

AGENDA
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, JUNE 28, 2017 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET
BLOOMINGTON, ILLINOIS

1. CALL TO ORDER

2. ROLL CALL

3. PUBLIC COMMENT

A public comment period not to exceed thirty (30) minutes will be held during each Board and Commission meeting, as well as all regularly scheduled City Council meetings, Committee of the Whole meetings, meetings of committees and/or task forces (hereinafter "committees") created by the City Council, work sessions, and special meetings of the City Council. Nothing herein shall prohibit the combination of meetings, at which only one public comment period will be allowed.

Anyone desiring to address the Board, Commission, Committee or City Council, as applicable, must complete a public comment card at least five (5) minutes before the start time of the meeting. Public comment cards shall be made available at the location of the meeting by City staff at least 15 minutes prior to the start time of the meeting. The person must include their name, and any other desired contact information, although said person shall not be required to publicly state their address information. If more than five individuals desire to make a public comment, the order of speakers shall be by random draw. If an individual is not able to speak due to the time limitation and said individual still desires to address the individuals at a future meeting of the same type, said individual shall be entitled to speak first at the next meeting of the same type. (Ordinance No. 2015-46))

4. MINUTES: Review the minutes of the June 14, 2017 regular meeting of the Bloomington Planning Commission.

5. REGULAR AGENDA:

None

6. OLD BUSINESS

General discussion on City of Bloomington Zoning Ordinance Update

7. NEW BUSINESS

8. ADJOURNMENT

For further information contact:

Tom Dabareiner AICP, Community Development Director

Department of Community Development

Government Center

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**DRAFT MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, June 14, 2017 4:00 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS**

MEMBERS PRESENT: Mr. J. Balmer, Mr. Kevin Suess, Ms. Nicole Chlebek, Mr. Ryan Scritchlow, Mr. James Pearson, Mr. John Protzman, Ms. Megan Headean, Mr. Justin Boyd, Mr. Eric Penn, Chairman David Stanczak

MEMBERS ABSENT: None

OTHERS PRESENT: Mr. Tom Dabareiner, Director of Community Development; Ms. Katie Simpson, City Planner; Mr. George Boyle, City Attorney; Mr. Michael Hill, Public Works; Mr. Jim Karch, Public Works Director.

CALL TO ORDER: Chairman Stanczak called the meeting to order at 4:01 PM

ROLL CALL: Mr. Dabareiner called the roll. With ten members in attendance, a quorum was present.

PUBLIC COMMENT: None

MINUTES: The Commission reviewed the May 24, 2017 minutes. Mr. Scritchlow moved to approve the minutes; Mr. Boyd seconded the motion, which was passed unanimously by a voice vote.

REGULAR AGENDA:

Z-17-17 Public hearing, review and action on a petition submitted by the Bloomington City Council (Resolution 2017-21) requesting the rezoning of 204 N. Allin St, 801 W. Washington St, 803 W. Washington St., 800 and 802 W. Washington St., and 804 W. Washington St., from C-2, Neighborhood Shopping District to B-2, General Business Service District., and the rezoning of 806 W. Washington St., from R-2, Mixed Residential to B-2, General Business Service District.

Chairman Stanczak introduced the case and Ms. Simpson provided the staff report. She provided an overview and noted that nothing had changed since the prior presentation on these properties, but that a processing error required reconsideration by the Planning Commission.

Mr. Balmer moved to approve the petition; second by Mr. Protzman. The item passed unanimously with the following roll call vote: Mr. Balmer—yes; Mr. Protzman—yes; Mr. Suess—yes; Ms. Chlebek—yes; Mr. Scritchlow—yes; Mr. Pearson—yes; Ms. Headean—yes; Mr. Boyd—yes; Mr. Penn—yes; Chairman Stanczak—yes.

Z-18-17 Public hearing, review and action on an amendment to the City of Bloomington 2015 Bicycle Master Plan.

Chairman Stanczak introduced the case. He stated his intention to allow everyone to be heard but asked participants to try to limit their comments to 3 minutes. He clarified that the item relates to a change in the plan along Washington Street, not the entire plan itself. He continued that he held a number of speaker cards and would hear from them first.

Jim Karch, Public Works Director, provided the staff report. He clarified that the proposed amended extends beyond the pop up bike path lanes. He provided a brief history of the bike master plan and discussed the new interest in Complete Streets. He explained why the bike lanes were currently under consideration, noting that portions of the street will be resurfaced this summer so timing is right to consider bike paths. He noted that a single lane can still handle the vehicular traffic along Washington Street. He stated that bikes provide more than recreation and adding a bike path would better accommodate commuting and other travel. He mentioned the two public meetings already held on the topic.

He summarized the 217 comments received to date. Washington Street residents tended to oppose the bike paths while those outside of the corridor tended to support the new paths, he concluded. This information is included in Exhibit 1.

Mr. Scritchlow asked why the path was shifted from Grove Street just a couple years after the plan was passed; Mr. Karch stated originally staff was not supportive of a path on Washington but the Council direction has broadened to include more consideration of bike paths and other modes of transportation.

Mr. Balmer asked about cost; Mr. Karch answered, about \$25,000 per mile of striping. Mr. Karch added support from the Bloomington Fire Chief. Mr. Suess asked about parking and Mr. Karch noted the parking demand is not high along the stretches under consideration so the loss of a few spaces was not deemed significant.

Mr. Suess asked about the road diet done elsewhere and expressed concern about congestion; Mr. Karch explained this is not a case where the City is dropping a lane, but instead the lane width is being reduced.

Mr. Pearson asked if the 19 parking spots lost would be between Lee and Prairie; Mr. Karch confirmed this as the location. Mr. Pearson asked about emergency vehicles and Connect Transit. Mr. Karch noted letters of support received from the Fire Chief and the acting director for Connect Transit. The referenced letters were recorded as Exhibit 2, which included a third letter of support from the YMCA.

Mr. Balmer expressed concern over vehicle speed, noting that when lanes are narrowed traffic slows; Mr. Karch confirmed this tendency.

Mr. Pearson asked if bicycle rules required helmets or limited ages of riders; Mr. Karch stated he did not believe there is a helmet requirement but that these lanes were not

intended for kids on tricycles. Mr. Pearson asked about widening the sidewalk instead; Mr. Karch stated that studies show it is safer to be on the road at intersections than off the road on sidewalks due to visibility.

Mr. Karch provided a new handout, which includes new email comments and a petition. This was marked as Exhibit 3.

There was general discussion about whether a shortened path or a longer path would be beneficial. Mr. Karch explained that Lee Street made a logical terminus, but some have suggested going farther west to Allin. There was discussion about the Complete Streets policy.

Mr. Boyd asked if 11 feet wide traffic lanes was adequate; Mr. Karch stated it is acceptable. Mr. Karch noted the bike path is five feet wide.

Chairman Stanczak asked to clarify the average daily traffic number; Mr. Karch explained it is not an origin-destination study and added that the traffic volumes vary based on where in the corridor you look. Chairman Stanczak added that he was concerned about the number of vehicles during rush hour; Mr. Karch replied the concerns comes down to the intersections and turn movements, which may cause a back-up.

Ms. Headean asked about the road cross sections and whether a bi-directional center turn lane could be accommodated; Mr. Karch responded that a center turn lane could fit in some stretches but not throughout the corridor.

Mr. Pearson clarified whether Grove Street will remain in the plan; Mr. Karch responded in the affirmative.

There was general discussion about the approval process for the amendment.

Chairman Stanczak introduced the members of the public who submitted speaking request cards. All speakers were sworn in at the time they spoke. First, R.J. Whitworth spoke in favor of the amendment due to safety. Lola Augsand spoke in favor because of a family accident along the street that occurred in the past. Michael Gorman spoke in favor after providing some history of the topic and speaking about Bike BloNo's role, noting surveys and the large amount of support for bike paths on Washington Street; he added that concern over loss of parking was the largest negative, but the packet contains a negotiated recommendation. Mr. Gorman noted that the City saved money on the test project because Bike BloNo personnel installed the test lanes. Diane Benjamin spoke in opposition after noting the concern for emergency vehicle traffic travelling with more congestion; she also noted the selection criteria in the plan for identifying candidate streets for bike lanes and suggested Washington Street does not meet the criteria. Julian Westerhout spoke in favor after noting he represented Friends of the Constitution Trail, stating that members seek more ways to access the Trail. Gary Lambert spoke in opposition noting the large turnout of residents opposed to the bike path at the Mayor's open house and he noted Washington Street was not included in the original plan because it is an arterial roadway; he reiterated that those opposed live largely along Washington. Trevor McGuire noted he is a new

university professor and is a bicyclist as his sole mode of transportation, therefore he is in favor of the bike lanes as Washington Street is the primary east-west road in the middle of the community; he also described the different kinds of drivers and their reactions to bicyclists and his belief that a defined lane will improve safety. Greg Bonham stated he favors the amendment and believes that if it becomes a problem a bike path can easily be removed. Mike McCurdy represents Connect Transit and asked for questions; Ms. Headean asked how many use the bus as the sole method of transportation, and Mr. McCurdy noted that bikes help provide access to the bus routes. Mr. McCurdy added the bus pulls to the curb to pick up passengers, Neil Gridley stated he favors the bike lane and lives near Washington School and stated his belief that sidewalks will be safer with more of the bikes in the street. Chairman Stanczak noted this exhausted the pre-filled out cards.

Stacey Tutt spoke in favor on behalf of the West Bloomington Housing Collaborative because it will connect west and east Bloomington; she asked that it go farther west to Allin Street and added a couple personal bicycling stories. Bruce Meeks spoke in opposition, noting that the original reasons for opposing adding a path along Washington Street should still stand, then asked for an impact study; he also believes more training is needed, along with possible licensing of bikes. Mr. Meeks also questioned the extensive access Bike BloNo had to Public Works. Commissioner Chlebek suggested training may also be need for drivers of cars. Amanda Hoganson stated she previously wanted to ride her bike along Washington for commuting purposes and supports the amendment for future users. Sue Feldkamp is opposed to the bike lane because she believes it is unsafe, plus she opposed to the cost, and she is concerned about left turns bicyclists will want to make; she added that bicyclists should have lights if they travel at night. Dan Stedman spoke in favor, as a regular bicyclist who commutes to work in Bloomington from Normal. Cydney Williams spoke in opposition because Washington is a busy street and because congestion will increase; she added concerns about possibly losing turning lanes and about waiting to pull out of her driveway. Tyson Moore spoke in favor of the amendment because the new path would connect his house to the Constitution Trail and he believes it will improve safety. Larry Hinyard spoke in opposition for safety with more cars; he called attention to the petition and added concerns with costs. Mr. Karch discussed how long road paint lasts, which depends on the type of material and costs. Jason Huber spoke in favor of the petition as an avid cyclist, believing that the appearance of a bike lanes alerts drivers of its potential use. Mike McCurdy, as a bicyclist, spoke in favor of the amendment and believes marrow lanes slows traffic and noted the amount of potential damage cause based on various higher speeds of cars; he believes there is room for all users, referred to the Complete Streets policy, and repeated that Washington is one of the few compete east-west streets in Bloomington. Commissioner Scritchlow sought a comparison of cost for ride by bicycle versus cost per ride for cars. Diane Benjamin noted Mr. McCurdy is a member of Bike BloNo board and mentioned an accident that occurred on Washington recently.

Chairman Stanczak closed the public hearing.

Mr. Pearson spoke in opposition because of the loss of traffic lanes on an arterial street, the 19 parking spaces downtown, and added that the path should be shorter. Mr. Scritchlow likes the idea of taking the path to Allin; he noted the Constitution Trail opposition years ago. Mr. Boyd clarified the purpose of the amendment, whether it aligns with the plan and

makes things safer. Ms. Headean expressed concern for the adjacent residents but stated owning a car should be a barrier to travel in the community; she believes the path aligns with the comprehensive plan. Mr. Balmer noted the residents' concerns between Mercer and Towanda and believes the bike paths will slow traffic and make it safer for bicyclists; he added the intersections of Washington with Mercer and Regency should be addressed regarding turn lanes and he would like to see those two intersections be further evaluated. Mr. Suess stated he sees the concerns every day that were raised during the hearing and believes the bike lanes will make it safer and slow traffic, adding that he sometimes commutes by bike to work; Mr. Suess favors the amendment. Chairman Stanczak noted we need safe bicycle traffic but he is concerned about removing traffic lanes. Ms. Chlebek agrees with what she heard so far and believes that drivers will adjust to the loss of lanes and added that cyclists will be there anyway so we should improve their safety.

Mr. Boyd moved in favor of the amendment; seconded by Mr. Suess. Mr. Balmer asked for an amendment calling for a study of the Washington/Mercer and Washington/Regency intersections; Ms. Headean concurred, and added that she would like to the bike lanes to extend west to Allin. After some discussion it was decided that the extension to Allin was not part of the original hearing and could not be added to the amendment but could be highly recommended to the Council. The amendment then was limited to the intersection studies and passed 9-1 with the following votes: Mr. Balmer—yes; Ms. Headean—yes; Mr. Protzman—yes; Mr. Suess—yes; Ms. Chlebek—yes; Mr. Scritchlow—yes; Mr. Pearson—no; Mr. Boyd—yes; Mr. Penn—yes; Chairman Stanczak—yes.

Regarding the main motion, as amended, the proposal passed 7-3 as follows: Mr. Boyd—yes; Mr. Suess—yes; Mr. Balmer—yes; Ms. Headean—yes; Mr. Protzman—yes; Ms. Chlebek—yes; Mr. Scritchlow—no; Mr. Pearson—no; Mr. Penn—yes; Chairman Stanczak—no.

OLD BUSINESS:

None.

NEW BUSINESS

Election of Chair and Vice Chair. The election was introduced by Chairman Stanczak who opened the floor for chairman. Mr. Protzman nominated Mr. Boyd to be the new Planning Commission chairman; seconded by Mr. Balmer. Mr. Pearson nominated Mr. Scritchlow for chairman; second by Ms. Headean. Based on a show of hands, there were three votes for Mr. Boyd and five for Mr. Scritchlow, however more than five votes is needed according to Commission rules. A second vote was taken by secret ballot, ending in a 4-4 tie. Several options on how to proceed were discussed. A third secret ballot was conducted, resulting in a 7-3 vote in favor of Mr. Boyd.

Mr. Scritchlow was named vice-chairman, following a unanimous vote after receiving a nomination from Mr. Pearson; seconded by Mr. Suess. The vote by acclamation was moved by Mr. Pearson; seconded by Mr. Suess.

ADJOURNMENT: Mr. Protzman moved to adjourn; seconded by Mr. Balmer, which passed unanimously by voice vote. The meeting was adjourned at 6:40 PM.

Respectfully,

Tom Dabareiner AICP
Community Development Director

To: Chairman and Members of the Planning Commission
From: Tom Dabareiner, AICP, Community Development Director
Date: June 20, 2017
Subject: Summary of Zoning Ordinance Attachments

John Houseal, president of Houseal Lavigne & Associates, plans on presenting the first phase of the Zoning Ordinance update at our June 28, 2017, Planning Commission meeting. He has a lot of material to cover and your votes carry more weight from this point forward, as our prior meetings were simply to gauge opinions, direction and comfort levels regarding formats and approaches. We now enter the hearing phase of the comprehensive amendment to the Zoning Ordinance.

Your packet for Wednesday includes three proposed ordinance sections, plus the Use Categories Matrix. These include:

- Agricultural District Regulations
- Residential District Regulations
- Public Interest District Regulations (a new district combining certain elements from other existing districts)
- Use Categories Matrix

Each section includes both a marked-up version and a clean version, done so you can see the changes but also to allow an easier read of each proposed draft which can bring a different sensibility to the effort.

