

City of Bloomington Common Council

Legislative Packet

Special Session considering Amendments to the Unified Development Ordinance (UDO) and other Matters

Council will consider amendments to Ordinance 19-24, which Repeals and Replaces the Entire Text of Title 20 of the Bloomington Municipal Code Entitled “Unified Development Ordinance.” This packet includes amendments that will be considered on Tuesday, November 19th and Wednesday, November 20th, 2019.

Special Sessions	UDO Amendments
<p>Meetings will be held in the Council Chambers and will begin at 6 PM. Please see the Schedule for Common Council Consideration of Ordinance 19-24, which may be revised by action of the Council.</p> <p>Along with any statutory requirements, opportunity for public comment will be provided for each amendment. Public comment should explicitly focus on the proposed amendment being discussed.</p> <p>For information on the Council’s consideration of the proposed UDO, visit our webpage on the topic: (https://bloomington.in.gov/council/plan-schedule).</p>	<p style="text-align: center;"><u>PAST MEETINGS</u></p> <ul style="list-style-type: none">● Wednesday, 13 November 2019● Thursday, 14 November 2019 <p style="text-align: center;"><u>NEXT MEETINGS</u></p> <ul style="list-style-type: none">● Tuesday, 19 November 2019● Wednesday, 20 November 2019

For a schedule of upcoming meetings of the Council and the City’s boards and commissions, please consult the City’s [Calendar](#).

Office of the Common Council
P.O. Box 100
401 North Morton Street
Bloomington, Indiana 47402
812.349.3409
council@bloomington.in.gov
<http://www.bloomington.in.gov/council>

City of
Bloomington
Indiana

City Hall
401 N. Morton St.
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Office of the Common Council
(812) 349-3409
Fax: (812) 349-3570
email: council@bloomington.in.gov

To: Council Members
From: Council Office
Re: Weekly Packet
Date: 15 November 2019

LEGISLATIVE PACKET AGENDA ITEMS & PACKET CONTENT

**UDO SPECIAL SESSIONS ON TUESDAY AND WEDNESDAY,
19 & 20 NOVEMBER 2019 AT 6:00 PM**

- **Memo from Council Office**
- **Agenda - Special Session (Tuesday and Wednesday)**
- **Notices**
 - **Sidewalk Committee Meeting Notice – Monday, November 18 at 12 noon**
 - **Joint Session of the Monroe County Commissioners & Council and City of Bloomington Mayor & Common Council – Thursday November 21 at 6:00 p.m.**

Amendments submitted in interest of Ordinance 19-24 - To Repeal and Replace Title 20 of the Bloomington Municipal Code Entitled, “Unified Development Ordinance” - for consideration on Tuesday and Wednesday night in the order they appear on the Agenda.

→ Contact:

Council Sponsors

Council Staff (Dan Sherman or Stephen Lucas) 812-349-3409,

shermamd@bloomington.in.gov, lucass@bloomington.in.gov

Scott Robinson 812-349-3423, robinsos@bloomington.in.gov

Item 1:

Amendments submitted in interest of Ordinance 19-24 - To Repeal and Replace Title 20 of the Bloomington Municipal Code Entitled, “Unified Development Ordinance”

The amendments included herein are part of a first round of proposed amendments to Ordinance 19-24. The Council will take up and consider amendments pursuant to the schedule it adopted on October 2, 2019, found on the Council website.

The amendments are numbered, listed, and briefly described on the Agenda.

Please note: there were two amendments (Am 08 and Am 09) previously released that were not considered during the Council’s deliberations on November 13 or 14. These two amendments will carry over to the meetings on November 19 and 20.

Planning staff has indicated that a number of the amendments contained herein may be suitable for a consent agenda, which the Council has utilized before during its consideration of the Comprehensive Plan and Transportation Plan. The Council Office has already received requests to NOT include the following amendments on a possible consent agenda: Amendments 08, 09, 17, and 24 sponsored by Cm. Piedmont Smith; Amendments 26, 29, 30, and 38 sponsored by Cm. Sturbaum; and Amendments 27 and 34 sponsored by Cm. Volan.

If any Councilmember wishes for any of the remaining amendments to be included on a possible consent agenda for the meetings next week, please contact the Council Office by 12 noon on Monday, November 18 to let staff know.

Beyond amendments previously released and those contained in this packet, there are additional round one amendments yet to be fully processed and released by the Council Office. Due to the volume of work yet to be completed on round one amendments, the Council should consider scheduling an additional meeting to complete any unfinished amendment work before taking up round two amendments.

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL
SPECIAL SESSION
FOR PROPOSED AMENDMENTS TO ORDINANCE 19-24
WHICH REPEALS AND RE-ENACTS THE TEXT OF TITLE 20
(UNIFIED DEVELOPMENT ORDINANCE [UDO])
AND OTHER COUNCIL MATTERS**

**6:00 PM
TUESDAY, 19 NOVEMBER 2019 AND WEDNESDAY, 20 NOVEMBER 2019
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.**

- I. ROLL CALL**
- II. AGENDA SUMMATION**
- III. COUNCIL SCHEDULE**
- IV. CONTINUED CONSIDERATION OF ORDINANCE 19-24 - TO REPEAL AND REPLACE TITLE 20 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED, “UNIFIED DEVELOPMENT ORDINANCE” ***

Presentation on Unanswered Questions from Previous Discussions

Conduct of Deliberations – Time Limits

CONSENT AGENDA

Amendments for consideration which may be adopted by one, roll-call vote.

Please note that Council members are reviewing the new amendments and may recommend some for quick consideration here. Please see the Council Legislative Packet for the timeframe for responses and P&T staff’s recommendations for amendments suitable for consideration here.

Please also note that any Council member may request that amendments on the Consent Agenda be moved to their ordinary order of deliberation later on in the agenda.

REGULAR AGENDA

Amendments Carried-Over from 14 November 2019

- 1. Am 08 (Cm. Piedmont-Smith) – Affects 20.02.050 (Planned Unit Developments) (b) (3) – Removes the payment-in-lieu of providing income restricted housing onsite in regard to PUDs.**
- 2. Am 09 (Cm. Volan - at request of P&T staff) – Affects 20.30.030 (Use-Specific Standards) (i) and 20.07.010 (Defined Words) – Defines “cooperative housing” and treats this use as other similarly situated household living arrangements in regard to whether it is a conditional or permitted use.**

Other First Round Amendments (Listed in the Order Amendments Affect the Ordinance)

20.01 – ORDINANCE FOUNDATION

- 3. Am 10 (Cm Piedmont-Smith) – Affects 20.01.010(b) (Purpose) – Adds reduction of greenhouse gas emissions and preparing for the impacts of climate change to the purposes of the UDO.**

20.02 - ZONING DISTRICTS

- 4. Am 11 (Cm. Piedmont-Smith at the request of the EC) – Affects 20.02.020(b)(2), Table 2-3, 20.04.020(c) and Table 4-2 – Keeps impervious surface maximum in RE district to existing standard.**
- 5. Am 12 (Cm. Piedmont-Smith at the request of the EC) - Affects 20.02.020(a), Table 2-2, 20.04.020(c) and Table 4-2 – Reduces impervious surface maximum for the new R1 district.**

6. **Am 13 (Cm. Piedmont-Smith) - Affects 20.02.020(f)(2), Table 2-7, and 20.02.020(g)(2), Table 2-8** – Changes the dimensional standards for the “plexes” from R2 to R4 to provide for higher densities in the RM and RH districts.
7. **Am 14 (Cm. Piedmont-Smith at the request of the EC) - Affects 20.02.030(b)** – Adds “pedestrian-oriented design and multi-modal transportation availability” to purpose for the Mixed-Use Neighborhood Scale (MN) district
8. **Am 15 (Cm. Piedmont-Smith at the request of the EC) – Affects 20.02.050(a)** – Adds “enhanced ecosystems services” to the purpose of Planned Unit Developments (PUDs).
9. **Am 16 (Cm. Piedmont-Smith at the request of the EC) – Affects 20.02.050(b)** – Moves two important environmental standards for PUDs from optional to required

20.03 – USE REGULATIONS

10. **Am 17 (Cm. Piedmont-Smith) – Affects 20.03.020, Table 3-1: Allowed Use Table** – Allows Methadone Treatment Clinic by right in the Mixed-Use Corridor (MC) district.
11. **Am 18 (Cm. Piedmont-Smith) – Affects 20.03.030(c)(5)(C)** – Clarifies that soils must be tested under Non-Commercial Agriculture use only when the produce is sold.
12. **Am 19 (Cm. Piedmont-Smith at the request of the EC) – Affects 20.03.030(f)(2)** – Allows solar panels anywhere behind the setback line of the applicable lot.

