

**Schedule for Common Council Consideration of Ordinance 09-12 which  
Brings Forward Amendments to the Unified Development Ordinance from the  
Plan Commission as a Result of Its Periodic Review of Title 20 of the  
Bloomington Municipal Code  
(Revised July 24, 2009)**

**SPECIAL SESSION TO CONSIDER AMENDMENTS TO THE UNIFIED  
DEVELOPMENT ORDINANCE (ORD 09-12) WHICH WILL BE HELD ON THE  
FOLLOWING EVENINGS AT THE FOLLOWING TIMES:**

**WEDNESDAY, JULY 8, 2009 - 7:00 P.M.**

**Motion to Introduce Ordinance 09-12**

**Motion to Approve Schedule**

**Motion to Approve Procedure**

*The Council will Consider One Motion to Approve the Following Text Amendments (Unless Members of the Council Request Individual Discussion of an Item Before Presentation is Made by Plan Staff):*

- UDO-001      **Rooming house – adds asterisk.**
- UDO-002      **Establishes parking setback from *proposed* rather than *existing* right of way or easement in IG/QY districts.**
- UDO-003      **Pitched roof exception – extends to Third Street.**
- UDO-004      **Defines “proposal” as it relates to projects within the CD zoning district**
- UDO-005      **Adds one PUD final plan change that may be approved by Planning Director.**
- UDO-006      **Adds missing restrictions on accessory structures in multifamily zoning districts.**
- UDO-007      **Provides for some variation in sidewalk/tree plot designs.**
- UDO-008      **Requires connector paths to link developments to multi-use trails.**
- UDO-009      **Makes reduction of bike parking discretionary rather than automatic in CD zoning district.**
- UDO-010      **Clarifies calculation of amount of bicycle parking.**
- UDO-011      **Clarifies height and accessory status of communication facilities in CD district.**
- UDO-012      **Prohibits driveway design where driveway is parallel to street.**
- UDO-013      **Requires entrance & drive design to be paved (like parking areas).**
- UDO-014      **Requires conservation easements for wetland buffer areas.**
- UDO-015      **Corrects UDO reference.**
- UDO-016      **Clarifies fence height maximum & calculation of decorative features.**
- UDO-017      **Corrects typographic error.**
- UDO-018      **Corrects statutory reference.**
- UDO-019      **Makes landscaping of buffer yards separate from general landscaping requirements.**
- UDO-020      **Planting requirements – increases canopy tree requirements and makes interior requirements consistent.**
  
- UDO-021      **Clarifies landscaping requirement.**
- UDO-022      **Clarifies parking lot island and bump-out location and function.**
- UDO-023      **Clarifies outdoor storage and merchandizing requirements.**  
*(Revised on July 8, 2009 to correct error)*
  
- UDO-024      **Adds omitted requirement for maximum parking lot slope.**
- UDO-026      **Corrects omission regarding parallel parking dimensions.**
- UDO-028      **Allows back-out parking on non-arterial streets in Core Neighborhoods.**
- UDO-029      **Clarifies setback for recreational equipment.**
- UDO-030      **Establishes same setback for detached and attached carports.**
- UDO-031      **Corrects statutory reference.**
- UDO-032      **Adds cross-references for exceptions to off-premises signs.**
- UDO-033      **Clarifies requirements for changeable copy on freestanding signs.**
- UDO-034      **Prohibits external illumination of temporary signs. (On July 8<sup>th</sup>, the Council postponed consideration of this item until August 5, 2009 and on July 15<sup>th</sup> the Council moved consideration of this item to July 29<sup>th</sup>.)**
- CCL-006
  
- UDO-035      **Corrects section heading for multifamily signage.**
- UDO-036      **Creates wall signage allowance for multi-tenant non-residential centers.**
- UDO-037      **Clarifies minimum lot frontage requirements for freestanding signs.**
- UDO-038      **Corrects word usage in reference to drive-though bays. (On July 10<sup>th</sup>, Cm. Satterfield declared his intent to request reconsideration and revision of this amendment at future meeting during this Special Session.)**
- CCL-007
  
- UDO-039      **Clarifies exemption regarding temporary containers used for charitable purposes.**
- UDO-040      **Corrects setback error for conservation subdivisions.**