This is just the start! Over the next few months you will see more of this type of material, often with greater complexity, more numerous changes, and multiple challenges. This is difficult but rewarding work for Commissioners, staff and others. Indeed, this is one of the most important activities any Planning Commission can undertake and its impact will last decades. Thank you for your service as citizen planners and your willingness to work on this important task.

BLOOMINGTON ZONING ORDINANCE – DIVISION 3

DIVISION 3. AGRICULTURAL DISTRICT REGULATIONS

44.3-1 – Purpose and Intent

44.3-2 – Agricultural District - Permitted and Special Uses

44.3-3 – Agricultural Bulk and Site Standards

44.3-4 – General Standards

44.3-5 - Development Standards Applicable to Agricultural Districts

44.3-1 – PURPOSE AND INTENT

The intent of this A-Agriculture District is to govern the use of land, buildings, and structures within areas of the City where soil, topographic, and other conditions are best suited for the pursuit of agriculture or where essential community facilities or utilities do not yet or are not reasonably expected to serve the property. These regulations are further intended to provide for the protection and conservation of natural resources, to prevent or minimize conflicts between agriculture and non-agricultural land uses; act as a holding zone for annexed land prior to timely development; and to facilitate orderly and efficient urban development by preventing a scattered and indiscriminate pattern of urban growth.

44.3-2 – AGRICULTURAL DISTRICTS - PERMITTED AND SPECIAL USES

Refer to Division **44.16** Definitions for clarity on the uses listed.

- A. Land Uses. Uses are allowed in the A- Agricultural District in accordance with Table **44.3-2(A)**. The following key is to be used in conjunction with the Use Table.
1. Permitted Uses. A “P” indicates that a use is considered permitted within that district as of right subject to compliance with all other requirements of this Ordinance.
 2. Special Uses. An “S” indicates that a use is permitted, though its approval requires review by the City Council as required in Division **44.17**, subject to compliance with all other requirements of this Ordinance and contingent upon conditions of approval which may be imposed by the city.
 3. Uses Not Permitted. A blank space or the absence of the use from the table indicates that the use is not permitted within that district.
 4. Use Regulations. Many allowed uses, whether permitted by right or as a Special Use, are subject to compliance with **Division 44.17**.
 5. Unlisted Uses. If an application is submitted for a use not listed, the Zoning Enforcement Officer shall make a determination as to the proper zoning district and use classification for the new or unlisted use. If no permitted or special use is similar in character, intensity, and operations to that of the proposed use, a text amendment may be initiated pursuant to Division **44.17** to establish parameters for permitting such use within the City of Bloomington.

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

B. Allowed Uses Table.

TABLE 44.3-2(A): AGRICULTURAL DISTRICT – PERMITTED AND SPECIAL USES		
	A	Reference
Agricultural		
Agriculture	P	
<u>Apiary, Beekeeping</u>	<u>P</u>	44.10-5
<u>Aquaculture, Aquaponics, Hydroponics</u>	<u>P</u>	
Animal Breeding Services	<u>S</u>	
Fish Hatcheries, Poultry Hatcheries	<u>P</u>	
Forestry	P	
Horticultural Services	P	
<u>Urban Agriculture</u>	<u>P</u>	
<u>Urban Garden</u>	<u>P</u>	
RESIDENTIAL		
Household Living		
Dwelling, Single-Family	<u>P</u>	
INSTITUTIONAL		
Government		
Government Services and Facilities	P	
Police Stations, Fire Stations	P	
Religious		
Place of Worship	S ¹	
Cemetery and Columbarium	S	44.10-10
RECREATIONAL		
Country Clubs, Golf Clubs, Golf Courses	S	44.10-15
Fairgrounds, Agricultural Exhibits	<u>S</u>	44.10-16
Parks and Recreation Facilities	P	
Riding Stables, Riding Schools	<u>P</u>	
Swimming Pools, Community	S	44.10-30
COMMERCIAL		
Personal Services		
Veterinary Office or Clinic	S	44.10-33
Retail and Service		
Roadside Markets	<u>P</u>	
INDUSTRIAL		
Transportation		
Airport and Landing Fields	S	44.10-3
Heliports, Heliport Terminals	S	
Utilities		
<u>Commercial Solar Energy Conversion Facilities</u>	<u>P</u>	44.10-29
<u>Commercial Wind Energy Conversion Facilities</u>	<u>S</u>	44.10-34
<u>Private Solar Energy Conversion Facilities</u>	<u>P</u>	44.10-29
<u>Private Wind Energy Conversion Facilities</u>	<u>P</u>	44.10-34
Wireless Communication Facilities	S	44.10-35

1. Maximum permitted height is forty-five (45) feet or three (3) stories, whichever is lower.

44.3-3 – AGRICULTURAL BULK AND SITE STANDARDS

A. Site Dimensions Table. All development in Agricultural District must comply with the requirements in Table 44.3-3(A) and Diagram 44.3-3(A) unless otherwise expressly stated.

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

TABLE 44.3-3(A): AGRICULTURAL DISTRICT BULK AND SITE STANDARDS								
District	Lot Characteristics		Site Design			Development Intensity		
	Min. Lot Width (W)	Min. Lot Area (s.f.)	Front Yard (F)	Side Yard (S)	Rear Yard (R)	Min. Lot Area per Dwelling Unit (s.f.)	Max. Building Height	
			Min.	Min.	Min.		Feet	Stories
A	150'	1 acre	50'	20'	50'	1 acre	35'	2.5

44.3-4 – GENERAL STANDARDS

- A. On-Site Development Standards. See Division 44.9 – General Provisions for various on-site development standards such as exterior lighting requirements, permitted encroachments, accessory uses and structures.
- B. Use Provisions. See Division 44.10 – Use Provisions for standards governing permitted and special uses.
- C. Off-Street Parking and Loading. See Division 44.12 – Off-Street Parking and Loading for standards governing off-street parking and loading.
- D. Landscaping. See Division 44.13 – Landscaping and Screening for standards regarding landscaping and screening.
- E. Signs. See Division 44.14 - Signs for standards governing the type, placement, size and scale of signs.

44.3-5 – DEVELOPMENT STANDARDS APPLICABLE TO AGRICULTURAL DISTRICTS

(RESERVED)

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

BLOOMINGTON ZONING ORDINANCE – DIVISION 3

DIVISION 3. AGRICULTURAL DISTRICT REGULATIONS

44.3-1 – Purpose and Intent

44.3-2 – Agricultural District - Permitted and Special Uses

44.3-3 – Agricultural Bulk and Site Standards

44.3-4 – General Standards

44.3-5 - Development Standards Applicable to Agricultural Districts

44.3-1 – PURPOSE AND INTENT

The intent of this A-Agriculture District is to govern the use of land, buildings, and structures within areas of the City where soil, topographic, and other conditions are best suited for the pursuit of agriculture or where essential community facilities or utilities do not yet or are not reasonably expected to serve the property. These regulations are further intended to provide for the protection and conservation of natural resources, to prevent or minimize conflicts between agriculture and non-agricultural land uses; act as a holding zone for annexed land prior to timely development; and to facilitate orderly and efficient urban development by preventing a scattered and indiscriminate pattern of urban growth.

44.3-2 – AGRICULTURAL DISTRICTS - PERMITTED AND SPECIAL USES

Refer to Division **44.16** Definitions for clarity on the uses listed.

- A. Land Uses. Uses are allowed in the A- Agricultural District in accordance with Table **44.3-2(A)**. The following key is to be used in conjunction with the Use Table.
1. Permitted Uses. A “P” indicates that a use is considered permitted within that district as of right subject to compliance with all other requirements of this Ordinance.
 2. Special Uses. An “S” indicates that a use is permitted, though its approval requires review by the City Council as required in Division **44.17**, subject to compliance with all other requirements of this Ordinance and contingent upon conditions of approval which may be imposed by the city.
 3. Uses Not Permitted. A blank space or the absence of the use from the table indicates that the use is not permitted within that district.
 4. Use Regulations. Many allowed uses, whether permitted by right or as a Special Use, are subject to compliance with **Division 44.17**.
 5. Unlisted Uses. If an application is submitted for a use not listed, the Zoning Enforcement Officer shall make a determination as to the proper zoning district and use classification for the new or unlisted use. If no permitted or special use is similar in character, intensity, and operations to that of the proposed use, a text amendment may be initiated pursuant to Division **44.17** to establish parameters for permitting such use within the City of Bloomington.
- B. Allowed Uses Table.

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

TABLE 44.3-2(A): AGRICULTURAL DISTRICT – PERMITTED AND SPECIAL USES		
	A	Reference
Agricultural		
Agriculture	P	
<u>Apiary, Beekeeping</u>	P	44.10-5
<u>Aquaculture, Aquaponics, Hydroponics</u>	P	
Animal Breeding Services	S	
Fish Hatcheries, Poultry Hatcheries	P	
Forestry	P	
Horticultural Services	P	
<u>Urban Agriculture</u>	P	
<u>Urban Garden</u>	P	
RESIDENTIAL		
Household Living		
Dwelling, Single-Family	P	
INSTITUTIONAL		
Government		
Government Services and Facilities	P	
Police Stations, Fire Stations	P	
Religious		
Place of Worship	S ¹	
Cemetery and Columbarium	S	44.10-10
RECREATIONAL		
Country Clubs, Golf Clubs, Golf Courses	S	44.10-15
Fairgrounds, Agricultural Exhibits	S	44.10-16
Parks and Recreation Facilities	P	
Riding Stables, Riding Schools	P	
Swimming Pools, Community	S	44.10-30
COMMERCIAL		
Personal Services		
Veterinary Office or Clinic	S	44.10-33
Retail and Service		
Roadside Markets	P	
INDUSTRIAL		
Transportation		
Airport and Landing Fields	S	44.10-3
Heliports, Heliport Terminals	S	
Utilities		
<u>Commercial Solar Energy Conversion Facilities</u>	P	44.10-29
<u>Commercial Wind Energy Conversion Facilities</u>	S	44.10-34
<u>Private Solar Energy Conversion Facilities</u>	P	44.10-29
<u>Private Wind Energy Conversion Facilities</u>	P	44.10-34
Wireless Communication Facilities	S	44.10-35

Commented [ST1]: Amend current definition to include also sales of value-added products such as bread, pies but not to include durable goods such as antiques, rugs, etc.

1. Maximum permitted height is forty-five (45) feet or three (3) stories, whichever is lower.

44.3-3 – AGRICULTURAL BULK AND SITE STANDARDS

A. Site Dimensions Table. All development in Agricultural District must comply with the requirements in Table 44.3-3(A) and Diagram 44.3-3(A) unless otherwise expressly stated.

TABLE 44.3-3(A): AGRICULTURAL DISTRICT BULK AND SITE STANDARDS

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

District	Lot Characteristics		Site Design			Development Intensity		
	Min. Lot Width (W)	Min. Lot Area (s.f.)	Front Yard (F)	Side Yard (S)	Rear Yard (R)	Min. Lot Area per Dwelling Unit (s.f.)	Max. Building Height	
			Min.	Min.	Min.		Feet	Stories
A	150'	1 acre	50'	20'	50'	1 acre	35'	2.5

Commented [ST2]: Amend accessory structure regulations to also address agricultural accessory structures, such as silos, barns, etc.

44.3-4 – GENERAL STANDARDS

- A. On-Site Development Standards. See Division 44.9 – General Provisions for various on-site development standards such as exterior lighting requirements, permitted encroachments, accessory uses and structures.
- B. Use Provisions. See Division 44.10 – Use Provisions for standards governing permitted and special uses.
- C. Off-Street Parking and Loading. See Division 44.12 – Off-Street Parking and Loading for standards governing off-street parking and loading.
- D. Landscaping. See Division 44.13 – Landscaping and Screening for standards regarding landscaping and screening.
- E. Signs. See Division 44.14 - Signs for standards governing the type, placement, size and scale of signs.

44.3-5 – DEVELOPMENT STANDARDS APPLICABLE TO AGRICULTURAL DISTRICTS

(RESERVED)

BLOOMINGTON ZONING ORDINANCE – DIVISION 4

DIVISION 4. RESIDENTIAL DISTRICT REGULATIONS

44.4-1 – Purpose and Intent

44.4-2 – Residential Districts - Permitted and Special Uses

44.4-3 – Residential Bulk and Site Standards

44.4-4 – General Standards

44.4-5 – Development Standards Applicable to Residential Districts

44.4-1 – PURPOSE AND INTENT

A. R-1A Single-Family Residence District

The R-1A Residence District is intended to provide for the establishment of areas characterized by large lot single-family dwellings for occupancy by families, and related recreational, religious and cultural facilities that serve the immediately surrounding residents, as well as those living in the district. The R-1A district provides for approximately two (2) dwelling units per acre.

B. R-1B Single-Family Residence District

The R-1B Residence District is intended to provide primarily for the establishment of areas characterized by moderate sized lots and single-family detached dwellings for occupancy by families. In addition to these dwellings, related recreational, religious, and cultural facilities intended to serve the immediately surrounding residents are allowed where such facilities are found to be compatible with surrounding residential development. The R-1B district allows densities of up to approximately ~~four (4)~~ six (6) dwelling units per acre.

C. R-1C Single-Family Residence District

The R-1C Residence District is intended to provide primarily for the establishment of areas of higher density single-family detached dwellings while recognizing the potential compatibility of two-family dwellings as special uses. Densities of approximately ~~6-6~~ eight (8) dwelling units per acre are allowed. This district may be applied to newly developing areas as well as the older residential areas of the City where larger houses have been or can be converted from single-family to two-family residences to extend the economic life of these structures and allow the owners to justify the expenditures for repairs and modernization.

D. R-2 Mixed Residence District

The R-2 Residence District is intended to accommodate development characterized by a mixture of housing types at a high single-family and a low multiple-family dwelling density. Densities of up to approximately ~~twelve (12)~~ thirteen (13) dwelling units per acre are allowed. This district allows for the conversion of dwelling units in older residential areas of mixed dwelling types in order to extend the economic life of these structures and allow

owners to justify expenditures for repairs and modernization and serves as a zone of transition between lower density residential districts and residential districts that permit greater land use intensity and dwelling unit density.

E. R-3A Multiple-Family Residence District

The R-3A Residence District is intended to facilitate the development of residential districts for primarily multiple-family dwellings which may generally serve as a zone of transition between non-residential districts and residential districts of more moderate density. This district is further intended to provide for the needs of persons desiring multiple-family dwellings at densities from twelve (12) to twenty-nine (29) dwelling units per acre.

F. R-3B Multiple-Family Residence District

The R-3B Residence District is intended to allow for areas of highly concentrated multiple-family residential development. This district provides for more intense land usage in areas where lower density development is deemed neither appropriate nor economical. It is further intended for this district to provide multiple-family dwellings in mid-rise structures for those persons desiring to live in such an environment. Allowing densities of up to seventy (70) dwelling units per acre, this district may be applied to areas best suited for such intense residential usage, principally on the fringes of the Bloomington Central Business District. It may also be applied to other areas in the City where comparable physical arrangements of land uses are present.

G. R-4 Manufactured Home Park District

The R-4 Manufactured Home Park District is intended to provide for the establishment of manufactured home parks wherein manufactured home stands or pads are provided in a safe, sanitary and economical manner in conformance with the Manufactured Home Park Ordinance, Chapter 43 of the Bloomington City Code, 1960, as amended.

44.4-2 – RESIDENTIAL DISTRICTS - PERMITTED AND SPECIAL USES

Refer to Division **44.16** Definitions for clarity on the uses listed.

A. Land Uses. Uses are allowed in the Residential Districts in accordance with Table **44.4-2(A)**.

The following key is to be used in conjunction with the Use Table.