20.04 – DEVELOPMENT STANDARDS & INCENTIVES

13. **Am 20 (Cm. Piedmont-Smith) – Affects 20.04.030(c)(9)** – Clarifies “soil constraints” on steep slopes.
14. **Am 21 (Cm. Piedmont-Smith at the request of the EC) – Affects 20.04.030(f)(1) & (9)** – Lowers the lot size subject to riparian buffer standards from one to one-half acre and moves related maintenance standards to the same provision.
15. **Am 22 (Cm. Piedmont-Smith at the request of the EC) – Affects 20.04.030(f)(7)(D)** – Limits the construction of streets over riparian buffers to when the need for the street is established and no reasonable alternative route can be identified.
16. **Am 23 (Cm. Piedmont-Smith at the request of the EC) – Affects 20.04.030(f)(9)** – Prohibits use of fertilizers, pesticides, and herbicides within the riparian buffer and requires all new plants to be kept alive and maintained in a good condition.
17. **Am 24 (Cm. Piedmont-Smith) – Affects 20.04.040(d)** – Clarifies that the construction of a building in a flood plain requires conditional use approval and removes uses not defined in 20.07 (Defined words).
18. **Am 25 (Cm. Piedmont-Smith) – Affects 20.04.050(c)(3)(B) and 20.04.060(i)(2)** – Reduces driveway widths in R1 districts and for Single-Family, Duplex, Triplex, and Fourplex residential uses
19. **Am 26 (Cm. Sturbaum) – Affects 20.04.060(d)** – Increases the minimum parking requirements for the “plexes,” multifamily dwellings, and student housing or dormitories.
Note: This amendment conflicts with the next amendment.
20. **Am 27 (Cm. Volan) – Affects 20.04.060((c), (d), (g) & (n)** – Eliminates the minimum parking requirements and reflects that change as it is mentioned elsewhere in this section.
Note: This amendment conflicts with the above amendment.
21. **Am 28 (Cm. Piedmont-Smith) – Affects 20.04.060(m)(1)(B)** – Requires that bicycle parking allow room for ADA compliant pedestrian pathways.
22. **Am 29 (Cm. Sturbaum) – Affects 20.04.070(d)(1)(C) & (2)(B)(iv)** – Distinguishes between Primary and Secondary Exterior Finish Material in Mixed-Use and Non-Residential zones and, among other changes, removes EIFS as a Primary material.

- 23. Am 30 (Cm. Sturbaum) – Affects 20.04.070(e)** – Applies the step-down requirement for buildings in mixed-use districts to historic structures with a rating of “contributing” as well as with ratings of “outstanding” and “notable.”
- 24. Am 31 (Cm. Piedmont-Smith at the request of the EC) – Affects 20.04.080(c)(2)(C)** – Changes the term “species” to “genus” to foster greater tree diversity.
- 25. Am 32 (Cm. Piedmont-Smith) – Affects 20.04.080(m)** – Removes screening requirement for ground-mounted solar panels.
- 26. Am 33 (Cm. Piedmont-Smith at the request of the EC) – Affects 20.04.080(n)(1) & (3)** – Requires the portion of fences exceeding 5’ on corner, interior, and through lots to be of “open construction” and increases the maximum height of fences protecting gardens from 8’ to 12’.
- 27. Am 34 (Cm. Volan) – Affects 20.04.100(l)(3)** – Increases maximum size of projection signs in Mixed-Use Downtown (MD) district.
- 29. Am 35 (Cm. Piedmont-Smith at the request of P&T staff) – Affects 20.04.110(d)(3)** – Clarifies that single-family and “plex” uses are not eligible for the height incentives associated with sustainable development.

20.05 – SUBDIVISION STANDARDS

- 30. Am 36 (Cm. Piedmont-Smith at the request of the EC) – Affects 20.05.040 (e) (3) & (9)** – Prohibits use of fertilizers, pesticides, and herbicides in drainage and conservation easements.
- 31. Am 37 (Cm. Piedmont-Smith) – Affects 20.05.050(j)(5)(N)** – Removes street “eyebrows” (a form of widening a street) as a component of street design.

20.06 – ADMINISTRATION AND PROCEDURES

- 32. Am 38 (Cm. Sturbaum) – Affects 20.06.050(c) & (c)(3)(C) ii 2 [c]** – Requires review of partial demolition of “contributing” historic structures and clarifies the standard of review in those instances.
Note: This a Revised version of PC Am 09.

20.07 - DEFINITIONS

- 33. Am 39 (Cm. Piedmont-Smith) – Affects 20.07.010** – Elaborates on the term “Intermittent Stream” and clarifies the term “Perennial Stream.”

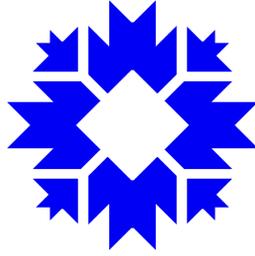
RECESS (Currently set for no later than 10:00 P.M.) *

Note: The Council anticipates deliberating on these amendments over the course of two nights and, unless voting to extend deliberations, recess at 10:00 pm each night. Upon recessing on Thursday night, the Council is scheduled to reconvene on Tuesday, December 10th to begin deliberations on Second Round amendments. If any business in not completed on Thursday, it is likely that the Council will schedule additional meetings earlier in December.

** Items V and VI of this agenda are part of a series of meetings that comprise one, long hearing on the proposed Ordinance 19-24. For further information regarding the formal notice, meeting procedures (including public comment and written objections), any subsequent revisions to the schedule and procedure, and the substance of the UDO and any amendments, please visit the Council website at <https://bloomington.in.gov/council/plan-schedule>.*

Written Objections Regarding Proposed Ordinance 19-24

*Persons who wish to file written objections to the proposed Ordinance 19-24 at this meeting should submit the record to the City Clerk or her staff, who will be seated at the table on south end of the Chambers. Please confirm with the Clerk or her staff that the written objection has been received before leaving this evening. **Written objections may also be filed at other times at the Office of City Clerk or Monroe County Auditor.** Please consult the Schedule (above) for the dates when those objections will be heard by the Council, the last date being 18 December 2019.*



**City of Bloomington
Office of the City Clerk**

**NOTICE
Council Sidewalk
Committee Meeting**

<u>Day</u>	<u>Date</u>	<u>Time</u>	<u>Room</u>
Monday	November 18, 2019	12 noon	Council Library (Rm #110)
Tuesday	December 10, 2019	12 noon	Council Library (Rm #110)

Because a quorum of the Council and the Sidewalk Committee may be present during this meeting, the gathering may constitute a meeting of both the Common Council and the Sidewalk Committee under Indiana Open Door Law (I.C. § 5-14-1.5). This statement provides notice that this meeting will occur and is open for the public to attend, observe, and record what transpires.

Posted: Tuesday, November 12, 2019

NOTICE

JOINT SESSION OF THE

MONROE COUNTY COMMISSIONERS & COUNCIL CITY OF BLOOMINGTON MAYOR & COMMON COUNCIL

**THURSDAY, NOVEMBER 21, 2019
6:00 PM – 8:00 PM
CITY COUNCIL CHAMBERS
SHOWERS BUILDING
401 N. MORTON STREET, ROOM 115
BLOOMINGTON, IN, 47401**

TOPIC

THE CONVENTION CENTER PROJECT

Although not participating as a governing body at this meeting, it is possible that a majority of the members of the Monroe County Food & Beverage Advisory Commission may be also be present this evening. Since the gathering of a majority of that commission may be construed as a meeting of that governing body, this statement also provides notice of that eventuality. Pursuant to Indiana Open Door Law (IC 5-14-1.5), this notice informs the public that this meeting will occur and is open for the public to attend, observe, and record what transpires.

<u>Entity/Governing Body</u>	<u>Address</u>	<u>Phone / Email</u>
John Hamilton, Mayor	401 N. Morton St. (Room 210) P.O. Box 100 Bloomington, IN 47402	812-349-3426 mayor@bloomington.in.gov
Bloomington Common Council	401 N. Morton St. (Room 110) P.O. Box 100 Bloomington, IN 47402	812-349-3409 / council@bloomington.in.gov
Monroe County Commissioners	100 W. Kirkwood Ave Bloomington, IN 47404	812-349-2550 commissionersoffice@co.monroe.in.us
Monroe County Council	Same	812-349-7312 counciloffice@co.monroe.in.us

Proposed Amendments to Ordinance 19-24: To Repeal
and Replace Title 20 of the Bloomington Municipal
Code entitled “Unified Development Ordinance”

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 10

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.01.010(b) Purpose	1

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Goal 3.7: Reduce greenhouse gas emissions	47

Synopsis and Legislative Intent (brief description of amendment and its motivation)

Like in the Comprehensive Plan and the subsequent Sustainability Action Plan, we should state at the beginning of the UDO that one of the purposes is to reduce greenhouse gas emissions (GHG). Adapting to climate change is a corollary to reducing GHG emissions and should logically be another purposes of the UDO.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.01.010 Title, Purpose, and Effective Date

(b) Purpose

This UDO is adopted to:

- (1) Promote the orderly, responsible, and sustainable development and redevelopment of the areas within the City in accordance with the Comprehensive Plan and its components, including but not limited to the Transportation Plan, Sustainability Action Plan, and subarea plans, which include among others the downtown vision and infill strategy plan, along with such additions and revisions as may be made to such plans after the effective date, and with all other city land use policy;
- ~~(4)~~(2) Reduce greenhouse gas emissions and prepare for the impacts of climate change on our community;
- ~~(2)~~(3) Promote the public health, safety, morals, ecosystem services, comfort, convenience, and general welfare;
- ~~(3)~~(4) Protect the character and stability of residential, institutional, business, employment, and natural areas;
- ~~(4)~~(5) Provide a safe, efficient, accessible, and connected system of transportation that emphasizes public transit, walking, and biking to enhance options to reduce overall dependence on the automobile. ;
- ~~(5)~~(6) Secure adequate light, air, convenience of access, and safety from fire, natural disasters, and other danger, which may include providing adequate open spaces for light, air, and outdoor uses;
- ~~(6)~~(7) Preserve and enhance the scenic beauty, aesthetics, and environmental integrity of the City;
- ~~(7)~~(8) Encourage compatibility between different land uses and to protect the scale and character of existing development from the encroachment of incompatible uses;
- ~~(8)~~(9) Regulate and restrict the location and intensity of use of buildings, structures, and land for trade, industry, residence and other uses;
- ~~(9)~~(10) Define the powers and duties of administrative officers and bodies as provided herein, and to establish procedures for the implementation and enforcement of this UDO;
- ~~(10)~~(11) Establish corrective and punitive recourse for violations or noncompliance regarding the provisions of this UDO;
- ~~(11)~~(12) Ensure ongoing compliance with the provisions of this UDO by requiring regular maintenance and replacement, as needed, of required improvements, including but not limited to landscaping;
- ~~(12)~~(13) Establish reasonable standards and procedures for subdivisions, in order to further the orderly layout and use of land;
- ~~(13)~~(14) Avoid scattered, illogical, and uncontrolled subdivisions of land that would result in the imposition of an excessive expenditure of public funds for the distribution or supply of infrastructure and/or services;
- ~~(14)~~(15) Ensure the provision of drainage facilities, the safeguarding of the water table, and the protection from flooding or the causing of increased risk of flooding;
- ~~(15)~~(16) Prevent and mitigate the pollution of air, water, and soil;
- ~~(16)~~(17) Ensure that the cost of design and installation of improvements in new, platted subdivisions are borne by the developer and persons purchasing the lots, and to avoid any direct or indirect burden placed upon adjacent property owners or the city as a whole;
- ~~(17)~~(18) Ensure proper legal descriptions, legal recording, and monumenting of subdivided land;
- ~~(18)~~(19) Further such other purposes as are stated within specific provisions of this UDO;
- ~~(19)~~(20) Minimize the negative secondary impacts of sexually oriented businesses by avoiding their undue concentration and by separating them from sensitive land uses;
- ~~(20)~~(21) Protect the integrity and unique, diverse character of the Courthouse Square Character Area and the University Village Character Area areas;
- ~~(21)~~(22) Accommodate the need for student housing while minimizing any negative impacts of that housing on residential neighborhoods or the character of downtown and other mixed-use areas;
- ~~(22)~~(23) Encourage sustainable forms of development that reduce avoidable negative impacts on the environment; and
- ~~(23)~~(24) Encourage the provision of affordable housing for very low-, low-, and moderate-income households to help maintain a diverse housing stock and to allow Bloomington residents to have better access to jobs and to improve their economic status.

