plat Committee or Hearing Officer | Syncs public notice dates with State Code |
| 277-278 | 269-270 | 6 | 20.06.050(a)(2)(C)(i) | Minor site plan thresholds | Amending thresholds for minor site plan | modifies trigger for minor site plan |
| 278 | 270 | 6 | 20.06.050(a)(2)(C) | Major site plan thresholds | Amending thresholds for major site plan | Revises trigger for major site plan review |
| 295 | 287 | 6 | 20.06.050(e)(2)(A) | Grading permit exemptions | Amending exemptions for grading permits | Modifies what the trigger is for a grading permit |
| 312-313 | 304 | 6 | 20.06.060(b) | None | Add Section (F) with language for subdivision waivers. Use Section 20.09.210 from 2019 UDO. | Adds language and standards for subdivision waivers similar to previous UDO |
| 316 | 307 | 6 | 20.06.060(c)(3)(E)(ii) | For a secondary plat where an initial phase was recorded within six months of the date of approval by the Plan Commission or Plat Committee, successive phases shall be recorded within 18 months of the previous phase. If a successive phase fails to meet the 18-month requirement, the approval of the phases that have not been recorded shall be null and void and the secondary plat must again be submitted for approval, to the extent permitted by Section 20.01.040(b) (Effect of Change in the Law after Filing of Complete). | For a secondary plat where an initial phase was recorded within six months of the date of approval by the Plan Commission or Plat Committee, successive phases shall be recorded within 18 months of the previous phase. If a successive phase fails to meet the 18-month requirement, the approval of the phases that have not been recorded shall be null and void and, but only the secondary plat must again be submitted for approval, to the extent permitted by Section 20.01.040(b) (Effect of Change in the Law after Filing of Complete). | Clarifies that only the secondary plat (not the primary plat) must be reapproved if successive phases are not recorded within 18 months of a previous phase |
| 337 | 329 | 6 | 20.06.080(a)(2)(B) | Lot Coverage, maximum | Lot Coverage, maximum | We do not regulate Lot Coverage specifically |
| 337 | 329 | 6 | 20.06.080(a)(2)(B) | Lot Area, minimum | move to "Subdivision Standards" rather than "Site Standards" | Moves standard to the appropriate section since it is related to the creation of a new lot as part of a subdivision |
| 339 | 331 | 6 | 20.06.080(a)(4)(A) | A petition for a minor modification shall only be submitted and reviewed concurrently with a petition for a conditional use permit, temporary use permit, site plan review (minor or major), certificate of zoning compliance, or plat approval (primary or secondary). Each UDO standard in Table 06-2 shall be considered a separate minor modification request as it relates to the approval criteria in Section 20.06.080(a)(5), but multiple modifications may be considered in one minor modification petition. | A petition for a minor modification shall only be submitted and reviewed concurrently with a petition for a conditional use permit, temporary use permit, site plan review (minor or major), certificate of zoning compliance, or plat approval (primary or secondary). Each UDO standard in Table 06-2 shall be considered a separate minor modification request as it relates to the approval criteria in Section 20.06.080(a)(5), but multiple modifications may be considered in one minor modification petition. | Adds that minor modification can be done as part of a certificate of zoning compliance so that these can be applicable to building permits which was part of the original intent. |

| | | | | | | |
|---------|-----|---|------------------------|--|--|---|
| 357 | 349 | 6 | 20.06.090(f)(2)(B)(ii) | If a site can be brought closer to compliance with required setbacks or impervious surface coverage standards through the removal of excess asphalt or parking above the maximum number of permitted spaces, then such setbacks or impervious surface coverage standards shall be met with the removal of paved and gravel covered areas and the addition of vegetation. If all setbacks cannot be achieved through the removal of such paved and gravel covered areas, priority shall be given to the front setback. If a corner lot, then priority for front setbacks shall be given for the side facing the higher classified street. | If a site can be brought closer to compliance with required setbacks or impervious surface coverage standards through the removal of excess asphalt or parking above the maximum number of permitted spaces, then such setbacks or impervious surface coverage standards shall be met with the removal of paved and gravel covered areas and the addition of vegetation. If all setbacks cannot be achieved through the removal of such paved and gravel covered areas, priority shall be given to the front setback. If a corner lot, then priority for front setbacks shall be given for the side facing the higher classified street. | Clarifies that excess asphalt can be required to be removed even if it is not parking spaces |
| 387-388 | 379 | 7 | 20.07.010 | no definition for "ground cover" | Provides a definition for "ground cover" | |
| 409 | 400 | 7 | 20.07.100 | Setback, Front: The line that defines the depth of the required front yard measured from the front property line to a regulated structure. The front setback shall be measured from the proposed right-of-way as indicated on the thoroughfare plan. The front setback shall be parallel with the street right-of-way line. For individual building sites in the RMH zoning district, the front setback is measured from the edge of pavement of the interior streets. For corner lots, the front setback shall apply to all frontages adjacent to a street right-of-way. | Setback, Front: The line that defines the depth of the required front yard measured from the front property line to a regulated structure. The front setback shall be measured from the proposed right-of-way as indicated on the thoroughfare plan. The front setback shall be parallel with the street right-of-way line. For individual building sites in the RMH zoning district, the front setback is measured from the edge of pavement of the interior streets. For corner lots, the front setback shall apply to all frontages adjacent to a street right-of-way. | Updates code to reflect applications of this section to maintain current building setbacks in areas of the City with varying degrees of current substandard right-of-way. |
| 415 | 406 | 7 | 20.07.100 | Student housing or dormitory definition- 2) Multiple-family dwellings where more than 33 percent of the living units contain three bedrooms; or | Multiple-family dwellings with more than 10 dwelling units where more than 33 percent of the living units contain three bedrooms; or | revised definition of student housing or dormitory |
| 419 | 410 | 7 | 20.07.010 | Use, Abandonment-The relinquishment of property for a continuous period of six months by the owner. | Use, Abandonment-The relinquishment of property or a cessation of the use of property for a continuous period of six months by the owner. | Syncs 12 month abandonment language with language in Chapter 6 for abandonment of a use |
| 419 | 410 | 7 | 20.07.010 | Any change from one residential land use to another, any increase in the number of dwelling units, and any increase in number of bedrooms for any unit. | -Any change from one residential land use to another -Any increase in the number of dwelling units, and any increase in number of bedrooms for any unit. | Revises language to separate clauses and removes the addition of bedrooms as a trigger. |