1. Permitted Uses. A “P” indicates that a use is considered permitted within that district as of right subject to compliance with all other requirements of this Ordinance.
2. Special Uses. An “S” indicates that a use is permitted, though its approval requires review by the City Council as required in Division **44.17**, subject to compliance with all other requirements of this Ordinance and contingent upon conditions of approval which may be imposed by the city.
3. Uses Not Permitted. A blank space or the absence of the use from the table indicates that the use is not permitted within that district.
4. Use Regulations. Many allowed uses, whether permitted by right or as a Special Use, are subject to compliance with **Division 44.17**.
5. Unlisted Uses. If an application is submitted for a use not listed, the Zoning Enforcement Officer shall make a determination as to the proper zoning district and use classification

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

for the new or unlisted use. If no permitted or special use is similar in character, intensity, and operations to that of the proposed use, a text amendment may be initiated pursuant to Division 44.17 to establish parameters for permitting such use within the City of Bloomington.

B. Allowed Uses Table.

TABLE 44.4-2(A): RESIDENTIAL DISTRICTS – PERMITTED AND SPECIAL USES								
	R-1A	R-1B	R-1C	R-2	R-3A	R-3B	R-4	Reference
Agricultural								
Agriculture	P	P	P	P	P	P	P	
Forestry	P	P	P	P	P	P	P	
Urban Agriculture					S	S		
Urban Garden			P	P	P	P	P	
RESIDENTIAL								
Household Living								
Dwelling, Single-Family	P	P	P	P	P	P		
Dwelling, Single-Family Attached				S	P	P		
Dwelling, Two-Family			S	P	P	P		
Dwelling, Multiple-Family				S	P	P		
Mobile Homes							P	
Dwelling, Accessory								
Live/Work Unit						S		
Group Living								
Agency Supervised Homes			P		S	S		44.10-18
Agency-Operated Family Homes	P	P	P	P	P	P		44.10-18
Agency-Operated Group Homes				S	P	P		44.10-18
Convents, Monasteries				S	S	P		44.10-18
Dormitories				S	S	P		44.10-18
Group Homes for Parolees	S	S	S	S	S	S	S	44.10-18
INSTITUTIONAL								
Education								
Pre-schools	S	S	S	S	S	S	S	
College and University Facilities			S	S	S	S		
Government								
Government Services and Facilities	P	P	P	P	P	P	P	
Police Stations, Fire Stations	P	P	P	P	P	P	P	
Religious								
Place of Worship	S ¹	S ¹	S ¹	S ¹	S ¹	S ¹	S ¹	
Cemetery and Columbarium	S	S	S	S	S	S	S	44.10-10
Residential-Type								
Domestic Violence Shelter				P	P	P		
Home for the Aged					S	S		44.10-18
Other Institutional, Cultural								
Clubs and Lodges						S		
Food Pantry						S		44.10-17
RECREATIONAL								
Country Clubs, Golf Clubs, Golf Courses	S	S	S	S	S	S	S	44.10-15
Community Center					S	S	S	44.10-12
Parks and Recreation Facilities	P	P	P	P	P	P	P	
Swimming Clubs					S	S	S	
Swimming Pools, Community	S	S	S	S	S	S	S	44.10-30

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

	R-1A	R-1B	R-1C	R-2	R-3A	R-3B	R-4	Reference
COMMERCIAL								
Entertainment and Hospitality								
Sports and Fitness Establishments					S	S	S	44.10-12
Lodging								
Bed & Breakfast Establishments					S	S		44.10-7
Boarding and Rooming Houses				S	S	P		44.10-18
Offices								
Medical or Dental Office or Clinic						S		44.10-23
Medical Laboratory						S		
Personal Services								
Clothing Care: Tailor, Dry Cleaning, Coin Laundry, Shoe Repair, etc.						<u>S²</u>	<u>S²</u>	
Personal Care: Barber Shop, Beauty Salon, Day Spa, etc.						S ²	S ²	
Day Care Centers	S	S	S	S	S	S	S	
Retail and Service								
Drug Stores and Pharmacies						S ²	S ²	
Grocery Stores, Supermarkets						S ²	S ²	
INDUSTRIAL								
Utilities								
Public or Private Utility Facility, Minor	P	P	P	P	P	P	P	
<u>Private Solar Energy Conversion Facilities</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	44.10-29
Wireless Communication Facilities	S	S	S	S	S	S	S	44.10-35

1. Maximum permitted height is forty-five (45) feet or three (3) stories, whichever is lower.
2. The use shall be located within a building containing multiple-family or office uses in the R-3B District and shall not be permitted within a Mobile Home or ~~manufactured home~~ Dwelling Unit in the R-4 District. The maximum permitted floor area is one thousand six-hundred (1,600) square feet for Clothing Care; one thousand (1,000) square feet for Personal Care or five thousand (5,000) square feet for Drug Stores, Pharmacies, and Grocery Stores

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

44.4-3 – RESIDENTIAL BULK AND SITE STANDARDS

A. Site Dimensions Table. All development in Residential Districts District must comply with the requirements in Tables 44.4.3-A through 44.4-3(D) and Diagrams 44.4-3(A) through 44.4-3(D), unless otherwise expressly stated.

TABLE 44.4-3(A): BULK AND SITE STANDARDS R-1 DISTRICTS								
District	Lot Characteristics		Site Design			Development Intensity		
	Min. Lot Width (W)	Min. Lot Area (s.f.)	Front Yard (F)	Side Yard (S)	Rear Yard (R)	Min. Lot Area per Dwelling Unit (s.f.)	Max. Building Height	
			Min.	Min.	Min.		Feet	Stories
R-1A	125'	22,500	40'	16'	40'	22,500	35'	2.5
R-1B	70'	10,000 7,000	30'	6'	30'	10,000 7,000	35'	2.5
R-1C	50'	6,600 5,400	25'	6'	25'	6,600 5,400	35'	2.5

Diagram 44.4-3(A): Required Yards for R-1 Districts

(insert diagram)

TABLE 44.4-3(B): BULK AND SITE STANDARDS R-2 DISTRICT								
District	Lot Characteristics		Site Design			Development Intensity		
	Min. Lot Width (W)	Min. Lot Area (s.f.)	Front Yard (F)	Side Yard (S)	Rear Yard (R)	Min. Lot Area per Dwelling Unit (s.f.)	Max. Building Height	
			Min.	Min.	Min.		Feet	Stories
R-2								
<i>Detached Residential</i>	50'	6,600	25'	6'	25'	6,600	35'	2.5
<i>Two-Family Dwelling Attached and Multi-Residential</i>	75'	7,000	25'	6'	25'	3,750 3,300	35'	2.5
<i>Other Uses</i>	50'	7,000	25'	6'	25'	7,000	15'	<u>1</u>

Diagram 44.4-3(B) Required Yards for R-2 District

(insert diagram)

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

TABLE 44.4-3(C): BULK AND SITE STANDARDS R-3 DISTRICTS									
District	Lot Characteristics		Site Design			Development Intensity			
	Min. Lot Width (W)	Min. Lot Area (s.f.)	Front Yard (F)	Side Yard (S)	Rear Yard (R)	Min. Lot Area per Dwelling Unit (s.f.)	Floor Area Ratio (FAR)	Max. Building Height	
			Min.	Min.	Min.			Feet	Stories
R-3A									
<u>Single- and Two-Family Residential</u>	70'	6,600	30'	10'	30'	6,600	-	35	2.5
<u>Attached and Multi-Residential</u>	70'	7,000	30'	10'	30'	3,500 1,500	0.5	35	2.5
Other Uses	70'	7,000	30'	10'	30'	7,000	-	35	2.5
R-3B									
<u>Single- and Two-Family Residential</u>	60'	5,000	20'	6'	25'	2,500	-	35	2.5
<u>Attached and Multi-Residential</u>	60'	5,000	20'	Min. 9' or 1/3 of building height for buildings ≥ 2.5 stories	25'	620	0.8	65 ¹	6 ¹
Other Uses	60'	7,000	20'	Min. 9' or 1/3 of building height for buildings ≥ 2.5 stories	25'	7,000	-	65 ¹	6 ¹

1. Adjacent to any parcel improved with a single family or two-family dwelling, the maximum permitted height is reduced to fifty-five (55) feet or four (4) stories, whichever is lower.

Diagram 44.4-3(C) Required Yards for R-4 District

(insert diagram)

TABLE 44.4-3(D): BULK AND SITE STANDARDS R-4 DISTRICT									
District	Lot Characteristics		Site Design			Development Intensity			
	Min. Lot Width (W)	Min. Lot Area (s.f.)	Front Yard (F)	Side Yard (S)	Rear Yard (R)	Min. Lot Area per Dwelling Unit (s.f.)	Max. Building Height		
			Min.	Min.	Min.		Feet	Stories	
R-4	40'	4,100	10	5	5	-	25'	2	

Diagram 44.4-3(D) Required Yards for R-4 District

(insert diagram)

44.4.4 – GENERAL STANDARDS

- A. On-Site Development Standards. See Division 44.10 – General Provisions for various on-site development standards such as exterior lighting requirements, permitted encroachments, accessory uses and structures. In addition to the requirements of Division 44.10, and Subsection 44.4.3, the following regulations apply to residential front yards.
1. ~~Where lots comprising 50% of a block frontage in a residence district are improved with buildings, the required front yard shall be the average of front yard depths of residences on each developed site on the block frontage. For the purposes of this section, a traffic control device, block numbering system or street curve in excess of a forty-five (45) degree angle may be considered as a line of demarcation. Along frontages abutting premises zoned into any Residence District listed in Section 44.5-1 of this Code where a front yard setback has heretofore been established by buildings located on such premises having a frontage of fifty percent (50%) or more of the total frontage on one (1) side of that portion of a street located between two (2) intersecting streets, there shall be maintained a required front yard of not less than the average setback of such aforementioned buildings. For the purposes of this Section 44.4-5 D, a traffic control device, block numbering system, or street curve in excess of a forty-five (45) degree angle may be considered as an intersecting street.~~
 2. Lots rezoned to the R-3A, R-3B and R-4 District that are adjacent to a lot in the R-1A, R-1B, R-1C or R-2 District shall provide transitional front, side and rear yards as follows:
 - a) Front Yard: equal to the required front yard of the adjacent R-1A, R-1B, R-1C or R-2 District
 - b) Side Yard: equal to ten (10) feet plus the required minimum side yard of the adjacent R-1A, R-1B, R-1C or R-2 District.
 - c) Rear Yard: equal to fifteen (15) feet plus the required minimum rear yard of the adjacent R-1A, R-1B, R-1C or R-2 District
- B. Use Provisions. See Division 44.11 – Use Provisions for standards governing permitted and special uses
- C. Off-Street Parking and Loading. See Division 44.13 – Off-Street Parking and Loading for standards governing off-street parking and loading. In addition to the requirements of Division 44.13, the following regulations apply to residential driveways.
1. Required off-street parking spaces for residential uses shall be located on the same lot as the use requiring such parking or on an adjoining lot. Except as provided in Subsection 2 below, required off-street parking spaces in residence districts shall be located on the same lot as the use requiring such parking. At least one (1) parking space for each single family dwelling hereafter constructed shall be located within a roofed structure such as a carport or garage.
 2. ~~Accessory~~ Off-street parking spaces shall be located as follows:
 - a) All new and approved ~~accessory~~ off-street parking spaces and driveways shall be located at least three (3) feet from any side lot line. All legal nonconforming driveways may be reconstructed, but not expanded, at their existing location.
 - b) In the R-1A, R-1B, R-1C and R-2 Districts, no off-street parking shall be permitted in the front yard except on approved driveways of single-family, two-family and

- attached single-family dwellings. On driveways leading to only one (1) legal off-street parking space, the parking of no more than two (2) cars side-by-side is allowed only under the following conditions:
1. The driveway must be paved;
 2. The width of the driveway approach and the driveway at the sidewalk must be a minimum of sixteen (16) feet and shall not exceed twenty-four (24) feet. The required width shall be maintained to a sufficient length to allow parking of cars on private property. Existing driveways less than sixteen (16) feet wide may be flared to the required width and length without widening the driveway approach only if plans are approved by the Director of Planning and Code Enforcement Community Development.
 3. Parked vehicles shall not overhang or extend over public sidewalks.
- c) In all other districts, ~~no~~ off-street parking spaces shall only be permitted on approved driveways in the required front yards ~~except on approved driveways~~, unless otherwise provided by this Code.
- D. Landscaping. See Division 44.14 – Landscaping and Screening for standards regarding landscaping and screening.
- E. Signs. See Division 44.15 - Signs for standards governing the type, placement, size and scale of signs.

44.4-5 – DEVELOPMENT STANDARDS APPLICABLE TO RESIDENTIAL DISTRICTS

- A. Temporary Sales. Temporary sales that may be allowed in ~~R-1A, R-1B, R-1C, R-1H, R-2, R-3A, R-3B and R-4 zoning residential~~ districts are garage sales, auction sales of real estate or estate disposition, and neighborhood block sales that do not use public right-of-way. Such sales may be conducted so long as the following requirements are met:
1. No more than three (3) garage/group sales are held on the same premises during any calendar year.
 2. The duration of said sales is limited to no more than three (3) consecutive days or two (2) consecutive weekends and during daylight hours.
 3. A group sale shall be considered as having been conducted for and by all premises from which merchandise is contributed or on which merchandise is sold.
 4. The Director of Planning and Code Enforcement Community Development or his or her appointee may enter any premises within the City of Bloomington to determine compliance with this Section or any applicable Code and may terminate said sale if violations are found; and
 5. Sound systems can only be used at an auction.

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BLOOMINGTON ZONING ORDINANCE – DIVISION 4

DIVISION 4. RESIDENTIAL DISTRICT REGULATIONS

44.4-1 – Purpose and Intent

44.4-2 – Residential Districts - Permitted and Special Uses

44.4-3 – Residential Bulk and Site Standards

44.4-4 – General Standards

44.4-5 – Development Standards Applicable to Residential Districts

44.4-1 – PURPOSE AND INTENT

A. R-1A Single-Family Residence District

The R-1A Residence District is intended to provide for the establishment of areas characterized by large lot single-family dwellings for occupancy by families, and related recreational, religious and cultural facilities that serve the immediately surrounding residents, as well as those living in the district. The R-1A district provides for approximately two (2) dwelling units per acre.

B. R-1B Single-Family Residence District

The R-1B Residence District is intended to provide primarily for the establishment of areas characterized by moderate sized lots and single-family detached dwellings for occupancy by families. In addition to these dwellings, related recreational, religious, and cultural facilities intended to serve the immediately surrounding residents are allowed where such facilities are found to be compatible with surrounding residential development. The R-1B district allows densities of up to approximately ~~four (4)~~ six (6) dwelling units per acre.

C. R-1C Single-Family Residence District

The R-1C Residence District is intended to provide primarily for the establishment of areas of higher density single-family detached dwellings while recognizing the potential compatibility of two-family dwellings as special uses. Densities of approximately ~~6-6~~ eight (8) dwelling units per acre are allowed. This district may be applied to newly developing areas as well as the older residential areas of the City where larger houses have been or can be converted from single-family to two-family residences to extend the economic life of these structures and allow the owners to justify the expenditures for repairs and modernization.

D. R-2 Mixed Residence District

The R-2 Residence District is intended to accommodate development characterized by a mixture of housing types at a high single-family and a low multiple-family dwelling density. Densities of up to approximately ~~twelve (12)~~ thirteen (13) dwelling units per acre are allowed. This district allows for the conversion of dwelling units in older residential areas of mixed dwelling types in order to extend the economic life of these structures and allow owners to justify expenditures for repairs and modernization and serves as a zone of

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

transition between lower density residential districts and residential districts that permit greater land use intensity and dwelling unit density.