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 11

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.02.020(a)(2) Dimensional Standards Table 2-2: RE District Dimensional Standards	6
20.04.020(c) General Dimensional Standards Table 4-2: Residential District Dimensional Standards	95

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Policy 3.2.1: "Continue to limit the amount of impervious surface in new development or public improvement projects and increase green infrastructure to reduce urban runoff into storm drains, creeks, and other watersheds."	46

Synopsis and Legislative Intent (brief description of amendment and its motivation)

With increased precipitation expected to continue in the future, the Environmental Commission is concerned about the UDO increasing impervious surface maximums. These should be kept at current levels (or decreased) to mitigate the impacts of climate change, including surface flooding and the associated run-off, which negatively impacts water quality.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.02.20 Residential Zoning Districts

(a) RE: Residential Estate

(2) Dimensional Standards

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

Lot Dimensions (Minimum, only for lots created after the effective date)		
A	Lot area	108,900 square feet (2.50 acres)
B	Lot width	200 feet
Building Setbacks (Minimum)		
C	Front	30 feet
D	Attached front-loading garage or carport	10 feet behind the primary structure's front building wall
E	Side	30 feet
F	Rear	60 feet
Other Standards		
	Impervious surface coverage (maximum)	20% 15%
G	Primary structure height (maximum)	40 feet
	Accessory structure height (maximum)	30 feet

20.04.20 Dimensional Standards

(c) General Dimensional Standards

The following Table 4-2 through Table 4-5 establish the dimensional standards for residential, mixed-use, and other zone districts contained in Chapter 20.02 Zoning Districts. In case of a conflict between the dimensions shown in this Section 20.04.020 and the dimensions shown for individual districts in Chapter 20.02 Zoning Districts, the provisions of this Section 20.04.020 shall govern.

(1) Residential Zoning Districts

Dimensional standards for residential zoning districts are shown in Table 4-2: Residential District Dimensional Standards.

(2) Mixed-Use Zoning Districts

Dimensional standards for mixed-use zoning districts are shown in Table 4.3: Mixed-Use District Dimensional Standards.

(3) Downtown Character Areas (MD District)

Dimensional standards for the downtown character areas in the MD zoning district are shown in Table 4-4: Downtown Character Area Dimensional Standards.

(4) Nonresidential Zoning Districts

Dimensional standards for nonresidential zoning districts are shown in Table 4-5: Nonresidential District Dimensional Standards.

Table 4-2: Residential District Dimensional Standards

sq. ft. = square feet

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

Notes:

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

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 12

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.02.020(b)(2) Dimensional Standards Table 2-3: R1 District Dimensional Standards	8
20.04.020(c) General Dimensional Standards Table 4-2: Residential District Dimensional Standards	95

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Policy 3.2.1: "Continue to limit the amount of impervious surface in new development or public improvement projects and increase green infrastructure to reduce urban runoff into storm drains, creeks, and other watersheds."	46

Synopsis and Legislative Intent (brief description of amendment and its motivation)

With increased precipitation expected to continue in the future, the Environmental Commission is concerned about the UDO increasing impervious surface maximums. These should be kept at current levels (or decreased) to mitigate the impacts of climate change, including surface flooding and the associated run-off, which negatively impacts water quality.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.02.20 Residential Zoning Districts

(b) R1: Residential Large Lot

(2) Dimensional Standards

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

Lot Dimensions (Minimum, only for lots created after the effective date)		
A	Lot area	20,000 square feet (0.459 acres) [1]
B	Lot width	100 feet [1]
Building Setbacks (Minimum)		
C	Front	15 feet
D	Attached front-loading garage or carport	10 feet behind the primary structure's front building wall
E	Side	First floor: 8 feet [1] Each story above the ground floor: 10 feet [1]
F	Rear	25 feet [1]
Other Standards		
	Impervious surface coverage (maximum)	40% 30%
G	Primary structure height (maximum)	40 feet
	Accessory structure height (maximum)	20 feet
Notes:		
[1] See Section 20.04.110 (Incentives) for alternative standards.		

20.04.20 Dimensional Standards

(c) General Dimensional Standards

The following Table 4-2 through Table 4-5 establish the dimensional standards for residential, mixed-use, and other zone districts contained in Chapter 20.02 Zoning Districts. In case of a conflict between the dimensions shown in this Section 20.04.020 and the dimensions shown for individual districts in Chapter 20.02 Zoning Districts, the provisions of this Section 20.04.020 shall govern.

(1) Residential Zoning Districts

Dimensional standards for residential zoning districts are shown in Table 4-2: Residential District Dimensional Standards.

(2) Mixed-Use Zoning Districts

Dimensional standards for mixed-use zoning districts are shown in Table 4.3: Mixed-Use District Dimensional Standards.

(3) Downtown Character Areas (MD District)

Dimensional standards for the downtown character areas in the MD zoning district are shown in Table 4-4: Downtown Character Area Dimensional Standards.

(4) Nonresidential Zoning Districts

Dimensional standards for nonresidential zoning districts are shown in Table 4-5: Nonresidential District Dimensional Standards.

Table 4-2: Residential District Dimensional Standards

sq. ft. = square feet

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

Notes:

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

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 13

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.02.020(f)(2), Table 2-7: RM District Dimensional Standards	16
20.02.020(g)(2) Table 2-8: RH District Dimensional Standards	18

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Goal 5.2: Housing Supply Help meet current and projected regional housing needs of all economic and demographic groups by increasing Bloomington’s housing supply with infill development, reuse of non-residential developed land, and developments on vacant land if it is at least partially surrounded by existing development.	64

Synopsis and Legislative Intent (brief description of amendment and its motivation)

This amendment changes the default development standards for single-family, duplex, triplex, or fourplex dwellings in residential multifamily and high density districts from R2 standards to the more dense R4 standards. The change will allow more dense development within multifamily and high density districts. It makes sense to apply the dimensional standards from the R4 district to the densest residential zoning districts when considering single-family, duplex, triplex, or fourplex dwellings that could be adjacent to multifamily dwellings.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.**

Table 2-7: RM District Dimensional Standards

Lot Dimensions (Minimum, only for lots created after the effective date)		Multifamily Dwelling	Single-Family, Duplex, Triplex, or Fourplex Dwelling
A	Lot area	5,000 square feet (0.115 acres)	R 24 district standards apply
B	Lot width	50 feet	
Building Setbacks (Minimum)			
C	Front	15 feet	R 24 district standards apply
	Attached front-loading garage or carport	10 feet behind the primary structure's front building wall	
D	Side	10 feet [1]	
E	Rear	10 feet [1]	
Other Standards			
	Front parking setback (minimum)	20 feet behind the primary structure's front building wall	R 24 district standards apply
	Impervious surface coverage (maximum)	60%	
	Landscape area (minimum)	40%	
F	Primary structure height (maximum)	3 stories, not to exceed 40 feet [1] [2]	
	Accessory structure height (maximum)	20 feet	

Notes:

- [1] Buildings abutting a property in the RE, R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(4) (Neighborhood Transition Standards).
- [2] See Section 20.04.110 (Incentives) for alternative standards.

Table 2-8: RH District Dimensional Standards

Lot Dimensions (Minimum, only for lots created after the effective date)		Multifamily Dwelling	Single-Family, Duplex, Triplex, or Fourplex Dwelling
A	Lot area	5,000 square feet (0.115 acres)	R 24 district standards apply
B	Lot width	50 feet	
Setbacks (Minimum)			
C	Front	15 feet	R 24 district standards apply
	Attached front-loading garage or carport	10 feet behind the primary structure's front building wall	
D	Side	10 feet [1]	
E	Rear	10 feet [1]	
Other Standards			
	Front parking setback (minimum)	20 feet behind the primary structure's front building wall	R 24 district standards apply
	Impervious surface coverage (maximum)	65%	
	Landscape area (minimum)	35%	
F	Primary structure height (maximum)	5 stories, not to exceed 63 feet [1] [2]	
	Accessory structure height (maximum)	20 feet	

Notes:

- [1] Buildings abutting a property in the RE, R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(4) (Neighborhood Transition Standards).
- [2] See Section 20.04.110 (Incentives) for alternative standards.