20.05.040 Easements

(a) Applicability

All proposed plats submitted for approval under the provisions of this Chapter 20.05: (Subdivision Standards) shall comply with the standards in this Section 20.05.040.

(b) General Standards

- (1) All easements and corresponding utility location plans shall be approved prior to the approval of the plat.
- (2) All necessary easements shall be clearly identified on secondary plats and shall be recorded per processes as defined within Chapter 20.06: (Administration & Procedures), and shall include a definition consistent with Section 20.05.040(e).
- (3) All proposed plats shall clearly identify all existing easements on the property, including dimensions, bearings, and recorded instrument numbers.
- (4) Signs shall not be located within utility easements unless the sign is a public sign authorized by Section 20.04.100(c)(2)(A) (Public Signs), and is further authorized by the city.
- (5) Each easement shall allocate sufficient areas for the utilities, infrastructure, amenities, or features that are the subject of the easement, including but not limited to drainage, utilities, tree preservation, environmental conservation, pedestrian access, vehicular access, and transit facilities, wherever necessary.

(c) Environmental Features

The following environmental features that are determined to not be developable per Section 20.04.030 (Environment) shall be placed within the appropriate easements on the secondary plat or set aside in easements on a deed where no plat is required or proposed, as identified in Section 20.04.030 (Environment).

- (1) All areas of excessive slope as defined in Section 20.04.030(c) (Steep Slopes).
- (2) All karst features and their required buffer zones as defined in Section 20.04.030(g) (Karst Geology).
- (3) All required riparian buffer areas as defined in Section 20.04.030(f) (Riparian Buffers).
- (4) All areas within regulatory floodways and floodway fringes as defined in Section 20.04.040 (Floodplain).
- (5) All delineated wetlands and required wetland buffer areas as defined in Section 20.04.030(h) (Wetlands).
- (6) All trees required to be preserved by Section 20.04.030(i) (Tree and Forest Preservation).

(d) Maintenance

- (1) For features required to be in an easement, maintenance shall generally be the responsibility of the lot owner, except as expressly provided otherwise in this UDO or in the development approval.
- (2) A grant of authority to the city to enter upon an easement for purposes of inspection, maintenance and/or repair of a feature within the easement shall not be construed as relieving the owner or owners of such responsibility.

(B) City's Responsibilities

The petitioner shall be responsible for disseminating specifications for the installation of all public safety related street signs for streets, including, but not limited to speed limit signs, stop signs, yield signs and street name signs. The City's engineering policies and nationally recognized engineering standards shall be used to determine the type, size, height and location of each of these public signs required for any development. Site specific engineering work necessary to document compliance shall be prepared by a licensed engineer.

(C) Petitioner's Responsibilities

- i. The petitioner shall be required to install public signs prior to any street being opened to public. These public signs shall be installed in the location and to the height determined by the City Planning and Transportation Department.
- ii. The petitioner shall install a minimum of one street name public sign at each street intersection within the subdivision and on all perimeter intersections. At least one public sign shall be set on the most conspicuous corner of the intersections, at a point approximately six inches from the sidewalk intersection (on the street side).
- iii. The petitioner shall install temporary street name public signs for any streets open to the public during construction. Such public signs shall meet the location requirements specified for street name public signs in (ii) above. Temporary street name public signs shall be removed when permanent street name public signs are installed.

(10) Street Lighting**(A) Street Lighting Plan**

All subdivisions shall be required to have a street lighting plan approved by the City Engineering Department and submitted to the City Board of Public Works as a component of the secondary plat proposal. The street lighting plan shall be certified by the local public electric company.