E. R-3A Multiple-Family Residence District

The R-3A Residence District is intended to facilitate the development of residential districts for primarily multiple-family dwellings which may generally serve as a zone of transition between non-residential districts and residential districts of more moderate density. This district is further intended to provide for the needs of persons desiring multiple-family dwellings at densities from twelve (12) to twenty-nine (29) dwelling units per acre.

F. R-3B Multiple-Family Residence District

The R-3B Residence District is intended to allow for areas of highly concentrated multiple-family residential development. This district provides for more intense land usage in areas where lower density development is deemed neither appropriate nor economical. It is further intended for this district to provide multiple-family dwellings in mid-rise structures for those persons desiring to live in such an environment. Allowing densities of up to seventy (70) dwelling units per acre, this district may be applied to areas best suited for such intense residential usage, principally on the fringes of the Bloomington Central Business District. It may also be applied to other areas in the City where comparable physical arrangements of land uses are present.

G. R-4 Manufactured Home Park District

The R-4 Manufactured Home Park District is intended to provide for the establishment of manufactured home parks wherein manufactured home stands or pads are provided in a safe, sanitary and economical manner in conformance with the Manufactured Home Park Ordinance, Chapter 43 of the Bloomington City Code, 1960, as amended.

44.4-2 – RESIDENTIAL DISTRICTS - PERMITTED AND SPECIAL USES

Refer to Division **44.16** Definitions for clarity on the uses listed.

A. Land Uses. Uses are allowed in the Residential Districts in accordance with Table **44.4-2(A)**.

The following key is to be used in conjunction with the Use Table.

1. Permitted Uses. A "P" indicates that a use is considered permitted within that district as of right subject to compliance with all other requirements of this Ordinance.
2. Special Uses. An "S" indicates that a use is permitted, though its approval requires review by the City Council as required in Division **44.17**, subject to compliance with all other requirements of this Ordinance and contingent upon conditions of approval which may be imposed by the city.
3. Uses Not Permitted. A blank space or the absence of the use from the table indicates that the use is not permitted within that district.
4. Use Regulations. Many allowed uses, whether permitted by right or as a Special Use, are subject to compliance with **Division 44.17**.
5. Unlisted Uses. If an application is submitted for a use not listed, the Zoning Enforcement Officer shall make a determination as to the proper zoning district and use classification for the new or unlisted use. If no permitted or special use is similar in character, intensity, and operations to that of the proposed use, a text amendment may be initiated

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

pursuant to Division 44.17 to establish parameters for permitting such use within the City of Bloomington.

B. Allowed Uses Table.

TABLE 44.4-2(A): RESIDENTIAL DISTRICTS – PERMITTED AND SPECIAL USES								
	R-1A	R-1B	R-1C	R-2	R-3A	R-3B	R-4	Reference
Agricultural								
Agriculture	P	P	P	P	P	P	P	
Forestry	P	P	P	P	P	P	P	
Urban Agriculture					S	S		
Urban Garden			P	P	P	P	P	
RESIDENTIAL								
Household Living								
Dwelling, Single-Family	P	P	P	P	P	P		
Dwelling, Single-Family Attached				S	P	P		
Dwelling, Two-Family			S	P	P	P		
Dwelling, Multiple-Family				S	P	P		
Mobile Homes							P	
Dwelling, Accessory								
Live/Work Unit						S		
Group Living								
Agency Supervised Homes			P		S	S		44.10-18
Agency-Operated Family Homes	P	P	P	P	P	P		44.10-18
Agency-Operated Group Homes				S	P	P		44.10-18
Convents, Monasteries				S	S	P		44.10-18
Dormitories				S	S	P		44.10-18
Group Homes for Parolees	S	S	S	S	S	S	S	44.10-18
INSTITUTIONAL								
Education								
Pre-schools	S	S	S	S	S	S	S	
College and University Facilities			S	S	S	S		
Government								
Government Services and Facilities	P	P	P	P	P	P	P	
Police Stations, Fire Stations	P	P	P	P	P	P	P	
Religious								
Place of Worship	S ¹	S ¹	S ¹	S ¹	S ¹	S ¹	S ¹	
Cemetery and Columbarium	S	S	S	S	S	S	S	44.10-10
Residential-Type								
Domestic Violence Shelter				P	P	P		
Home for the Aged					S	S		44.10-18
Other Institutional, Cultural								
Clubs and Lodges						S		
Food Pantry						S		44.10-17
RECREATIONAL								
Country Clubs, Golf Clubs, Golf Courses	S	S	S	S	S	S	S	44.10-15
Community Center					S	S	S	44.10-12
Parks and Recreation Facilities	P	P	P	P	P	P	P	
Swimming Clubs					S	S	S	
Swimming Pools, Community	S	S	S	S	S	S	S	44.10-30
COMMERCIAL								
Entertainment and Hospitality								
Sports and Fitness Establishments					S	S	S	44.10-12
Lodging								
Bed & Breakfast Establishments					S	S		44.10-7

Commented [ST1]: How is this different than swimming pool?

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

	R-1A	R-1B	R-1C	R-2	R-3A	R-3B	R-4	Reference
Boarding and Rooming Houses				S	S	P		44.10-18
Offices								
Medical or Dental Office or Clinic						S		44.10-23
Medical Laboratory						S		
Personal Services								
Clothing Care: Tailor, Dry Cleaning, Coin Laundry, Shoe Repair, etc.						S ²	S ²	
Personal Care: Barber Shop, Beauty Salon, Day Spa, etc.						S ²	S ²	
Day Care Centers	S	S	S	S	S	S	S	
Retail and Service								
Drug Stores and Pharmacies						S ²	S ²	
Grocery Stores, Supermarkets						S ²	S ²	
INDUSTRIAL								
Utilities								
Public or Private Utility Facility, Minor	P	P	P	P	P	P	P	
Private Solar Energy Conversion Facilities	P	P	P	P	P	P	P	44.10-29
Wireless Communication Facilities	S	S	S	S	S	S	S	44.10-35

1. Maximum permitted height is forty-five (45) feet or three (3) stories, whichever is lower.
2. The use shall be located within a building containing multiple-family or office uses in the R-3B District and shall not be permitted within a Mobile Home or ~~manufactured home~~ Dwelling Unit in the R-4 District. The maximum permitted floor area is one thousand six-hundred (1,600) square feet for Clothing Care; one thousand (1,000) square feet for Personal Care or five thousand (5,000) square feet for Drug Stores, Pharmacies, and Grocery Stores

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

44.4-3 – RESIDENTIAL BULK AND SITE STANDARDS

A. Site Dimensions Table. All development in Residential Districts District must comply with the requirements in Tables 44.4.3-A through 44.4-3(D) and Diagrams 44.4-3(A) through 44.4-3(D), unless otherwise expressly stated.

TABLE 44.4-3(A): BULK AND SITE STANDARDS R-1 DISTRICTS								
District	Lot Characteristics		Site Design			Development Intensity		
	Min. Lot Width (W)	Min. Lot Area (s.f.)	Front Yard (F)	Side Yard (S)	Rear Yard (R)	Min. Lot Area per Dwelling Unit (s.f.)	Max. Building Height	
			Min.	Min.	Min.		Feet	Stories
R-1A	125'	22,500	40'	16'	40'	22,500	35'	2.5
R-1B	70'	10,000 7,000	30'	6'	30'	10,000 7,000	35'	2.5
R-1C	50'	6,600 5,400	25'	6'	25'	6,600 5,400	35'	2.5

Commented [ST2]: Eliminates 97.5% of non-conformity

Commented [ST3]: Eliminates 70% of non-conformity

Diagram 44.4-3(A): Required Yards for R-1 Districts

(insert diagram)

TABLE 44.4-3(B): BULK AND SITE STANDARDS R-2 DISTRICT								
District	Lot Characteristics		Site Design			Development Intensity		
	Min. Lot Width (W)	Min. Lot Area (s.f.)	Front Yard (F)	Side Yard (S)	Rear Yard (R)	Min. Lot Area per Dwelling Unit (s.f.)	Max. Building Height	
			Min.	Min.	Min.		Feet	Stories
R-2								
Detached Residential	50'	6,600	25'	6'	25'	6,600	35'	2.5
Two-Family Dwelling Attached and Multi-Residential	75'	7,000	25'	6'	25'	3,750 3,300	35'	2.5
Other Uses	50'	7,000	25'	6'	25'	7,000	15'	1

Diagram 44.4-3(B) Required Yards for R-2 District

(insert diagram)

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

TABLE 44.4-3(C): BULK AND SITE STANDARDS R-3 DISTRICTS

District	Lot Characteristics		Site Design			Development Intensity			
	Min. Lot Width (W)	Min. Lot Area (s.f.)	Front Yard (F)	Side Yard (S)	Rear Yard (R)	Min. Lot Area per Dwelling Unit (s.f.)	Floor Area Ratio (FAR)	Max. Building Height	
			Min.	Min.	Min.			Feet	Stories
R-3A									
<u>Single- and Two-Family Residential</u>	70'	6,600	30'	10'	30'	6,600	-	35	2.5
<u>Attached and Multi-Residential</u>	70'	7,000	30'	10'	30'	3,500 1,500	0.5	35	2.5
Other Uses	70'	7,000	30'	10'	30'	7,000	-	35	2.5
R-3B									
<u>Single- and Two-Family Residential</u>	60'	5,000	20'	6'	25'	2,500	-	35	2.5
<u>Attached and Multi-Residential</u>	60'	5,000	20'	Min. 9' or 1/3 of building height for buildings ≥ 2.5 3 stories	25'	620	0.8	65'	6'
Other Uses	60'	7,000	20'	Min. 9' or 1/3 of building height for buildings ≥ 2.5 3 stories	25'	7,000	-	65'	6'

1. Adjacent to any parcel improved with a single family or two-family dwelling, the maximum permitted height is reduced to fifty-five (55) feet or four (4) stories, whichever is lower.

Diagram 44.4-3(C) Required Yards for R-4 District

(insert diagram)

TABLE 44.4-3(D): BULK AND SITE STANDARDS R-4 DISTRICT

District	Lot Characteristics		Site Design			Development Intensity		
	Min. Lot Width (W)	Min. Lot Area (s.f.)	Front Yard (F)	Side Yard (S)	Rear Yard (R)	Min. Lot Area per Dwelling Unit (s.f.)	Max. Building Height	
			Min.	Min.	Min.		Feet	Stories
R-4	40'	4,100	10	5	5	-	25'	2

Diagram 44.4-3(D) Required Yards for R-4 District

(insert diagram)

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

44.4.4 – GENERAL STANDARDS

- A. On-Site Development Standards. See Division 44.10 – General Provisions for various on-site development standards such as exterior lighting requirements, permitted encroachments, accessory uses and structures. In addition to the requirements of Division 44.10, and Subsection 44.4.3, the following regulations apply to residential front yards.
1. ~~Where lots comprising 50% of a block frontage in a residence district are improved with buildings, the required front yard shall be the average of front yard depths of residences on each developed site on the block frontage. For the purposes of this section, a traffic control device, block numbering system or street curve in excess of a forty-five (45) degree angle may be considered as a line of demarcation. Along frontages abutting premises zoned into any Residence District listed in Section 44.5-1 of this Code where a front yard setback has heretofore been established by buildings located on such premises having a frontage of fifty percent (50%) or more of the total frontage on one (1) side of that portion of a street located between two (2) intersecting streets, there shall be maintained a required front yard of not less than the average setback of such aforementioned buildings. For the purposes of this Section 44.4-5-D, a traffic control device, block numbering system, or street curve in excess of a forty five (45) degree angle may be considered as an intersecting street.~~
 2. Lots rezoned to the R-3A, R-3B and R-4 District that are adjacent to a lot in the R-1A, R-1B, R-1C or R-2 District shall provide transitional front, side and rear yards as follows:
 - a) Front Yard: equal to the required front yard of the adjacent R-1A, R-1B, R-1C or R-2 District
 - b) Side Yard: equal to ten (10) feet plus the required minimum side yard of the adjacent R-1A, R-1B, R-1C or R-2 District.
 - c) Rear Yard: equal to fifteen (15) feet plus the required minimum rear yard of the adjacent R-1A, R-1B, R-1C or R-2 District
- B. Use Provisions. See Division 44.11 – Use Provisions for standards governing permitted and special uses
- C. Off-Street Parking and Loading. See Division 44.13 – Off-Street Parking and Loading for standards governing off-street parking and loading. In addition to the requirements of Division 44.13, the following regulations apply to residential driveways.
1. Required off-street parking spaces for residential uses shall be located on the same lot as the use requiring such parking or on an adjoining lot. Except as provided in Subsection 2 below, required off-street parking spaces in residence districts shall be located on the same lot as the use requiring such parking. At least one (1) parking space for each single family dwelling hereafter constructed shall be located within a roofed structure such as a carport or garage.
 2. ~~Accessory~~ Off-street parking spaces shall be located as follows:
 - a) All new and approved ~~accessory~~ off-street parking spaces and driveways shall be located at least three (3) feet from any side lot line. All legal nonconforming driveways may be reconstructed, but not expanded, at their existing location.
 - b) In the R-1A, R-1B, R-1C and R-2 Districts, no off-street parking shall be permitted in the front yard except on approved driveways of single-family, two-family and attached single-family dwellings. On driveways leading to only one (1) legal off-street parking space, the parking of no more than two (2) cars side-by-side is allowed only under the following conditions:
 1. The driveway must be paved;

Commented [ST4]: "adjacent" to include across the alley

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

2. The width of the driveway approach and the driveway at the sidewalk must be a minimum of sixteen (16) feet and shall not exceed twenty-four (24) feet. The required width shall be maintained to a sufficient length to allow parking of cars on private property. Existing driveways less than sixteen (16) feet wide may be flared to the required width and length without widening the driveway approach only if plans are approved by the Director of Planning and Code Enforcement Community Development.
3. Parked vehicles shall not overhang or extend over public sidewalks.
- c) In all other districts, ~~no~~ off-street parking spaces shall only be permitted on approved driveways in the required front yards ~~except on approved driveways~~, unless otherwise provided by this Code.
- D. Landscaping. See Division 44.14 – Landscaping and Screening for standards regarding landscaping and screening.
- E. Signs. See Division 44.15 - Signs for standards governing the type, placement, size and scale of signs.

44.4-5 – DEVELOPMENT STANDARDS APPLICABLE TO RESIDENTIAL DISTRICTS

- A. Temporary Sales. Temporary sales that may be allowed in ~~R-1A, R-1B, R-1C, R-1H, R-2, R-3A, R-3B and R-4 zoning~~ residential districts are garage sales, auction sales of real estate or estate disposition, and neighborhood block sales that do not use public right-of-way. Such sales may be conducted so long as the following requirements are met:
 1. No more than three (3) garage/group sales are held on the same premises during any calendar year.
 2. The duration of said sales is limited to no more than three (3) consecutive days or two (2) consecutive weekends and during daylight hours.
 3. A group sale shall be considered as having been conducted for and by all premises from which merchandise is contributed or on which merchandise is sold.
 4. The Director of Planning and Code Enforcement Community Development or his or her appointee may enter any premises within the City of Bloomington to determine compliance with this Section or any applicable Code and may terminate said sale if violations are found; and
 5. Sound systems can only be used at an auction.