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 14

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.02.030(b): MN: Mixed-Use Neighborhood Scale	23

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Neighborhood Character & Quality of Life: Evaluate multi-modal access to public schools, grocery stores, parks, restaurants, health care and other community services and amenities for all ages and abilities.	65

Synopsis and Legislative Intent (brief description of amendment and its motivation)

This amendment adds language regarding multi-modal transportation and pedestrian travel into the purpose section for Mixed-Use Neighborhood Scale. The Environmental Commission believes neighborhoods should move away from being automobile-centric in their design and should include multiple transportation options for their residents.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.02.030 Mixed-Use Zoning Districts

(b) MN: Mixed-Use Neighborhood Scale

(1) Purpose

The MN district is intended to promote a mix of neighborhood-scale residential, commercial, and institutional uses **with pedestrian-oriented design and multi-modal transportation availability**, in order to promote context sensitive neighborhood-serving development at nodes and corridors near low- and medium-density residential neighborhoods.

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 15

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19, revised 11/12/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.02.050 Planned Unit Development (PUD) District (a) Purpose	51

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Program – Built Environment: “Develop strategies and incentives that ensure new development is sustainable and adaptable to the changing needs of market forces.”	47

Synopsis and Legislative Intent (brief description of amendment and its motivation)

The Environmental Commission has a long-standing concern regarding the use of PUDs to avoid environmental rules set by the City. This amendment is a stronger purpose statement that we believe fulfills the original intent of PUDs, while strengthening environmental language.

Council Sponsor took some language from the EC’s suggested replacement paragraph, but not the whole paragraph.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.02.050 Planned Unit Development (PUD) District

(a) Purpose

The purpose of the planned unit development (PUD) district is to encourage new and imaginative concepts in urban design and land development to promote and improve the health, safety, and general welfare of the ~~citizens~~ **residents** of the City and to create distinct developments with unique urban design, ~~mixed uses, enhanced ecosystems services, commercial areas, employment centers,~~ **amenities**, and substantial additional benefit to the City that would not otherwise be required by this UDO. The PUD district is also intended to accommodate innovative development layouts that preserve the natural, environmental and scenic features of the site or address challenges presented by specific site conditions.

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 16

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19, revised 11/10/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.02.50 Planned Unit Development (PUD) District (b) Qualifying Standards	51

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Program – Built Environment: “Develop strategies and incentives that ensure new development is sustainable and adaptable to the changing needs of market forces.”	47

Synopsis and Legislative Intent (brief description of amendment and its motivation)

This amendment moves two important environmental standards from *optional* to *required* for qualifying standards. It also strikes subsection 20.02.050(b)(7)(G), which was blank.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.02.50 Planned Unit Development (PUD) District

(b) Qualifying Standards

A petition for rezoning into a Planned Unit Development (PUD) district may only be considered if the petition meets the following criteria, as determined by the Planning and Transportation Director:

- (1) The proposed PUD zoning district includes a minimum of five acres of land;
- (2) The land included in the proposed PUD zoning district is not within the Mixed-Use Downtown (MD) zoning district;
- (3) Where residential dwelling units are proposed, a minimum of 15 percent of the total dwelling units must be permanently income-limited through a deed restriction to households earning less than 120 percent of the HUD AMI for Monroe County, Indiana, unless the City otherwise adjusts or releases this requirement. A payment-in-lieu of providing income-restricted housing may be authorized by the Common Council, provided the payment is in an amount estimated to offset the cost to the City of providing an equivalent amount of income-restricted housing.
- (4) The proposed PUD could not be developed using conventional zone districts or standards established in this UDO;
- (5) The land included in the proposed PUD is under single ownership or control. Single control of property under multiple ownership may be considered when the petition includes enforceable agreements, covenants, or commitments that run to the benefit of the City and that the City may require to be recorded if the PUD is approved; and
- (6) The proposed PUD zoning district embraces the following highly-valued design features:
 - (A) Protection of specific natural, environmental, or scenic resources or green spaces; and/or
 - (B) Retaining natural landforms throughout the development;;
 - (C) Low Impact Development design features throughout the development;**
 - (D) Solar orientation of building forms and other passive energy-efficient design strategies throughout the development.**
- (7) The proposed PUD zoning district embraces several highly-valued design features, as determined by the Planning and Transportation Director, including but not limited to:
 - (A) No block perimeter greater than 1,400 feet in the development;
 - (B) Centralized gathering and recreation spaces of an appropriate size for the entire development, or designed to serve an area larger than the entire development;
 - (C) Internally and externally connected park, trail, and open space system;
 - ~~(D) Low Impact Development design features throughout the development;~~
 - ~~(E) Solar orientation of building forms and other passive energy-efficient design strategies throughout the development, and/or~~
 - ~~(F) (D) Community-level renewable energy production.~~
 - ~~(G)~~

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 17

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.03.020 Table 3-1 Allowed Use Table	64

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
Introduction	Vision Statement core principles #1: Fortify our strong commitment to equality, acceptance, openness and public engagement. #3: Meet basic needs and ensure self-sufficiency for all residents.	14
1	Policy 1.2.1: Work with community partners to facilitate access to mental health services and addictions treatments.	28

Synopsis and Legislative Intent (brief description of amendment and its motivation)

My goal is to provide at least one zoning district where a methadone treatment clinic would be allowed by right. The conditional use process opens up this use to neighborhood objections based on stigma, whereas we as a community should be working to eliminate the stigma of addiction and instead recognize addiction treatment as equivalent to any other medical treatment.

A note about the use "Opioid rehabilitation facility." I would include this use in the current amendment, but unfortunately these facilities are not regulated sufficiently by the state government to prevent potentially exploitative clinics from setting up shop in Bloomington. Methadone clinics are more highly regulated by the state. Furthermore, we have unfortunately already experienced, as a city, the lack of respect one particular opioid rehabilitation facility has had for local laws and procedures. The city really has no way of knowing when such a clinic opens other than to require the operators of the clinic to go through the conditional use process.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.**

20.03.020 Table of Allowed Uses

Table 3-1: Allowed Use Table

P = permitted use, C = conditional use permit, A = accessory use, T = temporary use, Uses with an *= use-specific standards apply
 NOTE: Additional uses may be permitted, prohibited, or require conditional use approval in some MD Character Areas pursuant to Section 20.03.060.

Use	Residential							Mixed-Use							Non-Residential		Use-Specific Standards		
	RE	R1	R2	R3	R4	RM	RH	RMH	MS	MN	MM	MC	ME	MI	MD	MH		EM	PO
Healthcare Facilities																			
Hospital														C		C			
Medical clinic										P	P	P	P	P	P	P			
Methadone or other treatment facility												PC *		C*		C*			20.03.030(c)(7)
Opioid rehabilitation facility											C*	C*	C*		C*	C*			20.03.030(c)(7)

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 18

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.03.30(c)(5)(C) Soil Quality	75

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Goal 3.8: Promote and protect local food culture and Bloomington’s food system	47

Synopsis and Legislative Intent (brief description of amendment and its motivation)

This amendment clarifies that soil must be tested only if food grown in that soil is to be sold. The goal is to remove what could be a costly impediment to growing food for one’s own family’s consumption (tracking prior use of the land or comprehensive soil testing).

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.03.030 Use-Specific Standards

(c) Public, Institutional, and Civic Uses

(5) Urban Agriculture, Noncommercial

(C) Soil Quality

Food products may be **sold if** grown in soil native to the site if the applicant can provide documentation to the City that the following standards are satisfied:

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

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 19

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19, revised 11/12/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.03.030(f) Utilities and Communication (2) Solar Collector, Ground- or Building-Mounted	84

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Energy: "Increased opportunities to integrate renewables like solar and wind with other technologies to create fossil-fuel-independent, and potentially localized, generation and distribution systems."	43

Synopsis and Legislative Intent (brief description of amendment and its motivation)

The Environmental Commission strongly believes that solar collecting devices should be permitted in side-yards, not limited to behind the primary front wall of the building. This amendment allows solar panels anywhere behind the setback of the lot in question.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.03.030 Use-Specific Regulations

(f) Utilities and Communication

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

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

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 20

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.030(c)(9) Soil Constraints	103

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Goal 3.2: Drive increased efficiency and reduced environmental impacts in the built environment	46

Synopsis and Legislative Intent (brief description of amendment and its motivation)

The goal of this amendment is to make the section on soil constraints more clear, not to change its meaning.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.04.030 Environmental

(c) Steep Slopes

(9) Soil Constraints

~~The extent of cutting and filling, the resulting slopes, and the stabilization measures required to mitigate any unstable or contaminated soils shall be minimized to the maximum extent practicable, given the soil condition to be avoided or mitigated.~~

When unstable or contaminated soils are found, the effect of cutting and filling, alterations to slope, and the stabilization measures required to either avoid or address unstable or contaminated soils shall be minimized to the maximum extent practicable, given the soil condition to be avoided or mitigated.

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 21

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19, revised 11/12/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.30(f)(9) Riparian Buffers	107, 109

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Programs – Water: “Incorporate a stream classification system into the UDO to use in waterway and riparian buffer protection and enhancement.”	47

Synopsis and Legislative Intent (brief description of amendment and its motivation)

From the Environmental Commission: one acre in an urban environment is a large parcel. Therefore, riparian buffers should only be exempt if smaller than one-half acre. This amendment changes this as well.