(B) Street Lighting Plan Approval

All certified street lighting plans shall be accepted by the City Board of Public Works prior to secondary plat signing. Street lighting plans shall include, but not be limited to, spacing of the fixtures, fixture type, fixture color, easements, light shielding, and the manufacturer. Full cutoff fixtures shall be used. The developer shall be responsible for installing all streetlights in accordance with the approved street lighting plan.

(C) Alternative Street Lighting Plans

Requests, including but not limited to the provision of specialized fixtures or use of privately-owned lights, may be considered by the City Board of Public Works as an alternative to conventional street lighting plans.

(b) Pre-Submittal Activities

(1) Pre-Submittal Meeting**(A) Purpose**

The pre-submittal meeting is intended to provide an opportunity for the petitioner to meet with city staff to review the zoning classification of the site, the regulatory ordinances and materials, the procedures, and examine the proposed use and development of the property. The staff shall aid and advise the petitioner in preparing the petition and supporting documents as necessary. This meeting shall take place on or prior to the pre-submittal meeting deadline as listed on the schedule of meeting dates.

(B) Applicability

A pre-submittal meeting shall be required as indicated in Table 06-1: Summary Table of Review Procedures.

(C) Procedure

The petitioner shall submit a request for a pre-submittal meeting to Planning and Transportation Department staff.

(D) Effect

Any information or discussions held at the pre-submittal meeting shall not be binding on the city or the petitioner. Discussions of potential conditions or commitments to mitigate impacts do not reflect actions by the decision-making body until and unless a decision-making body takes formal action to attach that condition or commitment to an approval.

(2) Development Review Committee (DRC) Meeting**(A) Purpose**

The Development Review Committee (DRC) meeting is intended to provide an opportunity for city staff from several departments to discuss details and potential impacts of the proposed project, and to establish points of contact. The staff shall advise the petitioner in preparing the petition and supporting documents as necessary. The petitioner ~~may attend the DRC meeting; however, it is not required.~~ or petitioner's representative is required to attend the DRC meeting.

(B) Applicability

A DRC meeting shall be required as indicated in Table 06-1: Summary Table of Review Procedures.

(C) Procedure

- i. The petitioner shall refer to the schedule of meeting dates in the Administrative Manual to determine the filing deadline for any given meeting of the DRC. Incomplete submittal information may result in the petition being postponed from the DRC agenda to allow the petitioner sufficient time to complete the submittal.
- ii. The staff shall inform the petitioner of the time, date, and place of the DRC meeting.

(E) Notice to Adjacent Governmental Entities

In a proceeding involving a petition for property that abuts unincorporated areas of the county, copies of the notice of public hearing shall be transmitted by the city to the planning agency of the governmental unit abutting such land.

(3) Notice Format and Timeframes**(A) Published Notice**

Published notice shall be distributed in a newspaper in accordance with Indiana Code § 5-3-1: Publication Procedures, at least ~~21~~10 days prior to the initial scheduled public hearing before the Plan Commission, ~~or Board of Zoning Appeals,~~ and at least 10 days prior to the ~~scheduled public hearing before the~~ Plat Committee, or Hearing Officer.

(B) Mailed Notice

Mailed notices shall be postmarked and sent via first class mail to all interested parties at least ~~21~~10 days before the date of the initial scheduled public hearing before the Plan Commission, ~~Plat Committee, Hearing Officer,~~ or Board of Zoning Appeals, ~~and at least 10 days before the date of the initial scheduled public hearing before the Plat Committee or Hearing Officer.~~

i. Proof of Notice

The Planning and Transportation Department shall retain proof of notice within the petition file pursuant to the Administrative Manual.

ii. Verification of Proper Notice

City staff shall verify proper noticing pursuant to the Administrative Manual and shall advise the decision-making body at its initial public hearing of any omissions or deficiencies in the proof of notice.

iii. Inadequate Notice

If adequate notice in accordance with this section is not given to the interested parties, and this fact is confirmed by staff prior to action by the decision-making body, such petition may be continued to a later date to allow proper notice to all interested parties.

(C) Posted Notice

i. Required posted notice shall include at least one sign per street frontage on the subject property at least 21 days prior to the scheduled public hearing before the Plan Commission or Board of Zoning Appeals and at least 10 days prior to the scheduled public hearing before the Plat Committee or Hearing Officer.

ii. The required sign(s) shall be clearly visible from adjacent streets or public rights-of-way and shall remain on the property until after the hearing.

(4) Minor Defects in Notice Shall Not Invalidate Proceedings

(A) Minor defects in any notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements.

(B) Minor defects in notice shall be limited to errors in a legal description or typographical or grammatical errors that do not impede communication of the notice to affected parties.

- i. New building construction;
- ii. Newly established uses of land;
- iii. Expansions, alterations, or modifications of existing structures or sites for commercial, public, institutional, civic, employment, utilities and communication, and multifamily residential uses of property within the city that result in increased occupancy or intensity of use; and
- iv. Creation or expansion of any vehicular parking area.