BLOOMINGTON ZONING ORDINANCE – DIVISION 7

DIVISION 7. PUBLIC INTEREST DISTRICT REGULATIONS

44.7-1 – Purpose and Intent

44.7-2 – Permitted Uses

44.7-3 – Public Interest District Bulk and Site Standards

44.7-4 – General Standards

44.7-5 – Development Standards Applicable to Public Interest Districts

44.7-1 – PURPOSE AND INTENT

A. P-1 – University District

The intent of this ~~S-4~~ P-1 University District is to allow for the establishment and expansion of colleges, universities, or theological schools. It shall be applied to property owned or leased and used by a college, university or theological school for educational or education related activities. While providing for flexibility in land usage, this district recognizes the multi-building, multi-acre, traffic generating character of universities and the profound influence such a school may have upon surrounding neighborhoods and public facilities and utilities. This district is not to serve as a substitute for comprehensive, cooperative, campus community planning but rather it is intended to foster better relations and mutual problem solving between the two.

B. P-2 – Public Lands and Institutions District

The intent of this ~~S-2~~ P-2 Public Lands and Institutions District is to allow for the establishment and maintenance of public uses, publicly-regulated uses and private uses that display an inherent relationship to the public interest. The creation of such a district shall be provided for parcels of substantial size where such community serving uses are necessary in order that adequate community services may be rendered and where, through proper site selection and planning, such uses are compatible with the surrounding area.

C. P-3 – Airport District

The intent of this ~~S-5~~ P-3 Airport District is to allow for the establishment and maintenance of airports, heliports, and landing fields and to promote the compatible usage of land adjacent to such facilities.

44.7-2 – PERMITTED USES

Refer to Division 44.16 Definitions for clarity on the uses listed.

A. Land Uses. Uses are allowed in the Public Interest Districts in accordance with Table 44.7-2(A). The following key is to be used in conjunction with the Use Table.

1. Permitted Uses. A “P” indicates that a use is considered permitted within that district as of right subject to compliance with all other requirements of this Ordinance.

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

2. Special Uses. An “S” indicates that a use is permitted, though its approval requires review by the City Council as required in Division 44.17, subject to compliance with all other requirements of this Ordinance and contingent upon conditions of approval which may be imposed by the city.
3. Uses Not Permitted. A blank space or the absence of the use from the table indicates that the use is not permitted within that district.
4. Use Regulations. Many allowed uses, whether permitted by right or as a Special Use, are subject to compliance with Division 44.17.
5. Unlisted Uses. If an application is submitted for a use not listed, the Zoning Enforcement Officer shall make a determination as to the proper zoning district and use classification for the new or unlisted use. If no permitted or special use is similar in character, intensity, and operations to that of the proposed use, a text amendment may be initiated pursuant to Division 44.17 to establish parameters for permitting such use within the City of Bloomington.

B. Allowed Uses Table.

TABLE 44.7-2(A): PUBLIC INTEREST DISTRICTS – PERMITTED AND SPECIAL USES				
	P-1	P-2	P-3	Reference
Agricultural				
Agriculture	P	P	P	
Apiary, Beekeeping		S	S	44.10-5
Forestry	P	P	P	
Horticultural Services			P	
Urban Agriculture	S	P	P	
Urban Garden	P	P	P	
RESIDENTIAL				
Household Living				
Dwelling, Single-Family	P			
Dwelling, Single-Family Attached	P	P		
Dwelling, Two-Family	P			
Dwelling, Multiple-Family	P	P		
Group Living				
Agency Supervised Homes	P	S		44.10-18
Agency-Operated Family Homes	P	P		44.10-18
Agency-Operated Group Homes		P		44.10-18
Barracks		P		44.10-18
Convents, Monasteries		P		44.10-18
Dormitories		P		44.10-18
INSTITUTIONAL				
Education				
Pre-schools	P	P		
Schools, public and private	P	P		
Boarding Schools	P	P		
Business and Trade Schools	P			
College and University Classrooms	P			
College and University Facilities	P			
Government				
Animal Detention Facilities, w/o outdoor exercise area		P ¹		
Animal Detention Facilities, with outdoor exercise area		S		44.10-4

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

	P-1	P-2	P-3	Reference
Courthouses		P		
Government Services and Facilities	P	P	P	
Military Bases, Depots, Communication Facilities		P	P	
Police Stations, Fire Stations	P	P	P	
Religious				
Place of Worship	P ²	P ²		
Cemetery and Columbarium		P		44.10-10
Health				
Ambulatory Surgical Treatment Center	P			
Hospital or Medical Center	S	S		
Residential-Type				
Adult and Juvenile Detention Facilities		S		
Domestic Violence Shelter	P			
Home for the Aged		S		44.10-18
Other Institutional, Cultural				
Clubs and Lodges	P	S	P	44.10-11
Food Pantry	P	P		44.10-17
Libraries	P	P	P	
Museums and Cultural Institutions	P	P	P	
Zoos		P ¹		
RECREATIONAL				
Country Clubs, Golf Clubs, Golf Courses	S	P	P	44.10-15
Community Center	P	P	P	44.10-12
Fairgrounds, Agricultural Exhibits		S		44.10-16
Parks and Recreation Facilities	P	P	P	
Swimming Clubs	S		S	
Swimming Pools, Community	P	P		44.10-30
COMMERCIAL				
Aircraft and Automotive				
Aircraft Sales and Service			P	
Vehicle Fueling Station			S	
Vehicle Rental Service			3 P	
Vehicle Storage			P	
Entertainment and Hospitality				
Commercial Recreation Facilities	P			
Entertainment and Exhibition Venues	P	P ¹		
Miniature Golf Courses		6		
Sports and Fitness Establishments	P	S	P	44.10-12
Theaters and Auditoriums	P			
Lodging				
Bed & Breakfast Establishments	S			44.10-7
Boarding and Rooming Houses	P			44.10-18
Hotel or Motel	S			44.10-20
Offices				
Financial Services			P ³	
General Offices, Business or Professional			P	
Medical or Dental Office or Clinic	P			44.10-23
Printing, Copying and Mailing Services	P		P	
Recording and Broadcast Studios			P	
Personal Services				
Clothing Care: Tailor, Dry Cleaning, Coin Laundry, Shoe Repair, etc.			3	

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

	P-1	P-2	P-3	Reference
Instructional Studios	P	<u>S</u>		
Personal Care: Barber Shop, Beauty Salon, Day Spa, etc.		S ⁴	P ³	
Day Care Centers	P	S	P ³	
Retail and Service				
Bars, Taverns, Nightclubs			P ³	
Catering Services	P		P	
Drug Stores and Pharmacies	P		P ³	
Mobile Food and Beverage Vendor	P	P	P	44.10-26
Restaurants, Cafeterias	P		P ³	
Retail Sales, General			P ³	
Specialty Food Shops			P ³	
INDUSTRIAL				
Manufacturing and Production, Light				
Electronics Assembly Plants			P	
Trade and Construction Services			P ³	
Wholesaling, Distribution and Storage Facilities			<u>± P</u>	
Storage and Equipment Yards				
Aircraft Storage			P	
Composting Facility		P		
Marine Craft Storage, Marinas			P	
Mini Warehouses			P	44.10-25
Parking Lot, Commercial	P	P	P	
Petroleum Products Storage			P	
Transportation				
Airports and Landing Fields	<u>S</u>		P	44.10-3
Airport Passenger Terminals	<u>S</u>		P	
Bus and Taxi Passenger Terminals	P		P ³	
Heliports, Heliport Terminals	<u>S</u>	<u>S</u>	P	
Rail Passenger Terminals			P ³	
Utilities				
<u>Commercial Solar Energy Conversion Facilities</u>	<u>P</u>	<u>P</u>	<u>S</u>	44.10-29
Electricity or Natural Gas Production Plant	<u>P</u>		<u>P S</u>	
<u>Private Solar Energy Conversion Facilities</u>	<u>P</u>	<u>P</u>	<u>P</u>	44.10-29
<u>Private Wind Energy Conversion Facilities</u>	<u>P</u>	<u>P</u>		44.10-34
Public or Private Utility Facility, Minor	P	P	P	
Radio, Television Stations-Towers	P			
Wireless Communication Facilities	P ⁵	S	P ⁵	44.10-35

1. A Special Use is required when the use adjoins a Residential District boundary line
2. Maximum permitted height is forty-five (45) feet or three (3) stories, whichever is lower.
3. The use is allowed only when located within an Airport Passenger Terminal.
4. The use is permitted only within a multiple-family building. The maximum permitted floor area for the use is one thousand (1,000) square feet
5. The use is permitted as a principal use provided that the maximum height of the Wireless Communication Facility shall not exceed one (1) foot for each two (2) feet that such Telecommunication Antenna Facility is set back from Protected Residential Property.

44.7-3 – SITE DEVELOPMENT STANDARDS

- A. Site Dimensions Table. All development in Public Interest Districts must comply with the requirements in Table 44.7-3(A) and Diagram 44.7-3(A) unless otherwise expressly stated.

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

TABLE 44.7-3(A): BULK AND SITE STANDARDS PUBLIC INTEREST DISTRICTS								
District	Lot Characteristics		Site Design			Development Intensity		
	Min. Lot Width (W)	Min. Lot Area (s.f.)	Front Yard (F)	Interior Side Yard (S)	Rear Yard (R)	Floor Area Ratio (FAR)	Max. Building Height	
			Min.	Min.	Min.		Feet	Stories
P-1	-	-	-	0' or min. 5' if side yard is provided; or 1/3 of building height for buildings > 3 stories	0' or min. 5' if side yard is provided; or 1/3 of building height for buildings > 3 stories	1.0	-	-
P-2	-	-	-	0' or min. 5' if side yard is provided; or 1/3 of building height for buildings > 3 stories	0' or min. 5' if side yard is provided; or 1/3 of building height for buildings > 3 stories	1.0	-	-
P-3	Comply with FAA Regulations and Airport Hazard Zoning Regulations for Bloomington-Normal Airport		125	125	125	Comply with FAA Regulations and Airport Hazard Zoning Regulations for Bloomington-Normal Airport		

44.7-4 – GENERAL STANDARDS

- A. On-Site Development Standards. See Division 44.10 – General Provisions for various on-site development standards such as exterior lighting requirements, permitted encroachments, temporary sales, accessory uses and structures. In addition to the requirements of Division 44.10 and Table 44.7-3(A), the following regulations apply.
1. Lots in the P-1, P-2 and P-3 Districts that are adjacent to a Residential District shall provide a transitional front, side or rear yard equal to the minimum required front, side or rear yard of the adjacent Residential District.
 2. Lots rezoned to the P-1, P-2 and P-3 Districts that are adjacent to a Residential District shall provide transitional front, side and rear yards as follows:
 - a) Front Yard adjoining a Residential District: equal to the required front yard of the adjacent Residential District
 - b) Side Yard adjoining a Residential District: equal to ten (10) feet plus the required minimum side yard of the adjacent Residential District.
 - c) Rear Yard adjoining a Residential District: equal to fifteen (15) feet plus the required minimum rear yard of the adjacent Residential District.
- B. Use Provisions. See Division 44.11 – Use Provisions for standards governing permitted and special uses.
- C. Off-Street Parking and Loading. See Division 44.13 – Off-Street Parking and Loading for standards governing off-street parking and loading.
- D. Landscaping. See Division 44.14 – Landscaping and Screening for standards regarding landscaping and screening.

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

E. Signs. See Division **44.15** - Signs for standards governing the type, placement, size and scale of signs.

44.7-5 – DEVELOPMENT STANDARDS APPLICABLE TO PUBLIC INTEREST DISTRICTS

A. Discontinuance of Use. Whenever any use of property in a P-1 or P-2 district ~~as of December 11, 2006~~, whether permitted, special or nonconforming, is discontinued for a period of ~~six (6) months~~ eighteen (18) months, the zoning classification of such property shall, as of the first day of discontinuance of such use, revert to the classification of R-1A. The City Council, upon petition for a map amendment as provided in **Section 44.13-2** of this Code, shall rezone such property to any appropriate zoning classification ~~which may include P-1~~.

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

BLOOMINGTON ZONING ORDINANCE – DIVISION 7

DIVISION 7. PUBLIC INTEREST DISTRICT REGULATIONS

44.7-1 – Purpose and Intent

44.7-2 – Permitted Uses

44.7-3 – Public Interest District Bulk and Site Standards

44.7-4 – General Standards

44.7-5 – Development Standards Applicable to Public Interest Districts

44.7-1 – PURPOSE AND INTENT

A. P-1 – University District

The intent of this ~~S-4~~ **P-1** University District is to allow for the establishment and expansion of colleges, universities, or theological schools. It shall be applied to property owned or leased and used by a college, university or theological school for educational or education related activities. While providing for flexibility in land usage, this district recognizes the multi-building, multi-acre, traffic generating character of universities and the profound influence such a school may have upon surrounding neighborhoods and public facilities and utilities. This district is not to serve as a substitute for comprehensive, cooperative, campus community planning but rather it is intended to foster better relations and mutual problem solving between the two.

B. P-2 – Public Lands and Institutions District

The intent of this ~~S-2~~ **P-2** Public Lands and Institutions District is to allow for the establishment and maintenance of public uses, publicly-regulated uses and private uses that display an inherent relationship to the public interest. The creation of such a district shall be provided for parcels of substantial size where such community serving uses are necessary in order that adequate community services may be rendered and where, through proper site selection and planning, such uses are compatible with the surrounding area.

C. P-3 – Airport District

The intent of this ~~S-5~~ **P-3** Airport District is to allow for the establishment and maintenance of airports, heliports, and landing fields and to promote the compatible usage of land adjacent to such facilities.

44.7-2 – PERMITTED USES

Refer to Division **44.16** Definitions for clarity on the uses listed.

A. Land Uses. Uses are allowed in the Public Interest Districts in accordance with Table **44.7-2(A)**. The following key is to be used in conjunction with the Use Table.

1. Permitted Uses. A “P” indicates that a use is considered permitted within that district as of right subject to compliance with all other requirements of this Ordinance.
2. Special Uses. An “S” indicates that a use is permitted, though its approval requires review by the City Council as required in Division **44.17**, subject to compliance with all

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

- other requirements of this Ordinance and contingent upon conditions of approval which may be imposed by the city.
3. Uses Not Permitted. A blank space or the absence of the use from the table indicates that the use is not permitted within that district.
 4. Use Regulations. Many allowed uses, whether permitted by right or as a Special Use, are subject to compliance with **Division 44.17**.
 5. Unlisted Uses. If an application is submitted for a use not listed, the Zoning Enforcement Officer shall make a determination as to the proper zoning district and use classification for the new or unlisted use. If no permitted or special use is similar in character, intensity, and operations to that of the proposed use, a text amendment may be initiated pursuant to Division **44.17** to establish parameters for permitting such use within the City of Bloomington.

