

*Plan Commission minutes are transcribed in a summarized manner. Video footage is available for viewing in the (CATS) Department of the Monroe County Public Library at 303 E. Kirkwood Avenue. Phone number: 812-349-3111 or via e-mail at the following address: [moneill@monroe.lib.in.us](mailto:moneill@monroe.lib.in.us).*

The City of Bloomington Plan Commission (PC) met on August 29, 2019 at 5:30 p.m. in the City of Bloomington Council Chambers. Members present: Cate, Kappas, Wisler, Kopper, Sandberg, Burrell, Hoffmann, Kinzie, St. John, Enright-Randolph

## **ROLL CALL**

**MINUTES TO BE APPROVED:** None at this time.

**REPORTS, RESOLUTIONS AND COMMUNICATIONS:** None at this time.

- **Special meetings for the Adoption Draft of the Unified Development Ordinance (UDO)**
  - 8/26/19 – Council Chambers – City Hall, 5:30 PM
  - 8/29/19 – Council Chambers – City Hall, 5:30 PM
  - 9/5/19 – Council Chambers – City Hall, 6:00 PM
  - Additional meetings may be added by the Plan Commission
- Order of business for ZO-30-19
  - Message from the Plan Commission Chair
  - Staff Report
  - Plan Commission Comments
  - Public Comment Period (with time limitations)
  - Plan Commission Resolutions (postponed until August 29<sup>th</sup> hearing)

## **PETITIONS:**

ZO-30-19

### **City of Bloomington**

#### **Adoption Draft Unified Development Ordinance**

The City of Bloomington Plan Commission (“PC”) will consider the adoption of a proposed zoning ordinance (“Proposal”) and repealing the previous Unified Development Ordinance (“UDO”). The Proposal applies to all areas within the corporate boundaries. The Proposal is for replacement of the UDO with a new version based on guidance from the 2018 Comprehensive Plan. Penalty and forfeiture provisions in the current UDO remain the same in the Proposal. Written objections to the proposal that are filed with the secretary of the PC before the hearing will be considered and oral comments concerning the proposal will be heard. The hearing may be continued from time to time as may be found necessary.

*Case Manager: Scott Robinson*

Hoffmann began the meeting by giving an overview of how the evening’s hearing would proceed. At the August 26<sup>th</sup> hearing the Plan Commission requested two amendments to be drafted by Staff. The first amendment, considered omnibus, would have Staff correct typographical or grammatical errors. This amendment will not be voted on for several hearings while Staff correct these errors throughout the document. The second amendment proposed is to correct text in the UDO concerning Conditional and Permitted Use for plex housing. The current language unintentionally requires all plex housing to be zoned Conditional Use, which was never the intent of Staff. The Conditional Use language for plex housing was intended for corner lots and the R1, R2, and R3 zones.

Scott Robinson presented a report on the two amendments. The first amendment examines grammar and formatting errors and Staff have given the Plan Commission examples of changes. Robinson also presented

examples of these errors in a slide at the hearing. Staff are currently combining a spreadsheet of all errors to best track and correct them. Robinson elaborated on the second amendment to correct language ensuring that not all plex housing is made Conditional Use. The intent was to make plexes Conditional Use in the R1, R2, and R3 zones and Staff believe it does not make sense to make plex housing Conditional Use on undeveloped tracts of land.

**Plan Commission questions concerning amendments I and II: None**

**Public comment concerning amendment II: None**

**\*\*Kinzie motioned to adopt Amendment II, clarifying language to keep plex housing as a Conditional Use in the R1, R2, and R3 zones, instead of throughout the City as the text previously read. Wisler seconded. Motion carried by roll call vote 9:0—Approved.**

**Plan Commission Discussion:**

The Plan Commission had no more amendments to vote on so no further changes to the draft would be made that evening. Instead, Hoffmann invited the Plan Commission to propose resolutions for Staff to draft into amendments the Plan Commission to vote on.

Hoffmann reminded those present that opposition and agreement on plex housing in core neighborhoods dominated the August 26<sup>th</sup> hearing and after substantial public comment, no time was left for the Plan Commission to propose resolutions to Staff. The public also commented about Accessory Dwelling Unit (ADU) restrictions and how they wished to see these restrictions changed in the UDO. Kopper asked for clarification about voting on the merits of a resolution that evening. Hoffmann said the merits were not being voted on, the Plan Commission was creating these resolutions to simply acknowledge the topics should be discussed. Once the resolutions are drafted into amendments for discussion they can be voted down. Proposing resolutions concerning plex housing and ADUs particularly was heavily discussed between the Plan Commission and Staff, as was the need for specific language on all resolutions so Staff could better draft amendments.