Council sponsor has added a cut and paste of existing text from the end of the section on riparian buffers to the beginning: The section on new single-family development that is exempt from riparian buffer requirements. Additional mitigation techniques are required for these parcels, and moving these requirements to the beginning of this section will hopefully increase compliance and enforcement, which has been lacking under the current (2007) UDO.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.04.30 Environmental

(f) Riparian Buffers

(1) Applicability

- (A) This subsection shall apply to all land development activities on properties that are contiguous with or contain intermittent or perennial streams. However, platted lots of record of less than one-half acre in size shall not be subject to 20.04.030(f)(6) nor 20.04.030(f)(7) of this section.
- (B) Any new, non-single family development that is exempt from providing riparian buffer zones as outlined in 20.04.030(f)(1), shall provide at least a 25 foot wide streamside buffer zone in compliance with the design standards of 20.04.030(f)(5). Additionally, two of the following best management practices, including plans for post-installation maintenance of such practices, shall be incorporated into the site design:
- i. Use of 100 percent native vegetation;
 - ii. Use of permeable pavement for at least 50 percent of all on-site parking areas;
 - iii. Biofiltration swales;
 - iv. Culvert outfalls; or
 - v. 50 percent vegetated roof.

(9) Riparian Maintenance

- (A) Management of riparian buffers shall be limited to the minimum necessary, with no alterations of forest understory, except for the removal of nonnative or invasive species. Limited mowing may occur in Zone 3 but shall be prohibited in Zones 1 and 2.
- ~~(B) Any new, non-single family development that is exempt from providing riparian buffer zones as outlined in 20.04.030(f)(1), shall provide at least a 25-foot wide streamside buffer zone in compliance with the design standards of 20.04.030(f)(5). Additionally, two of the following best management practices, including plans for post-installation maintenance of such practices, shall be incorporated into the site design:~~
- ~~i. Use of 100 percent native vegetation;~~
 - ~~ii. Use of permeable pavement for at least 50 percent of all on-site parking areas;~~
 - ~~iii. Biofiltration swales;~~
 - ~~iv. Culvert outfalls; or~~
 - ~~v. 50 percent vegetated roof.~~

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 22

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19, revised 11/12/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.030(f)(7)(D) Disturbance Activities	109

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Policy 3.2.1: "Continue to limit the amount of impervious surface in new development or public improvement projects and increase green infrastructure to reduce urban runoff into storm drains, creeks, and other watersheds."	46

Synopsis and Legislative Intent (brief description of amendment and its motivation)

The Environmental Commission strongly feels that "as needed for connectivity" is too low of a bar for putting streets in riparian buffers. This amendment strengthens this language to protect riparian buffers, in order to protect habitats/water quality and mitigate flooding.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.04.030 Environmental

(f) Riparian Buffers

(7) Fringe Zone Design

The fringe zone (Zone 3) shall be designed as follows:

(D) Disturbance Activities

Only the following land-disturbance activities may be allowed within this zone, subject to approval of the City Planning and Transportation Department:

- i. All activities allowed within Zones 1 and 2.
- ii. Streets, as needed to achieve connectivity **where no reasonable alternative route can be identified and where a need for new streets has been established, as** required by adopted City regulations and Common Council policy.

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 23

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19, revised 11/12/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.30(f)(9) Riparian Buffers	109

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Programs – Water: “Incorporate a stream classification system into the UDO to use in waterway and riparian buffer protection and enhancement.”	47

Synopsis and Legislative Intent (brief description of amendment and its motivation)

In order to protect water quality, the use of fertilizers, pesticides, and herbicides should be prohibited within riparian buffer zones. This amendment adds language prohibiting the use of these applicants within all riparian buffer zones, except as needed to control severe cases of invasive species, as designated by the Director of Planning & Transportation.

This amendment also adds the requirement that all added vegetation be kept alive and maintained in perpetuity.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.04.30 Environmental

(f) Riparian Buffers

(9) Riparian Maintenance

- (A) Management of riparian buffers shall be limited to the minimum necessary, with no alterations of forest understory, except for the removal of nonnative or invasive species. Limited mowing may occur in Zone 3 but shall be prohibited in Zones 1 and 2. **The use of fertilizers, pesticides, and herbicides shall be prohibited in all Zones, except as needed to control otherwise uncontrollable invasive species as determined by the Director of Planning and Transportation.**
- (B) Any new, non-single family development that is exempt from providing riparian buffer zones as outlined in 20.04.030(f)(1), shall provide at least a 25 foot wide streamside buffer zone in compliance with the design standards of 20.04.030(f)(5). Additionally, two of the following best management practices, including plans for post-installation maintenance of such practices, shall be incorporated into the site design:
- i. Use of 100 percent native vegetation;
 - ii. Use of permeable pavement for at least 50 percent of all on-site parking areas;
 - iii. Biofiltration swales;
 - iv. Culvert outfalls; or
 - v. 50 percent vegetated roof.
- (C) All newly planted vegetation shall be maintained alive and in good condition in perpetuity.**

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 24

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.040(d) Flood Hazard Reduction	116

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Goal 3.2: Drive increased efficiency and reduced environmental impacts in the built environment Goal 3.3: Conserve water resources and protect water quality to support our natural environment, public health and safety, plant and animal life, and our urban activities.	46

Synopsis and Legislative Intent (brief description of amendment and its motivation)

The goal of this amendment is to clarify that construction of any building in the floodplain is only a conditional use and must go through the conditional use approval process. The floodplain standards are set by the state because DNR issues permits for land-disturbing activities within floodplains, but the city can be more restrictive as far as building in a floodplain. In addition, this amendment removes allowed uses that are not defined in Chapter 7 (these were taken from state code).

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.04.040 Floodplain

(d) Flood Hazard Reduction

All development on platted lots shall comply with the provisions of this Section 0. Petitions for new or revised subdivisions shall also comply with the standards in Section 20.05.050(c).

~~(1)~~ **Permitted Uses**

(A) Floodway

The following are permitted in the floodway provided that no structure, obstruction, deposit or excavation is involved:

- i. Pasturage;
- ii. Forestry;
- iii. ~~Wildlife areas;~~
- iv. Nature preserves;
- v. Riparian buffers;
- vi. Storm sewers;
- vii. New and replacement utility pipelines; and
- viii. Parks and recreational open space.

(B) Floodway Fringe

The following are permitted in the floodway fringe provided that no structure, obstruction, deposit or excavation is involved:

- i. Pasturage;
- ii. Forestry;
- iii. ~~Wildlife areas;~~
- iv. Nature preserves;
- v. Storm sewers;
- vi. New and replacement utility pipelines;
- vii. Parks and recreational open space;
- viii. ~~Sidewalks and multi-use trails constructed at grade; and~~
- ix. ~~Open areas used to meet lot area, setback, density, and impervious surface coverage requirements for structures and uses located outside the floodplain or floodway boundaries.~~

~~(2)~~ **(1) Conditional Uses**

The following are conditional uses in the floodway fringe, subject to approval under Section 20.06.050(b) (Conditional Use Permit).

- (A) Transportation facilities, including, but not limited to, bridges, streets or drives;
- (B) Any other flood-tolerant or open space uses, such as storage of materials not subject to flood damage that do not contain hazardous pollutants;
- (C) Parking lots constructed solely of permeable pavers; and
- (D) Recreational equipment
- (E) Buildings/structures.**

Note: This amendment also authorizes staff to renumber or re-letter the items under 20.04.040(d) accordingly as a result of this amendment.

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 25

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.050(c)(3)(B) Driveway Pavement Widths	125
20.04.060(i)(2) Location	143

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Policy 3.2.1: Continue to limit the amount of impervious surface in new development or public improvement projects and increase green infrastructure to reduce urban runoff into storm drains, creeks, and other watersheds.	46

Synopsis and Legislative Intent (brief description of amendment and its motivation)

Wide driveways make walking less appealing as sidewalks and street trees are interrupted to allow access for cars. Furthermore, as the Comprehensive Plan states, we should limit impervious surface in the interest of the environment and stormwater management. A width of 18 feet is sufficient even for a two-car garage and should be the maximum width allowed for new driveways in residential areas.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.04.050 Access and Connectivity

(c) Driveways and Access

(3) Driveway and Access Design

(B) Driveway Pavement Widths

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

1. The width of a driveway between the required front building setback and the street shall not exceed **18 feet** ~~the width of the door of an attached garage or 22 feet where there is no attached garage.~~
2. ~~In the R3 zoning district, the maximum width of a driveway shall be 18 feet regardless of the presence of a garage.~~

20.04.060 Parking and Loading

(i) Vehicle Parking Location and Design

(2) Location

~~(B) In the R1 District~~

~~The width of a driveway between the front building setback and the street shall not exceed the width of the garage door of an attached garage or 22 feet where there is no attached garage.~~

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

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

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 26

Name of Sponsor(s): Cm. Sturbaum

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter/Section	Page #
20.04.060 Parking and Loading - (d) Minimum Parking Requirements, Table 4-9	135

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
Vision Statement	*”Ensure that all land development makes a positive and lasting community contribution.” * “Embrace all of our neighborhoods as active, vital community assets that need essential services, infrastructure, assistance, historic protection and access to mixed use centers.”	14

Synopsis and Legislative Intent (brief description of amendment and its motivation)

Parking minimums are too small and are targeted for the R3 zone. The R-3 zone is particularly susceptible to harm to neighborhoods from over-parking. Much of R-3 has on-street parking only and the addition of cars that are beyond the very small minimums will have a negative affect on owners and renters already in the area of such proposed, under-parked developments. This amendment changes multiplex minimums from .5 to 1 space per dwelling unit. For student dormitory, it changes “no requirement” to .5 per bedroom. For 0 to 10 bedrooms, it changes “no requirement” to .5 per bedroom and for over 11 bedrooms, it changes .5 to 1 space per bedroom.

Date [Action]

20.04.060

(d) Minimum Vehicle Parking Requirement

(1) Applicability

(A) Generally

Each development or land use subject to this section pursuant to Section 20.04.60 shall provide at least the minimum number of vehicle parking spaces required for each land use listed in Table 4-9: Minimum Vehicle Parking Requirements.

(B) MD District

Minimum parking requirements do not apply to development in the Courthouse Square Character Area or the Downtown Core Character Area south of 4th Street.