(B) Activities Exempt from Site Plan Review

Site plan review is not required for the following activities, but such activities shall be subject to the standards of this UDO and building permit review:

- i. Construction of a single-family detached, duplex, triplex, or fourplex dwelling on a single lot, additions to such dwellings, an accessory dwelling unit, and structures accessory to such dwellings; and
- ii. Construction or erection of accessory buildings, fences, hedges, or walls; and
- iii. Interior tenant alterations or improvements that do not increase parking requirements or alter exterior building appearances.
- iv. Projects that fall below the thresholds for minor site plan review in Section 20.06.050(a)(2)(C)i.

(C) Thresholds for Minor and Major Site Plan Review

Site plan review is conducted by the Planning and Transportation Director or the Plan Commission, based on the thresholds below:

i. Minor Site Plan Review

Minor site plan review is required for any of the following activities unless that activity is exempt from the site plan process under Section 20.06.050(a)(2)(B), or the project meets or exceeds the thresholds requiring major site plan review under Section 20.06.050(a)(2)(C)ii:

- 1. A change in use that involves or requires site improvements;
- 2. Any expansion, alteration, or modification of a lawful nonconforming site feature or building that meets or exceeds the thresholds established in Section 20.06.090(f)(2) (Limited Compliance), and falls below the thresholds for major site plan review in Section 20.01.010(a)(1)(A)i.1;
- 3. Development that contains ~~15,000-20,000~~ square feet or less of new non-residential gross floor area;
- 4. Development that contains ~~30-50~~ dwelling units or less;
- 5. Expansions, alterations, or modifications that increase the gross floor area of an existing structure by 10 to 25 percent; ~~or 2,000 to 10,000 square feet, whichever is more;~~
- ~~6. Expansions, alterations, or modifications that increase the total number of existing dwelling units on a lot by five to 10 percent;~~
- ~~7.6~~ The alteration of any vehicular parking area;
- ~~8.7~~ Petitions for a permit and/or certificate of zoning compliance for grading; or

~~9.8.~~ Projects that qualify for affordable housing incentives and/or sustainable development incentives established in Section 20.04.110 (Incentives), provided that, if located adjacent to one or more lots in an R1, R2, R3, or R4 district or such project does not contain more than ~~50-75~~ dwelling units.

ii. **Major Site Plan Review**

Major site plan approval is required for any project that meets or exceeds the following criteria, unless otherwise exempted from site plan review under Section 20.06.050(a)(2)(B):

1. Development located within 500 feet, measured radially, from the centerline of State Road 37/[Interstate 69](#);
- ~~2. Development that contains more than 15,000 square feet of gross floor area;~~
- ~~3. Development that contains more than 50 dwelling units;~~
- ~~4. Any expansion, alteration, or modification of a lawful nonconforming site feature or building that meets or exceeds the thresholds established in paragraphs (2) or (3) above;~~
- ~~5. Projects that qualify for affordable housing or sustainable development incentives on parcels located adjacent to one or more lots in an R1, R2, R3, or R4 district that contain more than 50 dwelling units;~~
- ~~6.2.~~ Any minor site plan determined by the Planning and Transportation Director to require major site plan review due to unusual size, complexity, or the creation of potential significant unanticipated impacts on the city or surrounding neighborhoods; or
- ~~3.~~ Any project that would individually qualify for minor site plan review but that, when considered collectively with prior minor site plan approvals for adjacent lots or sites under common or related ownership within the last three years, would have required major site plan review, if the Planning and Transportation Director concludes that the combined impact of any such adjacent projects creates impacts similar to those requiring major site plan review.

~~7.4.~~ [Anything that exceeds minor site plan review thresholds.](#)

(3) **Minor Site Plan Review Process**

Figure 06.05-1 identifies the applicable steps from 20.06.040 (Common Review Procedures) that apply to that apply to minor site plan review. Additions or modifications to the common review procedures are noted below.

Figure 06.05-1: Summary of Minor Site Plan Review Procedure

iv. Revocation of Permits

1. The Floodplain Administrator may revoke a permit or approval, issued under the provisions of this UDO, in cases where there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.
2. The Floodplain Administrator may revoke a permit upon determination that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the structure for which the permit was issued is in violation of, or not in conformity with, the provisions of this UDO.

(e) Grading Permit

(1) Purpose

The grading permit procedure is intended to mitigate the environmental impact of site development and to protect the water quality of the City of Bloomington, Monroe County, and surrounding areas, and to provide a mechanism to ensure compliance with this UDO by providing a thorough permitting and inspection process for all grading activities.

(2) Applicability

No land-disturbing activity shall occur on platted or unplatted lands in any zoning district, unless a grading permit for such activity has been issued.

(A) Exemptions

- i. Land-disturbing activity covering an area less than ~~4,000~~ 2,500 square feet;
- ii. Land-disturbing activity on an individual single-family lot.
- iii. Projects with only new foundations for buildings or additions with a footprint of 5,000 square feet or less.