B. Allowed Uses Table.

TABLE 44.7-2(A): PUBLIC INTEREST DISTRICTS – PERMITTED AND SPECIAL USES				
	P-1	P-2	P-3	Reference
Agricultural				
Agriculture	P	P	P	
Apiary, Beekeeping		S	S	44.10-5
Forestry	P	P	P	
Horticultural Services			P	
Urban Agriculture	S	P	P	
Urban Garden	P	P	P	
RESIDENTIAL				
Household Living				
Dwelling, Single-Family	P			
Dwelling, Single-Family Attached	P	P		
Dwelling, Two-Family	P			
Dwelling, Multiple-Family	P	P		
Group Living				
Agency Supervised Homes	P	S		44.10-18
Agency-Operated Family Homes	P	P		44.10-18
Agency-Operated Group Homes		P		44.10-18
Barracks		P		44.10-18
Convents, Monasteries		P		44.10-18
Dormitories		P		44.10-18
INSTITUTIONAL				
Education				
Pre-schools	P	P		
Schools, public and private	P	P		
Boarding Schools	P	P		
Business and Trade Schools	P			
College and University Classrooms	P			
College and University Facilities	P			
Government				
Animal Detention Facilities, w/o outdoor exercise area		P ¹		
Animal Detention Facilities, with outdoor exercise area		S		44.10-4
Courthouses		P		
Government Services and Facilities	P	P	P	
Military Bases, Depots, Communication Facilities		P	P	
Police Stations, Fire Stations	P	P	P	
Religious				

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

	P-1	P-2	P-3	Reference
Place of Worship	P ²	P ²		
Cemetery and Columbarium		P		44.10-10
Health				
Ambulatory Surgical Treatment Center	P			
Hospital or Medical Center	S	S		
Residential-Type				
Adult and Juvenile Detention Facilities		S		
Domestic Violence Shelter	P			
Home for the Aged		S		44.10-18
Other Institutional, Cultural				
Clubs and Lodges	P	S	P	44.10-11
Food Pantry	P	P		44.10-17
Libraries	P	P	P	
Museums and Cultural Institutions	P	P	P	
Zoos		P ¹		
RECREATIONAL				
Country Clubs, Golf Clubs, Golf Courses	S	P	P	44.10-15
Community Center	P	P	P	44.10-12
Fairgrounds, Agricultural Exhibits		S		44.10-16
Parks and Recreation Facilities	P	P	P	
Swimming Clubs	S		S	
Swimming Pools, Community	P	P		44.10-30
COMMERCIAL				
Aircraft and Automotive				
Aircraft Sales and Service			P	
Vehicle Fueling Station			S	
Vehicle Rental Service			3 P	
Vehicle Storage			P	
Entertainment and Hospitality				
Commercial Recreation Facilities	P			
Entertainment and Exhibition Venues	P	P ¹		
Miniature Golf Courses		6		
Sports and Fitness Establishments	P	S	P	44.10-12
Theaters and Auditoriums	P			
Lodging				
Bed & Breakfast Establishments	S			44.10-7
Boarding and Rooming Houses	P			44.10-18
Hotel or Motel	S			44.10-20
Offices				
Financial Services			P ³	
General Offices, Business or Professional			P	
Medical or Dental Office or Clinic	P			44.10-23
Printing, Copying and Mailing Services	P		P	
Recording and Broadcast Studios			P	
Personal Services				
Clothing Care: Tailor, Dry Cleaning, Coin Laundry, Shoe Repair, etc.			3	
Instructional Studios	P	S		
Personal Care: Barber Shop, Beauty Salon, Day Spa, etc.		S ⁴	P ³	
Day Care Centers	P	S	P ³	
Retail and Service				
Bars, Taverns, Nightclubs			P ³	
Catering Services	P		P	

Commented [ST1]: Any differentiation for outdoor? Ex., shooting gallery/range; golf course. Also code currently permits Ice Rinks in R-3B

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

	P-1	P-2	P-3	Reference
Drug Stores and Pharmacies	P		P ³	
Mobile Food and Beverage Vendor	P	P	P	44.10-26
Restaurants, Cafeterias	P		P ³	
Retail Sales, General			P ³	
Specialty Food Shops			P ³	
INDUSTRIAL				
Manufacturing and Production, Light				
Electronics Assembly Plants			P	
Trade and Construction Services			P ³	
Wholesaling, Distribution and Storage Facilities			4 P	
Storage and Equipment Yards				
Aircraft Storage			P	
Composting Facility		P		
Marine Craft Storage, Marinas			P	
Mini Warehouses			P	44.10-25
Parking Lot, Commercial	P	P	P	
Petroleum Products Storage			P	
Transportation				
Airports and Landing Fields	S		P	44.10-3
Airport Passenger Terminals	S		P	
Bus and Taxi Passenger Terminals	P		P ³	
Heliports, Heliport Terminals	S	S	P	
Rail Passenger Terminals			P ³	
Utilities				
Commercial Solar Energy Conversion Facilities	P	P	S	44.10-29
Electricity or Natural Gas Production Plant	P		P S	
Private Solar Energy Conversion Facilities	P	P	P	44.10-29
Private Wind Energy Conversion Facilities	P	P		44.10-34
Public or Private Utility Facility, Minor	P	P	P	
Radio, Television Stations-Towers	P			
Wireless Communication Facilities	P ⁵	S	P ⁵	44.10-35

1. A Special Use is required when the use adjoins a Residential District boundary line
2. Maximum permitted height is forty-five (45) feet or three (3) stories, whichever is lower.
3. The use is allowed only when located within an Airport Passenger Terminal.
4. The use is permitted only within a multiple-family building. The maximum permitted floor area for the use is one thousand (1,000) square feet
5. The use is permitted as a principal use provided that the maximum height of the Wireless Communication Facility shall not exceed one (1) foot for each two (2) feet that such Telecommunication Antenna Facility is set back from Protected Residential Property.

44.7-3 – SITE DEVELOPMENT STANDARDS

- A. Site Dimensions Table. All development in Public Interest Districts must comply with the requirements in Table 44.7-3(A) and Diagram 44.7-3(A) unless otherwise expressly stated.

TABLE 44.7-3(A): BULK AND SITE STANDARDS PUBLIC INTEREST DISTRICTS							
District	Lot Characteristics		Site Design			Development Intensity	
	Min. Lot Width (W)	Min. Lot Area (s.f.)	Front Yard (F)	Interior Side Yard (S)	Rear Yard (R)	Floor Area Ratio (FAR)	Max. Building Height
			Min.	Min.	Min.		Feet

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

P-1	-	-	-	0' or min. 5' if side yard is provided; or 1/3 of building height for buildings > 3 stories	0' or min. 5' if side yard is provided; or 1/3 of building height for buildings > 3 stories	1.0	-	-
P-2	-	-	-	0' or min. 5' if side yard is provided; or 1/3 of building height for buildings > 3 stories	0' or min. 5' if side yard is provided; or 1/3 of building height for buildings > 3 stories	1.0	-	-
P-3	Comply with FAA Regulations and Airport Hazard Zoning Regulations for Bloomington-Normal Airport		125	125	125	Comply with FAA Regulations and Airport Hazard Zoning Regulations for Bloomington-Normal Airport		

44.7-4 – GENERAL STANDARDS

- A. On-Site Development Standards. See Division 44.10 – General Provisions for various on-site development standards such as exterior lighting requirements, permitted encroachments, temporary sales, accessory uses and structures. In addition to the requirements of Division 44.10 and Table 44.7-3(A), the following regulations apply.
 - 1. Lots in the P-1, P-2 and P-3 Districts that are adjacent to a Residential District shall provide a transitional front, side or rear yard equal to the minimum required front, side or rear yard of the adjacent Residential District.
 - 2. Lots rezoned to the P-1, P-2 and P-3 Districts that are adjacent to a Residential District shall provide transitional front, side and rear yards as follows:
 - a) Front Yard adjoining a Residential District: equal to the required front yard of the adjacent Residential District
 - b) Side Yard adjoining a Residential District: equal to ten (10) feet plus the required minimum side yard of the adjacent Residential District.
 - c) Rear Yard adjoining a Residential District: equal to fifteen (15) feet plus the required minimum rear yard of the adjacent Residential District.
- B. Use Provisions. See Division 44.11 – Use Provisions for standards governing permitted and special uses.
- C. Off-Street Parking and Loading. See Division 44.13 – Off-Street Parking and Loading for standards governing off-street parking and loading.
- D. Landscaping. See Division 44.14 – Landscaping and Screening for standards regarding landscaping and screening.
- E. Signs. See Division 44.15 - Signs for standards governing the type, placement, size and scale of signs.

Commented [ST2]: Language for both 1. and 2. Is in current Code. Which approach is preferred? Number 1. applies transitional yards to any lot adjacent to a Residential District. Number 2. applies transitional yards to any lot "rezoned" to P-1, P-2 and P-3 that is also adjacent to a Residential District

Commented [ST3]: "adjacent" to include across the alley

44.7-5 – DEVELOPMENT STANDARDS APPLICABLE TO PUBLIC INTEREST DISTRICTS

A. Discontinuance of Use. Whenever any use of property in a P-1 or P-2 district ~~as of December 11, 2006~~, whether permitted, special or nonconforming, is discontinued for a period of ~~six (6) months~~ **eighteen (18) months**, the zoning classification of such property shall, as of the first day

Note: Any highlighted references refer to the current zoning code and will be updated to accurately reflect references in the proposed code upon completion of its drafting.

of discontinuance of such use, revert to the classification of R-1A. The City Council, upon petition for a map amendment as provided in **Section 44.13-2** of this Code, shall rezone such property to any appropriate zoning classification ~~which may include P-1~~.

USE CATEGORIES MATRIX

DRAFT FOR PLANNING COMMISSION WORKSHOP 6/16/17

	A	R-1A	R-1B	R-1C	R-2	R-3A	R-3B	R-4	B-1	B-2	C-1	D-1	D-2	D-3	M-1	M-2	P-1	P-2	P-3	Ref.
AGRICULTURAL																				
Agriculture	P																	P	P	
Apiary, Beekeeping	P														S			S	S	44.10-5
Aquaculture, Aquaponics, Hydroponics	P														P	P				
Animal Breeding Services	S														P ¹	P ¹				
Farmers Market												P								
Fish Hatcheries, Poultry Hatcheries	P														P ¹	P ¹				
Forestry	P																	P	P	
Horticultural Services	P								P	P					P	P			P	
Medical Marijuana Cultivation Center															P	P				
Urban Agriculture	P					S	S							P	P		S	P	P	
Urban Garden	P			P	P	P	P	P					P	P			P	P	P	
RESIDENTIAL																				
Household Living																				
Dwelling, Single-Family	P	P	P	P	P	P	P					P ²		P ²	P ³	P ³	P			
Dwelling, Single-Family Attached					S	P	P				S		P	P ²			P	P		
Dwelling, Two-Family				S	P	P	P			P ²	S	P ²		P ²			P			
Dwelling, Multiple-Family					S	P	P			P ²	S	P	P ²	P			P	P		
Mobile Homes								P												
Dwelling, Accessory																				
Live/Work Unit							S				S		P	P						
Group Living																				
Agency Supervised Homes				P		S	S				S	P ²	P				P	S		44.10-18
Agency-Operated Family Homes		P	P	P	P	P	P				S	P ²	P				P	P		44.10-18
Agency-Operated Group Homes					S	P	P				S	P ²	P	P ²				P		44.10-18
Barracks																		P		44.10-18
Convents, Monasteries					S	S	P				P		S					P		44.10-18
Dormitories					S	S	P				S	S	S	S				P		44.10-18
Group Homes for Parolees		S	S	S	S	S	S	S			S	S	S							44.10-18
INSTITUTIONAL																				
Education																				
Pre-schools		S	S	S	S	S	S	S	P	P	P							P	P	
Schools, public and private																		P	P	
Boarding Schools																		P	P	
Business and Trade Schools									P		P				P			P		
College and University Classrooms											P		S					P		
College and University Facilities																		P		
Government																				
Animal Detention Facilities, w/o outdoor exercise area										P ¹					P ¹	P ¹		P		
Animal Detention Facilities, w/outdoor exercise area										S					S	S		S		44.10-4
Courthouses												P						P		

USE CATEGORIES MATRIX

DRAFT FOR PLANNING COMMISSION WORKSHOP 6/16/17

	A	R-1A	R-1B	R-1C	R-2	R-3A	R-3B	R-4	B-1	B-2	C-1	D-1	D-2	D-3	M-1	M-2	P-1	P-2	P-3	Ref.
Government Services and Facilities	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	
Military Bases, Depots, Communication Facilities													P	P	S	S		P	P	
Police Stations, Fire Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Health																				
Ambulatory Surgical Treatment Center									P	P	P	P					P			
Hospital or Medical Center									S		S						S	S		
Religious																				
Place of Worship	S ⁴	S ⁴	S ⁴	S ⁴	S ⁴	S ⁴	S ⁴	S ⁴			P ⁴	P ⁴	P ⁴				P ⁴	P ⁴		
Cemetery and Columbarium	S	S	S	S	S	S	S	S											P	44.10-10
Residential-Type																				
Adult and Juvenile Detention Facilities															S	S		S		
Domestic Violence Shelter					P	P	P		P		P	P	P				P			
Home for the Aged						S	S				P		S					S		44.10-18
Other Institutional, Cultural																				
Clubs and Lodges							S		P	P	P	S	P	S	P		P	S	P	44.10-11
Food Pantry							S		P	P	P		P		P		P	P		44.10-17
Libraries											P	P	P				P	P		
Museums and Cultural Institutions											P	P	P	P			P	P	P	
Zoos									S										P ¹	
RECREATIONAL																				
Country Clubs, Golf Clubs, Golf Courses	S	S	S	S	S	S	S	S			P						S	P	P	44.10-15
Community Center						S	S	S			P	P	P	S			P	P	P	44.10-12
Fairgrounds, Agricultural Exhibits	S								S									S		44.10-16
Parks and Recreation Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	
Riding Stables, Riding Schools	P								S											
Swimming Clubs						S	S	S	P	P							S			
Swimming Pools, Community	S	S	S	S	S	S	S	S	P	P	P						P	P		44.10-30
COMMERCIAL																				
Aircraft and Automotive																				
Aircraft Sales and Service																			P	
Car Wash									P ¹	S					P ¹					44.10-9
Farm Machinery Sales and Service									P ¹						P ¹	P ¹				
Towing Services																S				
Truck Stops, Truck Plazas									S						P ¹					
Truck Wash									S						P ¹	P ¹				
Vehicle Fueling Station									P	S					P	P			S	
Vehicle Repair and Service									S						P ¹	P ¹				44.10-31
Vehicle Rental Service									P ¹						P ¹	P ¹			P	
Vehicle Sales and Service									S						P ¹	S				
Vehicle Salvage and Wrecking Operations																P ¹				
Vehicle Storage															P ¹	P ¹			P	
Entertainment and Hospitality																				

USE CATEGORIES MATRIX

DRAFT FOR PLANNING COMMISSION WORKSHOP 6/16/17

	A	R-1A	R-1B	R-1C	R-2	R-3A	R-3B	R-4	B-1	B-2	C-1	D-1	D-2	D-3	M-1	M-2	P-1	P-2	P-3	Ref.
Amusement Parks									S											
Commercial Recreation Facilities									P	P		S					P			44.10-14
Community Reception Establishments														S						44.10-13
Entertainment and Exhibition Venues									P ¹				S		S		P ¹	P ¹		
Miniature Golf Courses									P											
Sexually Oriented Entertainment Businesses									P ⁵											
Sports and Fitness Establishments						S	S	S	P	P	P	P	S	S	S		P	S	P	44.10-14
Theaters and Auditoriums									P			P		S			P			
Lodging																				
Bed & Breakfast Establishments						S	S			P	P ⁶	P	P				S			44.10-7
Boarding and Rooming Houses					S	S	P			P		P	S				P			44.10-18
Camp and Camping Establishments									S											44.10-8
Hotel or Motel									P			P	S	S			S			44.10-20
Offices																				
Financial Services									P	P	P	P	P		P				P ⁷	
General Offices, Business or Professional									P	P	P	P	P	P	P	P			P	
Medical or Dental Office or Clinic							S		P	P	P	P	P		P		P			44.10-23
Medical Laboratory							S		P	P	P				P	P				
Printing, Copying and Mailing Services									P	P	P	P	P	P	P	P	P		P	
Recording and Broadcast Studios									P		P ⁸	P		P					P	
Research Facility or Laboratory									S		S			P	S	P ¹				
Personal Services																				
Clothing Care: Tailor, Dry Cleaning, Coin Laundry, Shoe Repair, etc.							S ¹²	S ¹²	P	P	P ⁸	P	P	P	P					
Funeral Parlor, Mortuary									P	P	P		S							
Instructional Studios									P	P	P ⁸	P	P	P	S		P	S		
Kennels, with no outdoor exercise areas									P ¹	P ¹	P ¹			P ¹	P ¹	P ¹				
Kennels, with outdoor exercise areas									S						S	S				
Personal Care: Barber Shop, Beauty Salon, Day Spa, etc.							S ⁹	S ⁹	P	P	P ⁸	P	P	P	P	P		S ¹⁰	P ⁷	
Pet Care: Grooming, day care, training									P	P	P				P	P				
Veterinary Office or Clinic	S								P	P	S		P		P	P				44.10-33
Day Care Centers		S	S	S	S	S	S	S	P	P	P		S		S		P	S	P ⁷	
Retail and Service																				
Artisanal/Craft Production and Retail									P	P		P	P	P	P	P				
Auction Houses									P					P	P	P				
Bars, Taverns, Nightclubs									P ¹	S	P ⁸	P	S	P	P ¹				P ⁷	
Building Materials and Supplies									P						P	P				
Catering Services									P	P				P	P	P	P		P	
Drive-Through, attached to a retail or service use									P ¹	P ¹	S									
Drug Stores and Pharmacies							S ⁹	S ⁹	P	P	S	P	P				P		P ⁷	