Table 4-1: Minimum Vehicle Parking Requirements

DU = dwelling unit

	All Other Zoning Districts	MD Zoning District
Dwelling, single-family (detached)	No requirement	
Dwelling, single-family (attached)		
Dwelling, duplex	0.5 1.0 spaces per DU [1]	No requirement
Dwelling, triplex		
Dwelling, fourplex		
Dwelling, multifamily [2]	Studio: 0.5 1.0 space per DU 1 bedroom: 1 space per DU 2 bedrooms: 1.5 spaces per DU 3 bedrooms: 2 spaces per DU	
Dwelling, live/work	No requirement	
Dwelling, cottage development	1 space per DU	
Dwelling, mobile home	1 space per DU	
Manufactured home park		
Noncommercial urban agriculture	2 spaces per lot	
Student housing or dormitory	0-10 bedrooms: no requirement 0.5 space per bedroom 11 or more bedrooms: 0.5 1.0 spaces per bedroom	

NOTES:

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

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

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

*Please complete all fields indicated in **yellow**.*

Amendment Number: Am 27

Name of Sponsor(s): Cm. Volan

Date Submitted: 10/31/2019, revised 11/15/2019

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.060(c), (d), (g), (n) Parking and Loading	133-151

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
6	Goal 6.1: Increase Sustainability - Policy 6.1.3: In land use decisions, require sufficient density through infill, redevelopment, and reuse of vacant or under-utilized parcels to support multimodal transportation and discourage urban sprawl.	74
6	Goal 6.4 Prioritize Non-Automotive Modes	75

Synopsis and Legislative Intent (brief description of amendment and its motivation)

The purpose of this amendment is to remove the minimum vehicle parking requirements contained within 20.04.060(d) and adjustments to those requirements in 20.04.060(g). This change would mean that developments or land use subject to Chapter 20.04 of the UDO would no longer have a minimum amount of parking required as part of the development standards, though maximum vehicle parking allowances would still apply. It also removes 20.04.060(n)(1)(A), which would allow the use of off-street parking by parkers who do not have business with the lot owner or tenant. This amendment is intended to reduce the amount of land dedicated to vehicle parking; to make underutilized off-street parking shareable and more efficient, further reducing the demand to devote more land to parking; and to encourage development centered on the concept of public transportation and pedestrian facilities.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.**

- over -

20.04.060 Parking and Loading

(c) Parking Calculations

(1) Generally

- (E) ~~Lots containing more than one use shall provide parking and loading based on the shared parking calculations in Section 20.04.060(g)(1).~~

(2) Unlisted Uses

For uses not listed in ~~Table 4-9: Minimum Vehicle Parking Requirements~~ or Table 4-10: Maximum Vehicle Parking Requirements, the City Planning and Transportation Department is authorized to do any of the following:

- (A) Apply the ~~minimum~~ or maximum off street parking space requirement specified in ~~Table 4-9: Minimum Vehicle Parking Requirements~~ or Table 4-10: Maximum Vehicle Parking Requirements, for the listed use that is deemed most similar to the proposed use as determined by the City Planning and Transportation Department (based on operating characteristics, the most similar related occupancy classification, or other factors related to potential parking demand determined by the department).
- (B) Establish the ~~minimum~~ or maximum off-street parking space and loading requirements based on a parking study prepared by the petitioner according to ~~20.04.060(g)~~ or 20.04.060(h).

(d) Minimum Vehicle Parking Requirements

Delete 20.04.060(d) in entirety.

(g) Adjustments to Minimum Parking Requirements

Delete 20.04.060(g) in entirety.

(n) Use of Parking Areas

(1) Exclusive Use

- ~~(A) Unless a shared parking agreement has been established in accordance with Section 20.04.060(g)(1), required vehicle and bicycle parking spaces shall be designed, maintained and used exclusively for the tenants, occupants, and customers of the buildings or uses on the site.~~
- ~~(B)~~ Excess or unused parking vehicle or bicycle parking spaces or loading spaces may not be rented or leased to the general public or to those who are not tenants, occupants and customers of the buildings or uses where the parking is located unless:
 - ~~i. Otherwise allowed pursuant to 20.04.060(g)(1); or~~
 - ii. ~~A~~ a vehicle parking garage is listed as a permitted or conditional use in the zoning district where the parking lot or parking garage is located pursuant to Table 3-1: Allowed Use Table.

Note: This amendment authorizes staff to renumber or reletter the items under 20.04.060, and also authorizes staff to update any citations outside of 20.04.060 that reference renumbered or relettered sections within 20.04.060 as a result of this amendment.

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 28

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.60(m)(1)(B) Access and Pedestrian Obstruction	148

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
6	Policy 6.1.7: Prioritize safety and accessibility over capacity in transportation planning, design, construction, and maintenance decisions.	74
6	Policy 6.4.1: Consider all ages, all abilities, and all modes, including pedestrians, bicyclists, transit vehicles, emergency responders, and freight when planning, designing, modifying, and constructing transportation facilities.	75

Synopsis and Legislative Intent (brief description of amendment and its motivation)

This amendment ensures that bicycle parking leaves sufficient space for someone using a wheelchair to pass on the sidewalk.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.04.060 Parking and Loading

(m) Bicycle Parking Location and Design

(1) Location

(B) Access and Pedestrian Obstruction

All required bicycle parking spaces shall be located so that a minimum three-foot clear pedestrian passage space is provided to all sides of a standard six-foot bicycle parked in each required space, **and so that there is at least 54 inches of clearance remaining for ADA compliance on pedestrian pathways.**

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 29

Name of Sponsor(s): Cm. Sturbaum

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter/Section	Page #
2.04.070 (d)(1)(C) - Site and Building Design/ Building Design/Mixed Use and Non-Residential /Materials	152
2.04.070(d)(2)(B) (iv) - Site and Building Design/ Building Design/Residential /Materials	154

Supported by Following Sections of the Comprehensive Plan

Chapter		Page #
4 - Downtown	<u>Policy 4.1.1</u> "Recognize the significance of traditional architecture, innovative yet durable, compatible, high quality architecture, and compact urban form in supporting community character. "	55
7 - Land Use	<u>Mixed Urban Residential – Land Use Development Approvals</u> "Allow context sensitive multifamily redevelopment along higher volume roads..." /	85
	<u>Downtown – Site Design</u> "The downtown district is diverse, but care must be taken to see that future development compliments the urban look and feel of the seven character areas"	85
	<u>Urban Village Center – Site Design</u> " Creating a harmonious relationship between new development and existing fabric is essential"	89

Synopsis and Legislative Intent (brief description of amendment)

EIFS has never been a primary material allowed in our zoning code. It is not a long lasting material and is accepted as a secondary material due to its flexible use for smaller details. This amendment is intended to forbid large projects that are primarily covered with this material, from being built in Bloomington. Better quality and durability is required to meet higher requirements to blend into the different zones. An expectation for higher quality structures is communicated by the banning of this particular material. In addition, this amendment also distinguishes between primary and secondary exterior finish materials in mixed-use and non-residential districts.

Council Action – [Date]:

20.04.070 Site and Building Design

(d) Building Design

(1) Mixed-Use and Nonresidential

(A) Applicability

The following standards shall apply to parcels in the MN, MM, MC, ME, MI, and MH zone districts.

(B) Exceptions

Single-family detached, duplex, triplex, and fourplex dwellings shall not be subject to the architectural standards of this Section 20.01.010(a)(1). Such residential dwelling units shall be subject to the architectural standards in Section **Error! Reference source not found.**

(C) Materials

All facades of a primary building shall consist of one or more of the following **primary and secondary exterior finish** materials:

Primary Exterior Finish Materials

Cementitious siding;

~~ii~~ —EIFS;

iii. Masonry;

~~iiii~~ Brick;

iv. Natural stone;

~~vi~~ Precast concrete;

~~vii~~ Split-faced block;

Secondary Exterior Finish Materials

~~viii~~ Transparent glass;

i. Wood;

ii. EIFS or

iii. Other products that replicate the appearance and durability of the above materials, as approved by the staff.

>>>>

(2) Residential

(A) Applicability

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

(B) Materials

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

i. Horizontal lap siding (e.g., vinyl, cementitious, wood);

ii. V-grooved tongue-and-groove siding;

iii. Wood-grained vertical siding materials in a board-and-batten or reverse batten pattern;

iv. Cedar or other wood materials **(excluding EIFS)**;

v. Stucco, plaster, or similar systems;

vi. Stone;

vii. Split face block, ground face block, or brick;

viii. Cast or cultured stone;

ix. Cast in place concrete;

x. Earthen structural materials;

xi. Other materials that replicate the look and durability of the above materials, as approved by the staff.

>>>>

For reference:

20.07.010 Defined Words

Exterior Finish Material, Primary

An exterior finish material that cover-more than 20 percent of a building facade. Windows, doors, building trim, cornices, and similar architectural features shall not count toward calculation of the square footage of the building facade.

Exterior Finish Material, Secondary

An exterior finishing material that covers 20 percent or less of a building facade. Windows, doors, building trim, cornices, and similar architectural features shall not count toward calculation of the square footage of the building facade.

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 30

Name of Sponsor(s): Cm. Sturbaum

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter	Page #
20.04.070 Site and Building Design (e) Projects Abutting to Historic Buildings	156

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
Vision Statement	* "Recognize the many virtues of historic preservation, rehabilitation and reuse of our historic structures."	14

Synopsis and Legislative Intent

This amendment adds "contributing" buildings to the list of historic structures that are respected by step-downs in height when new buildings in mixed-use districts are constructed next to historic structures. The majority of historic buildings are rated "contributing". This respects historic structures that are truly historic and important, but not stand-alone important.