- UDO-041 Clarifies permitted activities within conservation/preservation easements.  
 UDO-042 Requires public street frontage for new residential lots.  
 UDO-043 Clarifies requirement for installation of no parking signs.  
*(Revised on July 8, 2009 to correct error.)*
- UDO-045 Exempts construction of small accessory structures from events that end status as a non-conforming use in non-residential and multifamily properties.
- UDO-046 Requires developer to list bike rack model type.  
 UDO-047 Requires petitioner to list scientific name of landscape species.  
 UDO-048 Corrects typographical error under subdivision control.  
 UDO-049 Defines start and duration of timing of final plat.  
 UDO-050 Clarifies effect of withdrawal of demolition delay application.  
 UDO-051 Requires submission of complete application before Demolition Delay waiting period begins.  
 UDO-052 Adds basketball courts and batting cages to definition of recreational equipment.  
 UDO-053 Clarifies change from one residential use to another and adds abandonment as a change in use.  
 UDO-054 Adds “florist” to class of use table in definitions.  
 UDO-055 Establishes depth of projection from wall to definition of wall sign.  
 UDO-056 Changes definition of impound vehicle storage to include both inside and outside storage.  
 UDO-057 Conforms erosion and storm water regulations to Title 10 of the BMC.  
 UDO-058 Corrects references to Bicycle and Pedestrian Plan.  
 UDO-059 Resolves conflict between temporary use and structure provisions for temporary signs.  
 UDO-060 Corrects definition of outpatient care facility.  
 UDO-061 Clarifies definition of basement to establish when it constitutes a “story”.

***The Council Considered Separate Motions Regarding the Following Map Amendments:***

- UDO-062 Map Amendment - Rezones remaining part of the Highpoint PUD from PUD to CD/DEO.  
 UDO-063 Map Amendment – Rezones Basswood area property from IN to RM.

***The Council Considered Individual Motions Regarding the Following Text Amendments:***

- UDO-065 Prohibits primary pedestrian entrance in CD district to be off an alley.  
 UDO-066 Clarifies “masonry” materials to be used in residential projects. *(On July 8<sup>th</sup>, the Council postponed consideration of this item until August 5<sup>th</sup>.)*  
 CCL-008  
 UDO-067 Allows additions to single family attached and detached structures to have flat roofs.  
*(Note: On July 8<sup>th</sup> the Council considered and rejected an amendment (CCL-005) to this item.)*
- UDO-068 Clarifies that LEED-NC guidelines used in the UDO are periodically updated by USGBC.  
 UDO-069 Revises list of landscaping to add native species and prohibit certain invasive species. *(On July 8<sup>th</sup>, the Council postponed consideration of this item until August 5<sup>th</sup> and on July 15<sup>th</sup> the Council moved consideration of this item to July 29<sup>th</sup>.)*  
 CCL-009
- UDO-070 Allows window signs on upper floors but counts such signs towards sign allotment.  
 UDO-071 Allows only attached wall signs and sandwich board signs outside of right-of-way along the B-Line trail

***Note: On July 8<sup>th</sup>, the Common Council considered the foregoing amendments and took action in some cases to postpone and revise them for consideration at a later meeting (see notes in italics after the titles above).***

**FRIDAY, JULY 10, 2009 – 10:00 a.m.**

- Deadline for Declaring Intent to Revive Amendments Non-Adopted by the Plan Commission and the Introduction of New Amendments.
- Deadline for Submitting Revived Amendments, Revised Amendments, and New Amendments for Consideration on the Evening of Wednesday, July 15, 2009

**WEDNESDAY, JULY 15, 2009**

**(AFTER REGULAR SESSION WHICH STARTS AT 7:00 P.M.)**

***The Council was Scheduled to Consider Individual Motions Regarding the Following Text Amendments:***

- UDO-075 Converts density from units per acre to bedrooms per acre. *(On July 15<sup>th</sup>, the Council postponed consideration of this amendment until August 5, 2009 at the request of Councilmember Volan, who may amend it or prepare a new amendment to address this issue.)*  
 CCL-010