(B) Additional Requirements

Compliance with the standards in this UDO shall not relieve any person of the independent obligation to comply with all applicable standards and practices set out in Indiana Administrative Code, 327 IAC 15-5, and 327 IAC 15-13, regarding stormwater runoff associated with construction activity; the Indiana Stormwater Quality Manual developed by the Indiana Department of Environmental Management; all applicable provisions of Title 10 (Wastewater) of the Bloomington Municipal Code regarding stormwater runoff; and all applicable rules, regulations, standards and specifications of the City Utilities Department regarding stormwater management practices.

(3) Grading Permit Review Process

Figure 06.05-6 identifies the applicable steps from 20.06.040 (Common Review Procedures) that apply to grading permit review. Additions or modifications to the common review procedures are noted below.

Figure 06.05-6: Summary of Grading Permit Procedure

iii. For petitions subject to review and a decision by the Plan Commission, pre-submittal neighborhood meeting may be required by the Planning and Transportation Director, in accordance with Section 20.06.040(b)(3) (Pre-Submittal Neighborhood Meeting).

(B) Petition Submittal and Processing

The primary plat 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

Within 30 days after receipt of a complete petition, the primary plat petition shall be scheduled for a public hearing before the Plan Commission or Plat Committee and noticed in accordance with 20.06.040(e) (Scheduling and Notice of Public Hearings).

(E) Review and Decision

The Plan Commission or Plat Committee shall review the primary subdivision petition and approve, approve with conditions, or deny the petition in accordance with Section 20.06.040(g) (Review and Decision), based on the general approval criteria in Section 20.06.040(d)(6) (Approval Criteria) and the following standards:

- i. All subdivision proposals shall be consistent with the need to minimize flood damage.
- ii. All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage.
- iii. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards.
- iv. Base flood elevation data shall be provided for subdivision proposals and other proposed development (including manufactured home parks and subdivisions), which is greater than the lesser of 50 lots or five acres.
- v. All subdivision proposals shall minimize development in the SFHA and/or limit intensity of development permitted in the SFHA.
- vi. All subdivision proposals shall ensure safe access into/out of SFHA for pedestrians and vehicles (especially emergency responders).

(F) Subdivision Waivers

Waivers from any standards within Chapter 5 shall be reviewed according to the following criteria:

- i. The granting of the subdivision waiver shall not be detrimental to the public safety, health, or general welfare, or injurious to other property; and
- ii. The conditions upon which the request for a Subdivision Waiver are based are unique to the property; and
- iii. The Subdivision Waiver shall not in any manner vary the provisions of the development standards, Comprehensive Plan, or Transportation Plan.

~~(F)~~(G) **Post-Decision Actions and Limitations**

Post-decision actions and limitations in Section 20.06.040(h) shall apply with the following modifications:

i. **Effect of Approval**

1. All decisions of the Plan Commission or Plat Committee approving, denying, or placing conditions upon a primary plat must be in writing and signed by the president of the Plan Commission, the chair of the Plat Committee, or the Planning and Transportation Director.
2. The approval of a primary plat by the Plan Commission is strictly tentative, involving merely the general acceptability of the layout as submitted.

ii. **Revisions to Primary Plat**

Following Plan Commission approval, the petitioner shall submit revised copies of the plans that address the conditions required by the Plan Commission. The petitioner shall refer to the petition form to determine the format and number of copies of the revised plans to deliver to the Planning and Transportation Department.

iii. **Expiration of Primary Plat**

1. A secondary plat petition shall be filed no later than 12 months after the date of approval of the primary plat, otherwise the primary plat approval shall be considered void, to the extent permitted by Section 20.01.040(b) (Effect of Change in the Law after Filing of Complete).
2. One extension of up to six months may be authorized by the Planning and Transportation Director for reason/cause. The petitioner shall submit the request for extension in writing to the Planning and Transportation Director, and the Planning and Transportation Director shall make a written determination regarding his or her decision to extend or deny extension. Both the request and the determination shall be made part of the primary plat record.

(c) Secondary Plat

(1) Purpose

The secondary plat procedure provides a mechanism for the city to review a petition for the secondary platting of a subdivision and ensures that the statutory requirements established in the Indiana Code for the subdivision of land are met.

2. For a secondary plat where an initial phase was recorded within six months of the date of approval by the Plan Commission or Plat Committee, successive phases shall be recorded within 18 months of the previous phase. If a successive phase fails to meet the 18-month requirement, the approval of the phases that have not been recorded shall be null and void and, but only the secondary plat must again be submitted for approval, to the extent permitted by Section 20.01.040(b) (Effect of Change in the Law after Filing of Complete).

iii. Financial Bond Required

1. Purpose

In conjunction with the approval of a secondary plat, the petitioner shall be required to provide a financial performance guarantee, by performance bond or an irrevocable, unconditional, acceptable letter of credit issued by a financial institution acceptable to the city, that all public facility improvements and installations required under the provisions of this UDO and Planning and Transportation Department requirements shall be completed.