Council Action – [Date]:

20.04.070 (e) Projects Abutting to Historic Buildings

(e) Projects Abutting to Historic Buildings

The following standards shall apply to all facades of primary buildings in the MS, MN, MM, MC, ME, MI, MD, and MH zone districts that are visible from the road frontage:

(1) Building Height Stepdowns

Buildings abutting the side of outstanding, ~~and/or~~ notable, ~~and/or contributing~~ structures as identified in either one or both of the City of Bloomington Survey of Historic Sites and Structures or the Indiana State Historic Architectural and Archaeological Research Database shall incrementally step down upper stories at each respective facade module to within one story or 14 feet, whichever is less, above the highest elevation of the respective abutting historic structure.

(2) Alignment with Setbacks

Notwithstanding the provisions of Section **Error! Reference source not found.** (Dimensional Standards), new buildings abutting the side of an outstanding and/or notable structure as identified in either one or both of the City of Bloomington Survey of Historic Sites and Structures or the Indiana State Historic Architectural and Archaeological Research Database shall align their respective facades to match the front setback established by a surveyed structure rather than the required build-to line.

(3) Alignment with Belt Courses

Where a building façade is required to incorporate horizontal belt course elements pursuant to Section **Error! Reference source not found.**, the required horizontal elements shall visually align with similar horizontal design elements of abutting historic structures.

(4) Belt Courses

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

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 31

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.80(c)(2)(C) Species Diversity	158

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Overview: Bloomington residents consistently express their hopes for... enhancing urban ecology through increased biodiversity.	42

Synopsis and Legislative Intent (brief description of amendment and its motivation)

It is the belief of the Environmental Commission that increased biodiversity is important for our continued ecosystem health. This amendment changes “species” to “genus” when discussing tree planting biodiversity standards. The intent is to make this requirement more restrictive, thus providing for a higher level of biodiversity. Trees are a long-term investment in the ecological health of our community, and we ought to increase biodiversity in order to combat/prevent blights.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.04.080 Landscape, Buffering, and Fences

(c) General Landscaping

(2) Plant Material Standards

(C) Species Diversity

- i. On sites that require an aggregate total of 20 or more new trees, any given ~~species~~ **genus** of tree shall be limited to a maximum of 25 percent of the total number of newly planted trees on site.
- ii. To improve pollinator habitat, at least 25 percent of planted areas shall include native flowering and nectar producing plant species.
- iii. Where shrubs are required to be planted, up to 15 percent of the total number of required shrubs may be substituted with flowering perennials, grasses, or ferns. This does not apply to shrubs required as part of a landscape buffer requirement per Section 20.04.080(g). Any flowering perennials, grasses, or ferns used toward parking lot perimeter requirements shall be of species that typically grow to be at least four feet in height, and shall be maintained in accordance with Section 20.04.120(b)(Landscaping).

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 32

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.80 Landscaping, Buffering, and Fences (m) Screening	174

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Goal 3.1: Increase renewable energy sources and reduce community-wide fossil fuel consumption	46

Synopsis and Legislative Intent (brief description of amendment and its motivation)

To fulfill the goal stated in the Comprehensive Plan, and the greenhouse gas emission reduction targets in the Sustainability Action Plan, as well as the several commitments to climate change mitigation made by the Mayor on behalf of the city, we must remove any barriers we control toward the installation of solar panels and other local renewable energy options. Screening is an additional cost that property owners should not have to incur to install solar panels.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.04.80 Landscaping, Buffering, and Fences

(m) Screening

(1) Roof-Mounted Mechanical Equipment

- (A) Roof-mounted mechanical equipment shall be screened by a parapet wall or similar feature that is an integral part of the building's architectural design.
- (B) The parapet wall or similar feature shall be sufficient to screen the mechanical equipment from all sides when viewed from ground-level.
- (C) Facilities for the operation of active or passive solar energy systems and other alternate energy systems shall be exempt from the screening requirements ~~when it can be clearly demonstrated that required screening will clearly restrict their efficient operation.~~

(2) Ground-Mounted Mechanical Equipment

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

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

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 33

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19, revised 11/12/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.80(n)(1) Applicability 20.04.80(n)(3) Fence and Wall Height	176

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Programs – Food & Agriculture – “Modify regulations for protective fence heights surrounding urban agriculture to allow for best practices and flexibility in dealing with white-tailed deer and other nuisance animals.”	48

Synopsis and Legislative Intent (brief description of amendment and its motivation)

As the City of Bloomington seeks to improve access to and opportunities for urban agriculture, the Environmental Commission believes it is important to allow property owners to protect their investment and work through increased fence heights. The Comprehensive Plan specifically mentions adjusting these heights to allow for better protection against deer and other animal species. This amendment changes fence heights in interior and corner lots from eight feet to twelve feet. Council sponsor added a phrase at the beginning of the section on fences for the same reasons. Council sponsor adds as an additional reason for this amendment that the Deer Task Force recommended allowing taller fence heights in its report several years ago.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.04.080 Landscape, Buffering, and Fences

(n) Fences and Walls

(1) Applicability

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

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

(3) Fence Wall and Height

(A) Interior Lots

- i. Behind the front building wall of the primary structure, fences and walls shall not exceed a combined height of ~~eight~~ **twelve** feet. **The portion of the fence that exceeds five feet in height shall, by use of voids and solids via latticework or other similar techniques, be of open construction. This portion of the fence shall be constructed of materials widely accepted in the fence industry for garden protection.**
- ii. Forward of the front building wall of the primary structure, fences and walls shall not exceed four feet in height.

(B) Corner Lots

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

- i. Fences and walls along the front setback of the front building wall shall comply with Section 20.04.080(n)(3)(A).
- ii. Fences and walls along the lot frontage of the secondary front building wall, shall not exceed four feet forward of the build to line or the building setback line, whichever applies.
- iii. Behind the build to line or front building setback line, on the secondary front building wall, fences and walls shall not exceed ~~eight~~ **twelve** feet in height. **The portion of the fence that exceeds five feet in height shall, by use of voids and solids via latticework or other similar techniques, be of open construction. This portion of the fence shall be constructed of materials widely accepted in the fence industry for garden protection.**
- iv. The portion of fences up to and between the build to line/building setback line and the secondary front building wall that exceed five feet in height, shall, by use of voids and solids via latticework or other similar techniques, be of open construction. This portion of the fence shall be constructed of materials widely accepted in the fence industry for permanent open-topped fencing.

- v. Any determinations as to the secondary front building wall shall be decided by the City Planning and Transportation Department.

(C) **Through Lots**

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

- i. Fences and walls along the front setback of the front building wall shall comply with Section 20.01.010(n)(A).
- ii. Fences and walls greater than four feet in height, along the lot frontage of the secondary front building wall, when adjacent to a neighborhood street or secondary collector street, shall meet the building setback.
- iii. Fences and walls greater than four feet in height, along the lot frontage of the secondary front building wall, when adjacent to a primary collector street or arterial street, shall be set back at least 10 feet from the property line.
- iv. The portion of fences up to and between the build to line/building setback line and the secondary front building wall that exceed five feet in height, shall, by use of voids and solids via latticework or other similar techniques, be of open construction. This portion of the fence shall be constructed of materials widely accepted in the fence industry for permanent open-topped fencing.
- v. Where no primary structure exists on the parcel, fences and walls shall not exceed four feet in height, **unless for purposes of gardening, in which case the fence height may be up to twelve feet. The portion of the fence that exceeds five feet in height shall, by use of voids and solids via latticework or other similar techniques, be of open construction. This portion of the fence shall be constructed of materials widely accepted in the fence industry for permanent open-topped fencing.**

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 34

Name of Sponsor(s): Cm. Volan

Date Submitted: 11/4/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.100(1)(3) Projecting Signs	195

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
4	Goal 4.1 Maintain Historic Character: Encourage redevelopment that complements and does not detract from the Downtown’s historic, main-street character. Goal 4.2 Support Local Businesses: Encourage and support local businesses, the arts, and cultural events Downtown.	55

Synopsis and Legislative Intent (brief description of amendment and its motivation)

This amendment increases the size allowances for projecting signs within the MD District. The purpose of this ordinance is to allow signs similar to those contained in the pictures attached hereto, which depict downtown signage in Bloomington circa 1963 and the current Buskirk-Chumley Theater signage.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.04.100 Signs

(I) MD District Sign Standards

(3) Projecting Signs

The following standards apply to projecting signs:

- (A) Any property that uses a freestanding sign shall be prohibited from using a projecting sign.
- (B) A maximum of one projecting sign is permitted per tenant per street frontage.
- (C) A minimum separation of 100 feet shall be provided between all projecting signs on the same building facade.
- (D) Projecting signs shall be limited to a maximum of ~~20~~ **54** square feet in area.
- (E) Projecting sign areas shall count toward overall wall sign square footage allowance.
- (F) No part of a projecting sign shall protrude more than ~~36~~ **96** inches from the wall or face of the building to which it is attached. Those support structures located between the building and the sign only shall be counted toward this allowance.
- (G) Projecting signs shall be located adjacent to the tenant's lease space and shall be installed at least seven feet above the pavement.
- (H) No projecting signs shall be located on buildings located within the Courthouse Square Character Area.
- (I) The petitioner for a projecting sign shall provide information verifying that the building facade containing the projecting sign can tolerate anticipated wind loading.