USE CATEGORIES MATRIX

DRAFT FOR PLANNING COMMISSION WORKSHOP 6/16/17

	A	R-1A	R-1B	R-1C	R-2	R-3A	R-3B	R-4	B-1	B-2	C-1	D-1	D-2	D-3	M-1	M-2	P-1	P-2	P-3	Ref.
Grocery Stores, Supermarkets							S ⁹	S ⁹	P	P										
Gun Shops									P ¹	P ¹										
Liquor Stores									P	P	P ⁸									
Manufactured and Mobile Home Sales									S						P	P				44.10-22
Medical Marijuana Dispensing Organization									P	P	P	P	P	P	P ¹	P ¹				
Mobile Food and Beverage Vendor									P	P	P	P		P	P	P	P	P	P	44.10-26
Professional Office Furniture Sales															P	P				
Restaurants, Cafeterias									P	P	P ⁸	P	P	P	P	P	P		P ⁷	
Retail Sales, General									P	P	P ⁸	P	P	P	S	S			P ⁷	
Retail sales, Outdoor									P	S		S		P	S					
Roadside Markets	P								P											
Sexually Oriented Business									P ⁵											
Specialty Food Shops									P	P	P ⁸	P	P	P	S	S			P ⁷	
INDUSTRIAL																				
Manufacturing and Production, Light																				
Apparel, Fabrics, Leather Industries														P	P	P				
Commercial Cleaning and Repair Services									P		P				P	P				
Commercial Community Kitchen											P	P	S	P	P	P				
Crematories															S ¹¹	S ¹¹				
Electronics Assembly Plants															P	P			P	
Fabricated Metal Industries														S	S	P ¹				
Furniture and Fixtures Industries														S	P	P				
Lumber and Wood Industries															P	P				
Professional, Scientific Industries															P	P				
Secondary Manufacturing Assembly Plants															S	P				
Textile Mill Products Industries																P ¹				
Trade and Construction Services									P	P				P	P	P			P ⁷	
Wholesaling, Distribution and Storage Facilities															P ¹	P ¹			P	
Manufacturing and Production, Heavy																				
Asphaltic Concrete Plants																S				44.10-6
Chemicals and Allied Industries																P				
Food and Kindred Industries															S	P				
Paper and Allied Products Industry															P	P				
Petroleum Refining, Related Uses																S				
Mining, Quarrying																S				44.10-24
Primary Metal Industries																P				
Recycling Facility																S				44.10-27
Refractory Lined Pit Burners																S				44.10-28
Refuse Disposal Services																S				44.10-27
Rubber and Plastic Industries																P				
Sanitary Landfills																S				44.10-27

USE CATEGORIES MATRIX

DRAFT FOR PLANNING COMMISSION WORKSHOP 6/16/17

	A	R-1A	R-1B	R-1C	R-2	R-3A	R-3B	R-4	B-1	B-2	C-1	D-1	D-2	D-3	M-1	M-2	P-1	P-2	P-3	Ref.
Solid Waste Disposal Area																S				44.10-27
Stone, Clay, Glass Industries															S	P				
Waste Transfer Station																S				44.10-27
Storage and Equipment Yards																				
Aircraft Storage															P	P			P	
Composting Facility															P	P		P		
Junk Yards																S				44.10-21
Marine Craft Storage, Marinas															P ¹	P ¹			P	
Mini Warehouses									S						P ¹	P ¹			P	44.10-25
Parking Lot, Commercial									S	S	S	S		S	P ¹	P ¹	P	P	P	
Petroleum Products Storage															P	P			P	
Railroad Marshalling Yards																S				
Transportation																				
Airports and Landing Fields	S																		P	44.10-3
Airport Passenger Terminals																			P	
Bus and Taxi Passenger Terminals									S			S			P		P		P ⁷	
Heliports, Heliport Terminals	S								S		S					S	S		P	
Rail Passenger Terminals									P			P			P				P ⁷	
Utilities																				
Commercial Solar Energy Conversion Facilities	P								P	P				P	P	P	P	P	S	44.10-29
Commercial Wind Energy Conversion Facilities	S														S	S				44.10-34
Electricity or Natural Gas Production Plant																S			S	
Nuclear Power Plant																S				
Private Solar Energy Conversion Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	44.10-29
Private Wind Energy Conversion Facilities	P								P	P					P	P	P	P		44.10-34
Public or Private Utility Facility, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Radio, Television Stations-Towers									P			P		P	P	P	P			
Wireless Communication Facilities	S	S	S	S	S	S	S	S	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	S	P ¹²	44.10-35

1. A Special Use is required when the use adjoins a Residential District boundary line.
2. The use is permitted only when located above the first story above grade.
3. The dwelling is allowed only as a residence for watchmen or caretakers of business or industrial uses permitted in that zoning district
4. Maximum permitted height is forty-five (45) feet or three (3) stories, whichever is lower.
5. The use is allowed in the zoning district represented by that column provided that no lot line of the lot to be occupied by such use shall be located closer than 1,000 feet to the lot line of a lot occupied by a Sexually Oriented Entertainment Business or other Sexually Oriented Business, and further provided that no lot line of the lot to be occupied by such use shall be located closer than 500 feet to the lot line of a lot used for a Commercial Recreation Facility , a Day Care Center, children’s museum, Agency-Operated Family Home, Agency-Operated Group Home, Agency-Supervised Home, hobby shop or toy store, Pre-school, Public or Private School, Boarding School, Park or Recreation Facility, Sports and Fitness Establishment, Community Center, Place of Worship, Dwelling, Hospital or Zoo.
6. The use is allowed in that zoning district only as an accessory use occupying not more than forty percent (40%) of the floor area of any story within a Business, Office or Residential Building or combination thereof.
7. The use is allowed only when located within an Airport Passenger Terminal.
8. The use is allowed in that zoning district only as an accessory use occupying not more than twenty-five percent (25%) of the floor area of any story within an Office or Residential Building or combination thereof.

9. The use shall be located within a building containing multiple-family or office uses in the R-3B District and shall not be permitted within a Mobile Home or Dwelling Unit in the R-4 District. The maximum permitted floor area is one thousand six-hundred (1,600) square feet for Clothing Care; one thousand (1,000) square feet for Personal Care or five thousand (5,000) square feet for Drug Stores, Pharmacies, and Grocery Stores
10. The use is permitted only within a multiple-family building. The maximum permitted floor area for the use is one thousand (1,000) square feet.
11. A structure containing a Crematory shall be located no closer than three hundred (300) feet to a Residential District boundary line.
12. The use is permitted as a principal use provided that the maximum height of the Wireless Communication Facility shall not exceed one (1) foot for each two (2) feet that such Wireless Communication Facility is set back from Protected Residential Property.

WORKING DRAFT DEFINITIONS

accessory dwelling. an attached or detached residential dwelling unit that provides permanent, complete independent living facilities, including facilities for living, sleeping, food preparation and cooking, eating and sanitation, for one or more persons, on the same parcel as a single-family dwelling.

apiary/beekeeping. one or more managed and maintained hives for the primary purpose of personal hobby, personal consumption of bee by-products, or for educational pursuits.

aquaculture. the cultivation of marine or freshwater food fish, shellfish, or plants under controlled conditions.

aquaponics. the integration of aquaculture with hydroponics, in which the waste products from fish are treated and then used to fertilize hydroponically growing plants.

commercial community kitchen. an approved food preparation, processing and cooking facility that is used by one or more licensed businesses for a commercial purpose, typically rented on an hourly basis for a small fee or on a sliding scale basis. Such facilities may also be used by community members on a non-commercial basis, or for cooking classes and/or other related activities.

farmers market. An outdoor market at a fixed location consisting principally of farmers and gardeners for the purpose of selling the products of their farm, garden, greenhouse, apiary, or forest directly to the public. While the primary focus of a farmers market is the sale of fresh food, related merchandise such as non-local foods and beverages, farm-produced arts, crafts and similar customary goods may also be offered for sale.

hydroponics. a method of growing plants without soil in mineral nutrients, water, or a solid medium such as gravel.

Instructional studios. small scale facilities, typically accommodating no more than two groups of students at a time, in no more than two instructional spaces. Examples of these facilities include: individual and group instruction and training in the arts; martial arts training studios; gymnastics instruction, and aerobics and gymnastics studios with no other fitness facilities or equipment.

live-work unit. an integrated housing unit and working space, occupied and utilized by a single household in a structure that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes:

1. complete kitchen space and sanitary facilities in compliance with the Building Code; and
2. working space reserved for and regularly used by one or more occupants of the unit.

personal services. establishments that provide non-medical services to individuals as a primary use. Examples of these uses include: barber and beauty shops, massage (licensed, therapeutic, non-sexual), nail salons...These uses may also include accessory retail sales of products related to the services provided.

solar energy conversion, commercial. a solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, with a minimum nameplate capacity of 250 kilowatts (kw) direct current; energy generated by the system can be used onsite or sold commercially.

solar energy conversion, private. a system that converts solar energy into electricity or heat through the use of photovoltaic panels or film, solar thermal panels, and associated control or conversion electronics; systems are intended to primarily reduce on-site consumption of utility power; except for excess power subject to net metering agreement with the local utility, any system-generated power is consumed on-site. Private solar energy production may also include placement of solar energy systems on multiple buildings or lots as a community solar energy system, for example to serve a subdivision or business park.

urban agriculture. a zoning lot, as defined in this article, one acre or greater, used to grow and harvest food crops and/or non-food crops for personal or group use; an orchard or tree farm that is a principal use is considered an urban agriculture; an urban agriculture may be divided into plots for cultivation by one or more individuals and/or groups or may be cultivated by individuals and/or groups collectively; the products of an urban agriculture may or may not be for commercial purposes.

urban garden. a lot under one acre, used to grow and harvest food or non-food crops for personal or group use; the products of an urban garden may or may not be for commercial purposes; an urban garden larger than one acre is considered urban agriculture.

wind energy conversion, commercial. a wind energy system of one or more wind towers and turbines that has a rated capacity of more than 100 kw and is used to generate energy for commercial sale.

wind energy conversion, private. a wind energy conversion system consisting of a wind turbine(s), a tower or mounting, and associated control or conversion electronics, which has a rated capacity of not more than 100 kw; systems are intended to primarily reduce on-site consumption of utility power. Except for excess power subject to net metering agreement with the local utility, any system-generated power is consumed on-site.

USE CATEGORIES MATRIX

DRAFT FOR PLANNING COMMISSION WORKSHOP 6/16/17

	A	R-1A	R-1B	R-1C	R-2	R-3A	R-3B	R-4	B-1	B-2	C-1	D-1	D-2	D-3	M-1	M-2	P-1	P-2	P-3	Ref.
AGRICULTURAL																				
Agriculture	P	P	P	P	P	P	P	P	P	P	P				P	P	P	P	P	
<u>Apiary, Beekeeping</u>	P														S			S	S	44.10-5
<u>Aquaculture, Aquaponics, Hydroponics</u>	P														P	P				
Animal Breeding Services	S														P ¹	P ¹				
<u>Farmers Market</u>												P								
Fish Hatcheries, Poultry Hatcheries	P								P	P					P ¹	P ¹				
Forestry	P	P	P	P	P	P	P	P	P	P	P				P	P	P	P	P	
Horticultural Services	P								P	P		P			P	P			P	
Medical Marijuana Cultivation Center															P	P				
<u>Urban Agriculture</u>	P					S	S								P		S	P	P	
<u>Urban Garden</u>	P			P	P	S	S	P					P	P	P		P	P	P	
RESIDENTIAL																				
Household Living																				
Dwelling, Single-Family	P	P	P	P	P	P	P		S	S	S	P ²		P ²	P ³	P ³	P			
Dwelling, Single-Family Attached					S	P	P		g	g	g-S	P	P	P ²			P	P		
Dwelling, Two-Family				S	P	P	P		P	P ²	P-S	P ²		P ²	P ³	P ³	P			
Dwelling, Multiple-Family					S	P	P		g	P ²	g-S	P	P ²	P	P ³	P ³	P	P		
Mobile Homes								P												
<u>Dwelling, Accessory</u>																				
<u>Live/Work Unit</u>								S			S		P	P						
Group Living																				
Agency Supervised Homes				P		S	S		P	P	P-S	P ²	P				P	S		44.10-18
Agency-Operated Family Homes		P	P	P	P	P	P		P	P	P-S	P ²	P				P	P		44.10-18
Agency-Operated Group Homes					S	P	P		P	P	P-S	P ²	P	P ²				P		44.10-18
Barracks																		P		44.10-18
Convents, Monasteries					S	S	P				P		S					P		44.10-18
Dormitories					S	S	P				P-S	S	S	S				P		44.10-18
Group Homes for Parolees		S	S	S	S	S	S	S	S	S	S	P-S	S	S						44.10-18
INSTITUTIONAL																				
Education																				
Pre-schools		S	S	S	S	S	S	S	P	P	P	P					P	P		
Schools, public and private																	P	P		
Boarding Schools									P	P	P	P					P	P		
Business and Trade Schools									P	P	P	P			P	P	P			
College and University Classrooms									P	P	P	P	S		P	P	P			
College and University Facilities				S	S	S	S										P			
Government																				
Animal Detention Facilities, w/o outdoor exercise area									P	P ¹					P ¹	P ¹		P		
Animal Detention Facilities, w/outdoor exercise area									S	S					S	S		S		44.10-4
Courthouses												P								
Government Services and Facilities	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	P	P	
Military Bases, Depots, Communication Facilities													P	P	P-S	P-S		P	P	

Commented [ST1]: Allow as accessory in residential district

Commented [ST2]: The use will be permitted as accessory in B-1, B-2, C-1 and in association with institutional use such as Place of Worship or School.