2. Applicability

- [a] A performance agreement between the petitioner and the city, supported by a performance surety or irrevocable letter of credit, shall be required ensuring the timely and proper installation of required public facility improvements; provided, however, that any improvements to be dedicated to Monroe County within the City of Bloomington shall be bonded in accordance with Monroe County bonding policy.
- [b] The performance guarantee for each individual public facility improvement or installation may be handled separately and shall in no way be contingent on the completion of any other individual public facility improvements and installations or their performance guarantees.
- [c] The posting of a performance guarantee may be accepted for incomplete requirements that will be completed as per a written agreement with the city. The time period and amount of the performance guarantee shall be determined by the Board of Public Works and shall comply with Indiana Code § 36-7-4-709(i).
- [d] The posting of a performance guarantee is not required when the petitioner is the City of Bloomington.

3. Review

The City Planning and Transportation Department shall review the estimate upon receipt of a complete petition and supportive documents. The City Planning and Transportation Department shall verify that the performance bond or letter of credit shall:

- [a] Be in a sum of not less than one hundred twenty-five percent of the approved estimate of the total improvement construction cost of the project in order to be sufficient to complete the improvements and installations in compliance with this UDO and City Planning and Transportation Department requirements;

Table 06-2: Allowable Minor Modifications

| UDO Standard | Allowable Modification (maximum percentage) |
|---|--|
| Subdivision Standards | |
| Parent tract size, minimum | 10 |
| Open space required, minimum | 5 |
| Block length, minimum or maximum | 10 |
| <u>Lot area, minimum</u> | <u>10</u> |
| Site Standards | |
| <u>Lot area, minimum</u> | <u>10</u> |
| <u>Lot coverage, maximum</u> | <u>10</u> |
| Lot Dimensional Standards | |
| Front building setback, minimum | Lots 6,000 square feet or smaller, 25 |
| | Lots larger than 6,000 square feet, 15 |
| Front parking setback, minimum | 25 |
| Front build-to range, minimum | 25 |
| Front building façade at build-to range, minimum | 25 |
| Side building setback, minimum | Lots 6,000 square feet or smaller, 25 |
| | Lots larger than 6,000 square feet, 15 |
| Rear building setback, minimum | Lots 6,000 square feet or smaller, 25 |
| | Lots larger than 6,000 square feet, 15 |
| Encroachment into setback pursuant to Table 04-6 | 10 |
| Impervious surface coverage, maximum | 5 |
| Building Standards | |
| Primary structure height, maximum | 10 |
| Primary structure height, minimum | 10 |
| Student housing or dormitory building floor plate (maximum) | 5 |
| Accessory building height, maximum | 10 |
| Projection into height requirement pursuant to Table 04-7: Authorized Exceptions to Height Requirements | 10 |
| Development Standards | |
| Number of required vehicle or bicycle parking spaces, maximum or minimum | 10 |
| Minimum landscaped area | 10 |
| Fence or wall height, maximum | 15 |

(4) Minor Modification Review Process**(A) Petition Submittal and Handling**

A petition for a minor modification shall only be submitted and reviewed concurrently with a petition for a conditional use permit, temporary use permit, site plan review (minor or major), certificate of zoning compliance, or plat approval (primary or secondary). Each UDO standard in Table 06-2 shall be considered a separate minor modification request as it relates to the approval criteria in Section 20.06.080(a)(5), but multiple modifications may be considered in one minor modification petition.

(B) Review and Decision

- i. Where the concurrently reviewed petition requires review and approval by the planning and transportation staff, the Planning and Transportation Director shall review the petition and shall approve, approve with conditions, or deny the modification based on the criteria in Section 20.06.080(a)(5).
- ii. Where the concurrently reviewed petition requires review and approval by the Plan Commission or Common Council, the commission or council, as applicable, shall review and decide the minor modification petition based on the criteria in Section 20.06.080(a)(5).

(C) Effect of Approval

Approval of a minor modification authorizes only the particular adjustment of standards approved, and only to the subject property of the petition.

(D) Expiration of Minor Modification

A minor modification shall automatically expire if the associated development petition is denied or if approval of the concurrently reviewed petition expires, is revoked, or otherwise deemed invalid.

(5) Minor Modification Approval Criteria

A minor modification may be approved if the decision-making body finds that the modification:

- (A) Will not create a hardship or adverse impacts on adjacent properties unless adequately mitigated;
- (B) Is not necessitated by the petitioner's actions; and
- (C) Is of a technical nature and is required to compensate for an unusual site condition or to protect a sensitive resource, natural feature, or community asset.