- UDO-077      **Reduces void to solid ratio on first floor facades in all Downtown Overlay districts.** *(On July 15<sup>th</sup>, the Council adopted this amendment, but allowed for it to be amended on August 5<sup>th</sup>.)*  
 CCL-011  
 UDO-079      **Adds architectural design requirement along arterial streets.** *(On July 15<sup>th</sup>, the Council adopted this amendment.)*
- UDO-080      **Adds requirements for some areas now exempt from riparian buffer zones.** *(On July 15<sup>th</sup>, the Council voted to consider this amendment on July 29<sup>th</sup>.)*
- CCL-001      **Promotes Sustainable Development Practices** *(This amendment was not adopted by the Plan Commission. On July 10<sup>th</sup>, Cm. Piedmont-Smith declared her intent to reintroduce and amend this amendment. On July 15<sup>th</sup>, the Council adopted CCL-001 which amended this amendment.)*  
 UDO-074
- CCL-002      **Restricts use of EIFS and other surface building materials in CD district.** *(On July 10<sup>th</sup>, Cm. Sturbaum declared his intent to reintroduce and revise this amendment. On July 15<sup>th</sup>, the Council did not reach consideration of this item which, according to Special Session procedure, meant this item would be taken up at the July 29<sup>th</sup> meeting.)*  
 UDO-076

***On July 15<sup>th</sup>, the Common Council considered all but two of the foregoing amendments and took action in some cases to postpone and revise them for consideration at a later meeting (see notes in italics after the titles above). In accordance with Special Session procedures, the two items not considered this evening will be considered at the beginning of the next meeting.***

**FRIDAY, JULY 17, 2009 – 10.00 a.m.**

- *Deadline for Submitting Revived Amendments, Revised Amendments, and New Amendments for Consideration on the Evening of Wednesday, July 29, 2009*

**WEDNESDAY, JULY 29, 2009 – 7:00 P.M.**

***The Council will Consider Individual Motions Regarding the Following Text Amendments:***

- UDO-080      **Adds requirements for some areas now exempt from riparian buffer zones.** *(On July 15<sup>th</sup>, the Council voted to consider this amendment on July 29<sup>th</sup>.)*
- CCL-002      **Restricts use of EIFS and other surface building materials in CD district.** *(This amendment was not adopted by the Plan Commission. On July 10<sup>th</sup>, Cm. Sturbaum declared his intent to reintroduce and amend this amendment. On July 15<sup>th</sup>, the Council did not reach consideration of this item which, according to Special Session procedure, meant this item would be taken up at the July 29<sup>th</sup> meeting.)*  
 UDO-076
- UDO-081      **Reduces buffer yard requirements.**
- UDO-083      **Converts minimum to maximum parking in non-residential, multifamily and affordable single family developments.** *(On July 10<sup>th</sup>, Cm. Volan declared his intent to amend this amendment or introduce a new amendment on this subject. On July 24<sup>th</sup>, the schedule was revised to note that staff will request consideration of an amendment that incorporates UDO-025, UDO-027, and UDO-044.)*  
 CCL-013
- UDO-025      **Clarifies calculation of car dealer parking.** *(On July 15<sup>th</sup>, the schedule was revised to note that this amendment may be incorporated into an amended UDO-083.)*
- UDO-027      **Allows stacked parking for MF garages.** *(On July 15<sup>th</sup>, the schedule was revised to note that this amendment may be incorporated into an amended UDO-083.)*
- UDO-044      **Clarifies when parking setback, impervious surface, and entrances/drive requirements are necessary for non-conforming properties.** *(On July 15<sup>th</sup>, the schedule was revised to note that this amendment may be incorporated into an amended UDO-083.)*
- UDO-085      **Adds or changes parking requirements for preschools, outdoor storage, and brewpubs.**
- UDO-086      **Defines and adds parking requirements for “outdoor retail.”**
- UDO-088      **Relaxes restrictions on size and duration of political signs to conform to case law.**
- UDO-089      **Changes restrictions on “reader board” signs to conform to case law**
- UDO-082      **Requires landscaping be installed when buildings are demolished unless a development plan is approved.** *(This amendment was not adopted by the Plan Commission. On July 10<sup>th</sup>, Cm. Sturbaum declared his intent to reintroduce and amend this amendment. On July 24<sup>th</sup>, he declared is intent to request postponement until August 5<sup>th</sup> to provide time to draft the amendment.)*  
 CCL-003
- UDO-034      **Prohibits external illumination of temporary signs.** *(On July 8<sup>th</sup>, the Council postponed this item to August 5<sup>th</sup> and on July 15<sup>th</sup> moved its consideration to July 29<sup>th</sup>. On July 17<sup>th</sup>, Plan Staff submitted CCL-006 which defined “externally” and “internally” illuminated signs.)*  
 CCL-006
- UDO-069      **Revises list of landscaping to add native species and prohibit certain invasive species.** *(On July 8<sup>th</sup>, the Council postponed consideration of this item to August 5<sup>th</sup> and on July 15<sup>th</sup> moved its consideration to July 29<sup>th</sup>. On July 17<sup>th</sup>, Plan Staff submitted an amendment which suitable and unsuitable cultivars of the “flowering crabapple” tree.*