Based on the August 26<sup>th</sup> hearing, the Plan Commission resolved to ask Staff to draft amendments on the following issues:

(Resolutions I & II were drafted into Amendments 1 and II)

**Resolution 3: Clarify and specify precisely how to discourage the demolition of existing houses in order to create duplex, triplex, and fourplex residential buildings. Hoffman motioned, Sandberg seconded. Motion carried by roll call vote 9:0—Approved.**

**Resolution 4: Remove duplex, triplex, and fourplex from R1, R2, and R3 zones. Hoffmann motioned, Sandberg seconded. Motion carried by roll call vote 9:0—Approved.** Discussion ensued between Wisler and Hoffmann on the ability to change votes on amendments because of confusion about these being parallel amendments. Because of the confusion this resolution was later drafted into two separate amendments, 4A and 4B.

**Resolution 5: Change ADU to a Conditional Use or expand ADUs to allow two bedrooms and larger maximum square footage. Hoffmann motioned, Sandberg seconded. Motion carried by roll call vote 9:0—Approved. (Later drafted into two separate amendments, 5A and 5B.)**

**Resolution 6: To consider the size and weight of livestock in addition to species and prohibited species. Wisler motioned, Sandberg seconded. Motion carried by roll call vote 9:0—Approved**

**Resolution 7: Clarification of the methods and procedures used for payment-in-lieu options of affordable housing incentives and require Common Council approval. Burrell motioned, Sandberg seconded.**

**Resolution 8: Changes to impervious surface standards, invasive plant species, and consideration of other Environmental Commission recommendations. Kinzie motioned, Kappas seconded. Motion carried by roll call vote 9:0—Approved.**

**Resolution 9: Clarification on the Demolition Delay of contributing structures for partial demolition permits. Sandberg motioned, Kinzie seconded. Motion carried by roll call vote 9:0—Approved.**

**Resolution 10: Clarification on the financial surety requirements for plats and 2<sup>nd</sup> plats. Kopper motioned, Kinzie seconded. Motion carried by roll call vote 9:0—Approved.**

**Resolution 11: Reorganize the PUD criteria to prioritize the highly valued design features G and H to a standalone subsection. Kappas motioned, Kinzie seconded. Motion carried by roll call vote 9:0—Approved.**

**Resolution 12: Provide specific information and characteristics on the new Mixed-Use Student Housing (MS) district. Hoffmann motioned, Sandberg seconded. Motion carried by roll call vote 9:0—Approved.**

**Resolution 13: Provide flexibility for more than one driveway for duplex, triplex, and quadplex housing. Kinzie motioned, Sandberg seconded. Motion carried by roll call vote 9:0—Approved.**

**Resolution 14: Evaluate the list of prohibited plant species and discourage additional prohibited species. Kappas motioned, Kinzie seconded. Motion carried by roll call vote 9:0—Approved.**

**Resolution 15: Modify the electric vehicle parking standards to count towards parking maximums. Kinzie motioned, Sandberg seconded. Motion carried by roll call vote 9:0—Approved.**

**Resolution 16: Revise the summary section of the PUD summary within 20.02.10 to specify Plan Commission and Planning and Transportation Department. Kappas motioned, Kinzie seconded. Motion carried by roll call vote 9:0—Approved.**

**Public Comment for further resolution suggestions other than plex housing or any resolutions already proposed that evening:**

Members of the public that spoke: Eoban Binder, Elizabeth Cox-Ash, Kate Rosenbarger, John Fiedler, Daniel Bingham, Vauhxx Booker, Richard Martin

Members of the public expressed a need to decrease minimum lot sizes in order to discourage Planned Unit Developments while increasing density, protect affordable housing stock in core neighborhoods and prevent competition from developers, and create affordable housing by subdividing corner lots and building smaller single family homes. It was suggested that maximum occupancy limits be reexamined because the definition of family is more diverse than the City code allows, co-op housing should be increased and have its own designation to avoid variance requests, an activist scene is needed to protect tenants from landlords, cities with affordable housing have aggressively “upzoned” and eliminated single family residential zones

Some wish to see housing and pricing reclaimed from students who will pay high prices by making owner occupancy in properties a requirement and discourage overpriced building by developers. Owner occupancy accountability should be examined, as well as how to handle “transition code” problems that will arise when new builds are put in certain zones and rezoned to a different code later.

**Plan Commission Discussion:**

Discussion ensued between the Plan Commission, Staff, and Clarion consultant Don Elliott concerning different types of housing designations, what defines pocket neighborhoods, and a need to have a cooperative living designation. Cate wished to examine minimum lot sizes in the future, and possibly resolve to ask staff to draft an amendment. Hoffmann and Jackie Scanlan, Development Services Manager, discussed the possibility of creating a code to encourage more compact housing like that already found on the B-Line.

St. John clarified that the resolution process will continue after tonight. Hoffmann reiterated that the next hearing is Thursday, September 5<sup>th</sup> at 5:30 pm in the Council Chambers. The meeting will begin with the plex and ADU amendments and that some resolutions requested by the Plan Commission tonight will be ready for voting at the September 10<sup>th</sup> hearing. Hoffmann asked Robinson if drafted amendments could be viewed by the public ahead of the next hearing. Robinson confirmed Staff can make amendment drafts available for the public to view online. Kinzie thanked the public for its ample interest and comments and for being present at the hearings.

Meeting adjourned.