USE CATEGORIES MATRIX

DRAFT FOR PLANNING COMMISSION WORKSHOP 6/16/17

	A	R-1A	R-1B	R-1C	R-2	R-3A	R-3B	R-4	B-1	B-2	C-1	D-1	D-2	D-3	M-1	M-2	P-1	P-2	P-3	Ref.
Police Stations, Fire Stations	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Health																				
Ambulatory Surgical Treatment Center									P	P	P	P					P			
Hospital or Medical Center									S		S						S	S		
Religious																				
Place of Worship	S ⁴	S ⁴	S ⁴	S ⁴	S ⁴	S ⁴	S ⁴	S ⁴	P	P	P ⁴	P ⁴	P ⁴				P ⁴	P ⁴		
Cemetery and Columbarium	S	S	S	S	S	S	S	S	P									P		44.10-10
Residential-Type																				
Adult and Juvenile Detention Facilities															P-S	P-S			S	
Domestic Violence Shelter					P	P	P		P	P	P	P	P				P			
Home for the Aged						S	S		P	P	P	P	S					S		44.10-18
Other Institutional, Cultural																				
Clubs and Lodges								S	P	P	P	P-S	P	S	P	P	P	S	P	44.10-11
Food Pantry							S		P	P	P	P	P		P	P	P	P	P	44.10-17
Libraries									P	P	P	P	P		P	P	P	P	P	P
Museums and Cultural Institutions									P	P	P	P	P	P	P	P	P	P	P	P
Zoos									P-S										P ¹	
RECREATIONAL																				
Country Clubs, Golf Clubs, Golf Courses	S	S	S	S	S	S	S	S	P	P	P	P			P	P	S	P	P	44.10-15
Community Center						S	S	S	P	P	P	P	P	S	P	P	P	P	P	44.10-12
Fairgrounds, Agricultural Exhibits	S								S										S	44.10-16
Parks and Recreation Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Riding Stables, Riding Schools	P								P-S											
Swimming Clubs						S	S	S	P	P		P			P	P	S		S	
Swimming Pools, Community	S	S	S	S	S	S	S	S	P	P	P	P			P	P	P	P		44.10-30
COMMERCIAL																				
Aircraft and Automotive																				
Aircraft Sales and Service																				P
Car Wash									P ¹	P-S		P			P ¹	P				44.10-9
Farm Machinery Sales and Service									P ¹	P					P ¹	P ¹				
Towing Services									1	1		1			2	P-S				
Truck Stops, Truck Plazas									P-S	P					P ¹	P				
Truck Wash									P-S	P					P ¹	P ¹				
Vehicle Fueling Station									P	P-S		P								S
Vehicle Repair and Service									P-S	P		P			P ¹	P ¹				44.10-31
Vehicle Rental Service									P ¹	P	2	P			P ¹	P ¹			3 P	
Vehicle Sales and Service									P-S	P		P			P ¹	P-S				
Vehicle Salvage and Wrecking Operations																P ¹				
Vehicle Storage															P ¹	P ¹				P
Entertainment and Hospitality																				
Amusement Parks									P-S											
Commercial Recreation Facilities									P	P		P-S					P			44.10-14
Community Reception Establishments														S						44.10-13

USE CATEGORIES MATRIX

DRAFT FOR PLANNING COMMISSION WORKSHOP 6/16/17

	A	R-1A	R-1B	R-1C	R-2	R-3A	R-3B	R-4	B-1	B-2	C-1	D-1	D-2	D-3	M-1	M-2	P-1	P-2	P-3	Ref.
Entertainment and Exhibition Venues									P ¹	P		P	S		P _S	P	P ¹	P ¹		
Miniature Golf Courses									P									6		
Sexually Oriented Entertainment Businesses									P ⁵	P ⁵		P ⁵								
Sports and Fitness Establishments						S	S	S	P	P	P	P	S	S	P _S	P	P	S	P	44.10-14
Theaters and Auditoriums									P	P	P ⁸	P		S			P			
Lodging																				
Bed & Breakfast Establishments						S	S		P	P	P ⁶	P	P				S			44.10-7
Boarding and Rooming Houses					S	S	P		P	P	P	P	S		P ³	P ³	P			44.10-18
Camp and Camping Establishments									S											44.10-8
Hotel or Motel									P	P		P	S	S			S			44.10-20
Offices																				
Financial Services									P	P	P	P	P		P	P				P ⁷
General Offices, Business or Professional									P	P	P	P	P	P	P	P				P
Medical or Dental Office or Clinic						S			P	P	P	P	P	P	P	P	P			44.10-23
Medical Laboratory						S			P	P	P	P	P		P	P				
Printing, Copying and Mailing Services									P	P	P	P	P	P	P	P	P			P
Recording and Broadcast Studios									P	P	P ⁸	P		P						P
Research Facility or Laboratory									S		S			P	S	P ¹				
Personal Services																				
Clothing Care: Tailor, Dry Cleaning, Coin Laundry, Shoe Repair, etc.						S ¹²	S ¹²		P	P	P ⁸	P	P	P	P	P				P ⁷
Funeral Parlor, Mortuary									P	P	P	P	S							
Instructional Studios									P	P	P ⁸	P	P	P	S		P	S		
Kennels, with no outdoor exercise areas									P ¹	P ¹	P ¹				P ¹	P ¹				
Kennels, with outdoor exercise areas									S	S					S	S				
Personal Care: Barber Shop, Beauty Salon, Day Spa, etc.							S ⁹	S ⁹	P	P	P ⁸	P	P	P	P	P		S ¹⁰	P ⁷	
<u>Pet Care: Grooming, day care, training</u>									P	P	P	P	P		P	P				
Veterinary Office or Clinic	S								P	P	S	P	P		P	P				44.10-33
Day Care Centers		S	S	S	S	S	S	S	P	P	P	P	S		P _S		P	S	P ⁷	
Retail and Service																				
Artisanal/Craft Production and Retail									P	P		P	P	P	P	P				
Auction Houses									P	P		P	P	P	P	P				
Bars, Taverns, Nightclubs									P ¹	P _S	P ⁸	P	S	P	P ¹	P				P ⁷
Building Materials and Supplies									P	P		P	P		P	P				
Catering Services									P	P		P	P		P	P	P			P
<u>Drive-Through, attached to a retail or service use</u>									P ¹	P ¹	S									
Drug Stores and Pharmacies						S ⁹	S ⁹		P	P	S	P	P				P			P ⁷
Grocery Stores, Supermarkets						S ⁹	S ⁹		P	P	P ⁸	P	P							
Gun Shops									P ¹	P ¹		P	P							
Liquor Stores									P	P	P ⁸	P								
Manufactured and Mobile Home Sales									S	S					P	P				44.10-22

USE CATEGORIES MATRIX

DRAFT FOR PLANNING COMMISSION WORKSHOP 6/16/17

	A	R-1A	R-1B	R-1C	R-2	R-3A	R-3B	R-4	B-1	B-2	C-1	D-1	D-2	D-3	M-1	M-2	P-1	P-2	P-3	Ref.
Medical Marijuana Dispensing Organization									P	P	P	P	P	P	P ¹	P ¹				
Mobile Food and Beverage Vendor									P	P	P	P		P	P	P	P	P	P	44.10-26
Professional Office Furniture Sales															P	P				
Restaurants, Cafeterias									P	P	P ⁶	P	P	P	P	P	P			P ⁷
Retail Sales, General									P	P	P ⁶	P	P	P	S	S				P ⁷
Retail sales, Outdoor									P	P ⁵		P ⁵		P	S					
Roadside Markets	P								P											
Sexually Oriented Business									P ⁵	P ⁶		P ⁶								
Specialty Food Shops									P	P	P ⁶	P	P	P	S	S				P ⁷
INDUSTRIAL																				
Manufacturing and Production, Light																				
Apparel, Fabrics, Leather Industries														P	P	P				
Commercial Cleaning and Repair Services									P	P	P	P			P	P				
<u>Commercial Community Kitchen</u>											P	P	S	P	P	P				
Crematories									S	S	S	S			S ¹¹	S ¹¹				
Electronics Assembly Plants									P	P		P			P	P				P
Fabricated Metal Industries														S	P ⁵	P ¹				
Furniture and Fixtures Industries														S	P	P				
Lumber and Wood Industries															P	P				
Professional, Scientific Industries															P	P				
Secondary Manufacturing Assembly Plants															S	P				
Textile Mill Products Industries															P	P ¹				
Trade and Construction Services									P	P	3	P		P	P	P				P ⁷
Wholesaling, Distribution and Storage Facilities									4	4	4	4			P ¹	P ¹				4 P
Manufacturing and Production, Heavy																				
Asphaltic Concrete Plants																S				44.10-6
Chemicals and Allied Industries																P				
Food and Kindred Industries															S	P				
Paper and Allied Products Industry															P	P				
Petroleum Refining, Related Uses																P ⁵				
Mining, Quarrying															S	S				44.10-24
Primary Metal Industries																P				
<u>Recycling Facility</u>																S				44.10-27
Refractory Lined Pit Burners															S	S				44.10-28
Refuse Disposal Services									S	S					S	S				44.10-27
Rubber and Plastic Industries																P				
Sanitary Landfills																S				44.10-27
Solid Waste Disposal Area																S				44.10-27
Stone, Clay, Glass Industries															S	P				
<u>Waste Transfer Station</u>																S				44.10-27
Storage and Equipment Yards																				
Aircraft Storage															P	P				P
Composting Facility															P	P		P		
<u>Junk Yards</u>																S				44.10-21

Commented [ST3]: 1. Will be permitted accessory to a principal permitted commercial use or to a Place of Worship, Food Pantry, Club or Lodge. For a religious and institutional facilities, the extent of the use shall be limited to a single kitchen that is principally designed and constructed to support the facility.

USE CATEGORIES MATRIX

DRAFT FOR PLANNING COMMISSION WORKSHOP 6/16/17

	A	R-1A	R-1B	R-1C	R-2	R-3A	R-3B	R-4	B-1	B-2	C-1	D-1	D-2	D-3	M-1	M-2	P-1	P-2	P-3	Ref.
Marine Craft Storage, Marinas															P ¹	P ¹			P	
Mini Warehouses									S	S		S			P ¹	P ¹			P	44.10-25
Parking Lot, Commercial									P-S	P-S	S	P-S		S	P ¹	P ¹	P	P	P	
Petroleum Products Storage															P	P			P	
Railroad Marshalling Yards															P	P-S				
Transportation																				
Airports and Landing Fields	S								S	S	S				S	S	S		P	44.10-3
Airport Passenger Terminals																S	S		P	
Bus and Taxi Passenger Terminals									P-S	P	P ⁸	P-S			P	P	P		P ⁷	
Heliports, Heliport Terminals	S								S	S	S	S			S	S	S	S	P	
Rail Passenger Terminals									P	P		P			P	P			P ⁷	
Utilities																				
Commercial Solar Energy Conversion Facilities	P								P	P				P	P	P	P	P	S	44.10-29
Commercial Wind Energy Conversion Facilities	S														S	S				44.10-34
Electricity or Natural Gas Production Plant															P	P-S	P		P-S	
Nuclear Power Plant																P-S				
Private Solar Energy Conversion Facilities	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	44.10-29
Private Wind Energy Conversion Facilities	P								P	P					P	P	P	P	P	44.10-34
Public or Private Utility Facility, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Radio, Television Stations-Towers									P	P		P			P	P	P			
Wireless Communication Facilities	S	S	S	S	S	S	S	S	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	S	P ¹²	44.10-35

Commented [ST4]: Deal with in Use Provisions

1. A Special Use is required when the use adjoins a Residential District boundary line.
2. The use is permitted only when located above the first story above grade.
3. The dwelling is allowed only as a residence for watchmen or caretakers of business or industrial uses permitted in that zoning district
4. Maximum permitted height is forty-five (45) feet or three (3) stories, whichever is lower.
5. The use is allowed in the zoning district represented by that column provided that no lot line of the lot to be occupied by such use shall be located closer than 1,000 feet to the lot line of a lot occupied by a Sexually Oriented Entertainment Business, an adult cabaret, an adult hotel/motel, an adult lingerie modeling studio, an adult media store, an adult modeling studio, an adult motion picture theater, or other Sexually Oriented Business, a sex shop, or a sexually oriented entertainment business and further provided that no lot line of the lot to be occupied by such use shall be located closer than 500 feet to the lot line of a lot used for a Commercial Recreation Facility, an amusement center, an amusement park, a Day Care Center, children's home, children's museum, orphanage, Agency-Operated Family Home, Agency-Operated Group Home, Agency-Supervised Home, child care facility, foster care home, hobby shop or toy store, institutional home for the care of children, nursery school, Pre-school, Public or Private School, Boarding School, elementary school, junior high school, senior high school, Park or Recreation Facility, playground, gymnasium Sports and Fitness Establishment, Community Center, recreation center, a miniature golf course, Place of Worship, religious education facility, Residential Dwelling, skating rink, or Hospital or Zoo.
6. The use is allowed in that zoning district only as an accessory use occupying not more than forty percent (40%) of the floor area of any story within a Business, Office or Residential Building or combination thereof.
7. The use is allowed only when located within an Airport Passenger Terminal.
8. The use is allowed in that zoning district only as an accessory use occupying not more than twenty-five percent (25%) of the floor area of any story within an Office or Residential Building or combination thereof.
9. The use shall be located within a building containing multiple-family or office uses in the R-3B District and shall not be permitted within a Mobile Home or manufactured home Dwelling Unit in the R-4 District. The maximum permitted floor area is one thousand six-hundred (1,600) square feet for Clothing Care; one thousand (1,000) square feet for Personal Care or five thousand (5,000) square feet for Drug Stores, Pharmacies, and Grocery Stores
10. The use is permitted only within a multiple-family building. The maximum permitted floor area for the use is one thousand (1,000) square feet.
11. A structure containing a Crematory shall be located no closer than three hundred (300) feet to a Residential District boundary line.

USE CATEGORIES MATRIX

DRAFT FOR PLANNING COMMISSION WORKSHOP 6/16/17

12. The use is permitted as a principal use provided that the maximum height of the Wireless Communication Facility shall not exceed one (1) foot for each two (2) feet that such Wireless Communication Facility is set back from Protected Residential Property.

USE CATEGORIES MATRIX

DRAFT FOR PLANNING COMMISSION WORKSHOP 6/16/17

WORKING DRAFT DEFINITIONS

accessory dwelling. an attached or detached residential dwelling unit that provides permanent, complete independent living facilities, including facilities for living, sleeping, food preparation and cooking, eating and sanitation, for one or more persons, on the same parcel as a single-family dwelling.

apiary/beekeeping. one or more managed and maintained hives for the primary purpose of personal hobby, personal consumption of bee by-products, or for educational pursuits.

aquaculture. the cultivation of marine or freshwater food fish, shellfish, or plants under controlled conditions.

aquaponics. the integration of aquaculture with hydroponics, in which the waste products from fish are treated and then used to fertilize hydroponically growing plants.

commercial community kitchen. an approved food preparation, processing and cooking facility that is used by one or more licensed businesses for a commercial purpose, typically rented on an hourly basis for a small fee or on a sliding scale basis. Such facilities may also be used by community members on a non-commercial basis, or for cooking classes and/or other related activities.

farmers market. An outdoor market at a fixed location consisting principally of farmers and gardeners for the purpose of selling the products of their farm, garden, greenhouse, apiary, or forest directly to the public. While the primary focus of a farmers market is the sale of fresh food, related merchandise such as non-local foods and beverages, farm-produced arts, crafts and similar customary goods may also be offered for sale.

hydroponics. a method of growing plants without soil in mineral nutrients, water, or a solid medium such as gravel.

Instructional studios. small scale facilities, typically accommodating no more than two groups of students at a time, in no more than two instructional spaces. Examples of these facilities include: individual and group instruction and training in the arts; martial arts training studios; gymnastics instruction, and aerobics and gymnastics studios with no other fitness facilities or equipment.

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urban garden. a lot under one acre, used to grow and harvest food or non-food crops for personal or group use; the products of an urban garden may or may not be for commercial purposes; an urban garden larger than one acre is considered urban agriculture.

wind energy conversion, commercial. a wind energy system of one or more wind towers and turbines that has a rated capacity of more than 100 kw and is used to generate energy for commercial sale.

wind energy conversion, private. a wind energy conversion system consisting of a wind turbine(s), a tower or mounting, and associated control or conversion electronics, which has a rated capacity of not more than 100 kw; systems are intended to primarily reduce on-site consumption of utility power. Except for excess power subject to net metering agreement with the local utility, any system-generated power is consumed on-site.