***Note: The Common Council will proceed no further this evening than the last amendment in the foregoing list. In the event it does not finish consideration of these amendments, the Council will begin the next meeting where it left off this evening.***

**FRIDAY, JULY 31, 2009 – 10:00 a.m.**

- *Deadline for Submitting Revived Amendments, Revised Amendments, and New Amendments for Consideration on the Evening of Wednesday, July 29, 2009*

**WEDNESDAY, AUGUST 5, 2009 (AFTER THE REGULAR SESSION WHICH BEGINS AT 7:00 P.M.)**

*The Council will Consider Individual Motions Regarding the Following Text Amendments:*

- UDO-090 **Restricts seasonal sale of fireworks to CA districts and clarifies length seasonal sales are permitted.**
- UDO-091 **Adds maximum suburban parent tract size for Suburban Subdivision type.**
- UDO-092 **Requires more detail for models accompanying downtown development proposals**
- UDO-094 **Defines “primary” and “secondary” exterior finish materials. (On July 10<sup>th</sup>, Cm. Sturbaum declared his intent to amend this amendment.)**
- CCL-012
- UDO-095 **Defines certain urban agricultural activities and imposes special conditions on community gardens in residential zones.**
- UDO-093 **Requires grading permit for single family lots which have not been part of a larger grading plan. (This amendment was not adopted by the Plan Commission. On July 10<sup>th</sup>, Cm. Piedmont-Smith declared her intent to reintroduce and amend this amendment.)**
- CCL-004
- UDO-066 **Clarifies “masonry” materials to be used in residential projects. (Postponed on July 8<sup>th</sup> to August 5<sup>th</sup>)**
- CCL-008

***Other Amendments Declared by Council Members by July 10, 2009 and to be filed with the Council Office by July 31, 2009***

- UDO-038 **Corrects word usage in reference to drive-though bays. (On July 10<sup>th</sup>, Cm. Satterfield declared his intent to revise and request reconsideration of this amendment initially considered on July 8<sup>th</sup> or introduce a new amendment on this subject.)**
- CCL-007
- UDO-078 **Prohibits residential uses on the ground floor along key corridors. (This amendment was not adopted by the Plan Commission. On July 10<sup>th</sup>, Cm. Sturbaum declared his intent to reintroduce this amendment without change.)**
- UDO-075 **Converts density from units per acre to bedrooms per acre. (On July 15<sup>th</sup>, the Council postponed consideration of this amendment until August 5, 2009 at the request of Councilmember Volan, who may amend it or prepare a new amendment to address this issue.)**
- CCL-010
- UDO-077 **Reduces void to solid ratio on first floor facades in all Downtown Overlay districts. (On July 15<sup>th</sup>, the Council adopted this amendment and allowed for it to be amended on August 5<sup>th</sup>.)**
- CCL-011
- UDO-083 **Converts minimum to maximum parking in non-residential, multifamily and affordable single family developments. (On July 10<sup>th</sup>, Cm. Volan declared his intent to amend this amendment or introduce a new amendment on this subject. On July 29<sup>th</sup>, the Council will consider CCL-013 which incorporates UDO-025, UDO-027, and UDO-044.)**

***Once the Council has finished considering all the foregoing amendments, it will consider a motion to adopt Ordinance 09-12 as Amended by the Council. In the event it has not finished consideration of amendments on this evening, the Council will continue the Special Session and hold meetings in the first half of September to conclude action on this ordinance in a timely manner.***

***The Council may revise this schedule and continue consideration of the UDO to other dates by a vote of the Council taken at any time during this Special Session.***

*Posted and Distributed on: Friday, July 24, 2009*