(b) Variance**(1) Purpose**

The variance procedure provides a mechanism for the City to authorize variances from the development standards of this UDO when it is demonstrated that such a variance will not be contrary to the public interest or the spirit of this UDO, where, owing to special conditions, literal enforcement of this UDO will result in practical difficulties or unnecessary hardship.

ii. Parking Setback/Impervious Surface Coverage

If a site can be brought closer to compliance with required setbacks or impervious surface coverage standards through the removal of excess asphalt or parking above the maximum number of permitted spaces, then such setbacks or impervious surface coverage standards shall be met with the removal of paved and gravel covered areas and the addition of vegetation. If all setbacks cannot be achieved through the removal of such paved and gravel covered areas, priority shall be given to the front setback. If a corner lot, then priority for front setbacks shall be given for the side facing the higher classified street.

iii. Parking

Any change in use or reestablishment of an abandoned conforming use must meet parking requirements of Section 20.04.060 (Parking and Loading). Any expansion, enlargement, or relocation of an existing conforming use, or addition to any building of more than ten percent of the gross floor area may not increase the degree of nonconformity regarding the required number of parking spaces.

iv. Paving

Any substandard parking surfaces shall be brought into compliance with Section 20.04.060(i)(7) (Surface Material).

v. ADA-accessible Parking

All required ADA-accessible parking spaces must be installed in accordance with Section 20.04.060(f) (Accessible Parking). If no additional room for parking is available, the number of parking spaces provided may be decreased enough to provide adequate ADA-accessible aisles.

vi. Bicycle Parking

All required bicycle parking must be installed per Section 20.04.060(l) (Minimum Bicycle Parking Required) and Section 20.04.060(m) (Bicycle Parking Location and Design).

vii. Landscaping

If full compliance with Section 20.04.080 (General Landscaping) cannot be achieved due to lack of adequate planting area, all yard areas must be landscaped to the maximum practicable density with a priority given to shade tree installation.

viii. Pedestrian Facilities

Any street frontage without existing pedestrian facilities shall be required to install pedestrian facilities per Section 20.04.050(d) (Pedestrian and Bicycle Circulation). If substandard pedestrian facilities exist, new facilities shall not be required if existing facilities are in functional condition, except that pedestrian facilities shall comply with the Americans with Disabilities Act.

ix. Signage

All signage must be brought into compliance with Section 20.04.100 (Signs) to the extent practicable, although freestanding signs may use existing setbacks where the sign is not located within a restricted vision clearance area.

x. Dumpster Enclosures

All outdoor waste collection facilities must be brought into compliance with Section 20.04.080(m) (Screening).

Funeral Home

See "Mortuary."

Garage

A building or structure, or part thereof, used or designed to be used for the parking and storage of vehicles.

Garage, Detached

A detached accessory building in which the sole use is the storage of vehicles and other incidental personal possessions of the premises.

Geographic Information System (GIS)

A computer system that stores and links non-graphic attributes or geographically referenced data with graphic map features to allow a wide range of information processing and display operations, as well as map production, analysis, and modeling.

Glare

The effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

Government Service Facility

A facility owned, operated, or occupied by any level of government to provide a governmental service, but not including offices for the provision of governmental services or facilities for any government operation separately defined in this UDO.

Grade, Finished

The final grade of a plan that conforms to the approved plan.

Grade, Street

The top of the curb, or the top of the edge of the pavement where no curb exists.

Grade, Unfinished

The stage at which the grade approximately conforms to the approved plan.

Gravel, Cement, or Sand Production

A facility for the sorting, grading, storage, manufacture or mixing of aggregate construction materials such as concrete, cement, gravel, crushed stone, sand or similar products, or products made of these materials.

Greenhouse, Noncommercial

The accessory or temporary use of a structure whose roof and sides are made largely of glass or other transparent or translucent material and in which the temperature and humidity can be regulated for the cultivation of plants for noncommercial use.

Grocery or Supermarket

A retail establishment where most of the floor area is devoted to the sale of food products, both perishable and dry goods, for home preparation and consumption, as other convenience and household goods.

Gross Floor Area

All of the area contained in a building or buildings without exception, including utilities, stairwells, chimneys and other appurtenant features.

Ground Cover

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.

School, Public or Private

A public or private institution that offers instruction in any of the branches of learning and study comparable to that taught in the public schools through high school level under the Indiana School Laws, including pre-school, pre-kindergarten, kindergarten, elementary school, and junior and senior high schools. This use does not include "School, Trade or Business," or "School, College or University."

School, Trade or Business

A private or public educational facility with a curriculum that is not comparable to that taught in the public schools through the high school level and focused upon skills required in business, trades, or the arts.

Searchlight

A powerful light equipped with a reflector to produce a bright beam intended to draw attention.

Seasonal Sales

Any business or use (primary or accessory) that may include but not be limited to retail sales of garden supplies and equipment; roadside stands for the sale of fruits and vegetables, plants, flowers, Christmas trees, pumpkins, fireworks; and other similar businesses or uses. This definition does not include "Farm Produce Sales."

Secondary School

See "School, Public or Private."

Section 1316

For purposes of floodplain regulations, that section of the National Flood Insurance Act of 1968, as amended, which states that no new flood insurance coverage shall be provided for any property that the Administrator finds has been declared by a duly constituted state or local zoning authority or other authorized public body to be in violation of state or local laws, regulations, or ordinances that intended to discourage or otherwise restrict land development or occupancy in flood-prone areas.

Sediment

Solid mineral or organic material that, in suspension, is being transported, or has been moved from its original site by air, water, gravity or ice and has been deposited at another location.