BCT PRESENTS THE FILM
AN AFFAIR TO REMEMBER
TUE FEB 14 7PM

BUSKIRK
CHUMLEY

INDIAN

Downtown
Visitors
Center
Downtown

BCT
Downtown

RED CARPET
AFFAIR
SUN FEB 26

EATS BEATS SHOWS INFO TICKETS

WEDNESDAY
BREAD

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 35

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/8/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.110(d)(3) Sustainable Development Incentives	204

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Goal 5.2 Housing Planning and Design: Guide growth, change, and preservation of residential and business areas through planning policies that create and sustain neighborhood character and green space, and that build a sense of community, civic involvement, and neighborhood pride.	63

Synopsis and Legislative Intent (brief description of amendment and its motivation)

This amendment is proposed by Cm. Piedmont-Smith at the request of planning staff. The amendment clarifies that single-family, duplex, triplex, and fourplex uses are not eligible for the additional primary structure height bonus when those uses meet the requirements of the sustainable development incentives.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.04.110 Incentives

(d) Sustainable Development

(3) Sustainable Development Incentives

(A) Single-Family, Duplex, Triplex, and Fourplex Uses

- i. Single-family, duplex, triplex, and fourplex residential projects in the R1, R2, and R3 zoning districts that satisfy the sustainable development criteria in Option 1 or Option 2 above shall be eligible for the reduced bulk requirements established in Section 20.04.110(c)(5)(A) (Reduced Bulk Requirements).
- ii. Single-family, duplex, triplex, and fourplex residential uses that satisfy the sustainable development criteria in Option 1 or Option 2 above shall not be eligible for the additional primary structure height.

(B) All Other Uses

Projects that satisfy the sustainable development criteria in Option 1 or Option 2 above shall be eligible for additional primary structure height as established below:

- i. One floor of building height, not to exceed 12 feet, beyond the maximum primary structure height established for the zone district where the project is located, as identified in Section 20.04.20 (Dimensional Standards).
- ii. Projects that qualify for the affordable housing incentives in Section 20.04.0110(c) (Affordable Housing) in addition to the sustainable development incentive in 20.04.0110(d)(2) shall be eligible for the additional incentive height described in Section 20.04.0110(c)(5)(B)iv.

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 36

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19, revised 11/12/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.05.40(e)(3) Drainage Easement	213, 215
20.05.40(e)(9) Conservancy Easement	

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Policy 3.8.2: "Support diverse, native-plant conservation and restoration efforts, to foster the plant pollinating network of animals, which greatly influences crop production."	47

Synopsis and Legislative Intent (brief description of amendment and its motivation)

The Environmental Commission believes that herbicides/pesticides do not belong in conservation easements except in the extreme case of otherwise unmanageable invasive species. This amendment adds in this language. Council sponsor added the language for drainage easements as well.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.05.040 Easements

(e) Standards for Specific Easement Types

(3) Drainage Easement

- (A) Shall be required for any surface swales or other minor drainage improvements that are intended to serve the lots on which they are located.
- (B) Shall prohibit any alteration within the easement that would hinder or redirect flow.
- (C) Shall provide that the owner of the lot on which the easement is placed shall be responsible for maintenance of the drainage features within such easement.
- (D) Shall be enforceable by the City Utilities Department and by owners of properties that are adversely affected by conditions within the easement.
- (E) Shall allow the City Utilities Department to enter upon the easement for the purpose of maintenance, to charge the costs of such maintenance to the responsible parties, to construct drainage facilities within the easement, and to assume responsibility for the drainage features at its discretion.
- (F) Prohibits the use of fertilizers, pesticides, and herbicides within the easement, except as needed to control otherwise uncontrollable invasive species, as determined by the Director of Planning and Transportation.**

(9) Conservancy Easement

- (A) Prohibits any land-disturbing activities including the placement of a fence, or alteration of any vegetative cover, including mowing, within the easement area.
- (B) Allows the removal of dead or diseased trees that pose a safety risk or impede drainage as well as allowing the removal of exotic or invasive species, only after first obtaining written approval from the Planning and Transportation Department.
- (C) All conservancy easements shall be identified with public signs located along the boundary of the easement. Public signs shall be placed at intervals of no more than 200 feet, and each public sign shall be a maximum of one and one-half square feet in area. A minimum of one public sign is required, regardless of easement size. The property owner shall be responsible for installing and maintaining required signage.
- (D) Allows, in cases where removal of exotic or invasive species is proposed, the restoration of disturbed areas with native plant material. Written approval from the Planning and Transportation Department is required prior to any proposed restoration.
- (E) Prohibits the use of fertilizers, pesticides, and herbicides within the easement, except as needed to control otherwise uncontrollable invasive species, as determined by the Director of Planning and Transportation.**

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 37

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.05.050(j)(5)(N) Eyebrows	222

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
6	Policy 6.1.5: Encourage the concept of streets as not merely for transportation, but as important public spaces where community thrives	74
3	Policy 3.2.1: Continue to limit the amount of impervious surface in new development or public improvement projects and increase green infrastructure to reduce urban runoff into storm drains, creeks, and other watersheds.	46

Synopsis and Legislative Intent (brief description of amendment and its motivation)

In street design, “eyebrows” set residential homes off from the street, which, according to the Comprehensive Plan, should be a vibrant public realm. They are also an unnecessary strip of impermeable surface, adding additional driving lanes. Finally, such “eyebrows” push houses away from the through streets, giving drivers a perception of greater open space which may lead to higher speeds. Higher speeds are not safe for pedestrians, bicyclists, and other road users.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.05.050 Subdivision Design Standards

(j) Streets and Right-of-Ways

(5) Street Design

(N) Eyebrows

Eyebrow street designs shall **not** be permitted ~~for residential subdivisions only and constructed for one-way traffic with an island in the middle that contains a sidewalk for pedestrians to efficiently and safely travel on the pedestrian network. No parking is allowed within eyebrow areas.~~

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 38 (PC Am 09 - Revised)

Name of Sponsor(s): Chris Sturbaum

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter/Section	Page #
20.06.050 (c) – Demolition Delay Permit	265
20.06.050 (c) (3) (C) ii 2 [c]	267

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Neighborhoods “ The City’s Demolition Delay ordinance...guidelines.	62

Excluding partial demolition of “contributing” historic structures from review by the historic commission allows for staff-approved demolitions of up to 50% of the structure which may lower the rating of a property from “contributing” to “non-contributing”. The directive to staff is the issue here. Currently, staff is to consider whether this property should be individually designated when, by definition, as a “contributing” property, it gains its rating based upon neighborhood context. That is the meaning of the definition of “contributing”. Absent an amendment, a historic resource that is an important piece of a group of other contributing resources could be modified without commission or legitimate staff review and, then, be so altered and degraded, that it would no longer be eligible for preservation as a historic property. This amendment clarifies the standard of review for staff in these circumstances in order to avoid that scenario.

Synopsis and Legislative Intent

Council Action – [Date]

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

20.06.050 (c) Demolition Delay Permit

(1) Purpose

The demolition delay permit procedure is intended to ensure that no certificate of zoning compliance authorizing release of a permit allowing the demolition, substantial demolition, or partial demolition of a structure that is listed as "Outstanding" or "Notable," or ~~demolition or substantial demolition of a structure listed as~~ "Contributing" on the City of Bloomington Survey of Historic Sites and Structures, or any accessory structure of the same era of construction as the principal structure that is so listed, shall be issued prior to review pursuant to this Subsection **(C)**.

>>>

20.06.050 (c)

(3)

(C) Staff Review and Action Scheduling and Notice of Hearings

(ii) Waiting Period

(2) Early Terminations of Waiting Period

The remainder of the waiting period shall be considered waived and the certificate of zoning compliance shall be issued if within the 90- or 120-day period one of the following occurs and all other requirements of this UDO are satisfied:

- (a) The Historic Preservation Commission votes affirmatively not to recommend local historic designation to the Common Council; or
- (b) The Historic Preservation Commission votes on a motion to recommend local designation and the motion fails; or
- (c) In cases of contributing structures in a single family district **subject to a partial demolition permit**, staff for the Historic Preservation Commission decides not to recommend local historic designation to the Historic Preservation Commission and Common Council. **That decision shall be based on the same review criteria used by the Historic Preservation Commission when determining ~~if a property should be recommended for local historic designation~~ if the partial demolition would likely reduce the rating of the property from "contributing" to "non-contributing";** or
- (d) The Common Council disapproves a recommended local historic designation of the subject property.

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"

Please complete all fields indicated in yellow.

Amendment Number: Am 39

Name of Sponsor(s): Cm. Piedmont-Smith

Date Submitted: 11/3/19, revised 11/12/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.07.10 Defined Words	390

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
3	Goal 3.3: Conserve water resources and protect water quality to support our natural environment, public health and safety, plant and animal life, and our urban activities.	46

Synopsis and Legislative Intent (brief description of amendment and its motivation)

In order to protect water quality, the Environmental Commission believes it is beneficial and prudent to define the three major stream types, as opposed to just intermittent streams. This amendment adds definitions for perennial and ephemeral streams, and amends the definition of intermittent streams, all of which were designed by City Senior Environmental Planner.

Due to the difficulty of identifying ephemeral streams and thus enforcing their protection, staff advised the Council Sponsor to not require ephemeral streams to have riparian buffer zones. Thus the definition of ephemeral stream is not necessary and has been deleted from the EC version of this amendment.

Council Action – [Date]:

Amendment (indicate text added in **bold** and text to be deleted via ~~strikeout~~)

E.g., *Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a ~~maximum~~ size **greater than** of a quarter of a block) in order to encourage local developers and businesses and ~~better urban form~~ **create a more pedestrian-friendly public realm.***

20.07.010 Defined Words

Stream, Intermittent

~~A surface watercourse that flows typically only after significant precipitation events or during a particular season; and that evidences a discernible stream bed. The term "intermittent stream" does not include man-made drainage ways or natural swales lacking a discernible stream bed.~~

A stream that flows during certain times of the year when smaller upstream waters are flowing and when groundwater provides enough water for stream flow. Runoff from rainfall or other precipitation supplements the flow of an intermittent stream, also called a seasonal stream. During dry periods, such streams may not have flowing surface water, but they do have a discernable stream bed. Larger seasonal streams are more common in dry areas. An artificial drainage way (made by humans) is not an intermittent stream.

Stream, Perennial

A year-round stream that typically has water flowing in it year-round. Most of the water comes from smaller upstream waters or groundwater while runoff from rainfall or other precipitation is supplemental.