Setback

The required distance between any structure or parking area and the lot lines of the lot or parcel on which they are located.

Setback, B-Line Trail

The line that defines the minimum distance that any area used for structures or vehicle parking spaces shall be separated from the B-Line trail right-of-way.

Setback, Front

The line that defines the depth of the required front yard measured from the front property line to a regulated structure. The front setback shall be measured from the proposed right-of-way as indicated on the ~~thoroughfare~~ Transportation Plan ~~except that the front setback adjacent to a street classified as Neighborhood Residential in the Transportation Plan shall be measured from the existing right-of-way.~~ The front setback shall be parallel with the street right-of-way line. For individual building sites in the RMH zoning district, the front setback is measured from the edge of pavement of the interior streets. For corner lots, the front setback shall apply to all frontages adjacent to a street right-of-way.

Setback, Front Smallest

Street Lighting Plan

A site plan showing the location and type of streetlights to be installed including type of fixture and bulb type.

Street, Stub

A street intended to be extended in conjunction with the subdivision and development of adjacent unplatted land.

Structural Alterations

Any change in the supporting members of a building or structure such as bearing walls, partitions, columns, beams, or girders; or any change in the footprint or increase in the size of living space. Structural alterations also include substantial roofing and siding work when repairs are made to the structure beneath.

Structure**Structure (Generally)**

In all other contexts, anything constructed or erected that requires location on the ground or attachment to something having a location on the ground, including but not limited to buildings, sheds, detached garages, mobile homes, manufactured homes, above-ground storage tanks, freestanding signs, and other similar items.

Structure (Floodplain Regulations)

For purposes of floodplain regulations, a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles to be installed on a site for more than 180 days.

Structure, Accessory**Structure, Accessory (Generally)**

See "Building or Structure, Accessory."

Structure, Accessory (Floodplain Regulations)

For purposes of floodplain regulations, a structure with a floor area 400 square feet or less that is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures should constitute a minimal initial investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.

Structure, Historic

For purposes of floodplain regulations, any structures individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.

Student Housing or Dormitory

A multiple-family dwelling designed primarily as housing for, or likely to be occupied by, unmarried undergraduate or post-graduate students, including but not limited to:

- 1) Multiple-family dwellings that contain any living units with four or more bedrooms; or
- 2) Multiple-family dwellings [with more than 10 dwelling units](#) where more than 33 percent of the living units contain three bedrooms; or
- 3) Residential buildings that do not meet the definition of a "Residential Rooming House" or "Hotel or Motel," in which any of the bedrooms require the use of a common hallway shared by more than three bedrooms, to access the nearest bathroom facilities or to access a cooking area containing a built-in sink, refrigerator, and stove or oven.

Urban Agriculture, Noncommercial

The cultivation of food and/or horticultural crops, composting, aquaponics, aquaculture and/or hydroponics. Such use may include the production and sale of food products from food grown on the premises. Noncommercial urban agriculture may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. This definition includes gardens, container gardens, edible landscapes, residential greenhouses, herb gardens, rooftop gardens, berry patches, vegetable gardens and other similar activities. Urban agriculture uses shall not include the raising of animals, except as permitted elsewhere in the Bloomington Municipal Code.

Use

The purposes for which land, a building, or structure thereon is designed, arranged, or intended, or for which it is occupied, maintained, let, or leased.

Use, Abandonment of

The relinquishment of property or a cessation of the use of property for a continuous period of ~~six~~twelve months by the owner.

Use, Accessory

An activity that is conducted or located on the same zoning lot as the primary building or use served, except as may be specifically provided elsewhere in this UDO; is clearly and customarily incidental to, subordinate in purpose to, and serving the primary use; and is either in the same ownership as the primary use or is clearly operated and maintained solely for the comfort, convenience, necessity, or benefit of the occupants, employees, customers, or visitors of the primary use.

Use, Change In

Includes, for any portion of a building, structure, or lot:

- 1) Any change from a residential use to a nonresidential use;
- 2) Any change from a nonresidential use to multifamily use;
- ~~3)~~ Any change from one residential land use to another;
- ~~3)4)~~ ~~Any increase in the number of dwelling units; and any increase in number of bedrooms for any unit;~~
- ~~4)5)~~ Any establishment of a use on a previously unused site, or the inclusion of a new use in addition to an existing use;
- ~~5)6)~~ Any use which requires a conditional use approval;
- ~~6)7)~~ Any change from a single-tenant to a multi-tenant site or building;
- ~~7)8)~~ Any use that differs from the previous use of a building or land, as determined by subheadings in Table 03-1: Allowed Use Table, or where the new use differs substantially in the amount of required parking, traffic generation, number or frequency of customers/users, hours of operation, or other similar aspects of the use; and
- ~~8)9)~~ Any establishment of a new use after a previous use has been abandoned, as defined by this UDO.

Use, Conditional

See "Conditional use."

Use, Establishment of

The initiation of a new use on a property or the initiation of a use on a property where the previous use has been discontinued; or, reestablishment of a prior conforming use that has been discontinued for a period of twelve months or more.