



# 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 Wednesday, November 13<sup>th</sup> and Thursday, November 14<sup>th</sup>. Legislation and background material regarding Appropriation Ordinance 19-08 are also contained herein.

<b>Special Sessions</b>	<b>UDO Amendments</b>
<p>Meetings will be held in the Council Chambers and will begin at 6 PM. Please see the <a href="#">Schedule for Common Council Consideration of Ordinance 19-24</a>, 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: (<a href="https://bloomington.in.gov/council/plan-schedule">https://bloomington.in.gov/council/plan-schedule</a>).</p>	<p style="text-align: center;"><b><u>NEXT MEETINGS</u></b></p> <ul style="list-style-type: none"><li>• <b>Wednesday, 13 November 2019</b></li><li>• <b>Thursday, 14 November 2019</b></li></ul> <p style="text-align: center;"><b><u>FUTURE MEETINGS</u></b></p> <ul style="list-style-type: none"><li>• <b>Tuesday, 19 November 2019</b></li><li>• <b>Wednesday, 20 November 2019</b></li></ul>

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

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City of  
Bloomington  
Indiana



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To: Council Members  
From: Council Office  
Re: Weekly Packet  
Date: 08 November 2019

## LEGISLATIVE PACKET AGENDA ITEMS & PACKET CONTENT

### UDO SPECIAL SESSIONS ON WEDNESDAY AND THURSDAY, 13 & 14 NOVEMBER 2019 AT 6:00 PM

- Memo from Council Office
- Agenda - Special Session (Wednesday and Thursday)

#### *First Reading*

- **Appropriation Ordinance 19-08** To Specially Appropriate from the Rental Inspection Program and the Parking Meter Fund Expenditures Not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund, Parks and Recreation General Fund, Parking Facilities Fund, Motor Vehicle Highway Fund, Alternative Transportation Fund; Cumulative Capital Development Fund and, Appropriating Additional Funds from the Parking Meter Fund and the Rental Inspection Fund)
  - Memo from Jeffrey Underwood, Controller  
→ *Contact: Jeff Underwood, at 812-349-3412, [underwoj@bloomington.in.gov](mailto:underwoj@bloomington.in.gov)*

#### *Council Schedule*

- **Draft 2020 Annual Council Legislative Schedule**  
→ *Contact: Stephen Lucas at 812-349-3565, [lucass@bloomington.in.gov](mailto:lucass@bloomington.in.gov)*

***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 Wednesday and Thursday night in the order they appear on the Agenda.***

#### **To Permit or Prohibit Plexes in R1, R2 & R3 Districts**

- **Am 01 (Cms. Sturbaum and Rollo) - (Revised Version of PC Am04A) - Affects Table 3-1: Allowed Use Table and 20.03.030 (Use-Specific Standards) (b) Residential Uses (3)&(4)** - Prohibits "Plexes" on property zoned R1, R2, or R3 on the effective date of the UDO
- **Am 02 (Cm. Volan) - Affects Table 3-1: Allowed Use Table** - Permits "plexes" by right where currently allowed via conditional use approval.  
→ *Note: The order of consideration of these two amendments will be decided Wednesday night by a motion of the Council.*

### **Other Amendments Regarding Plexes**

- **Am 03 (Cm. Piedmont-Smith) – Affects 20.03.030 (Use-Specific Standards)(b) Residential Uses (3)(C) & (4)(C)** – Reduces the maximum number of bedrooms in a duplex (from 6 to 4) and in a triplex (from 9 to 6).
- **Am 05 (Cm. Piedmont-Smith) – (Revised Version of PC Am 03) - Affects 20.03030 (Use-Specific Standards) (b) Residential Uses (3)&(4)** – Limits “plexes” on property in R1, R2 & R3 districts where demolition of at least 35% of the principal dwelling structure occurred within the previous three years and the construction of the duplex structure would exceed the gross square footage of the original structure by more than 25%.

### **Amendments Regarding ADUs**

- **Am 06 (Cm. Piedmont-Smith) – Affects Table 3-1: Allowed Use Table** – Removes the conditional use limitation for ADUs in all residential and mixed-use districts.
- **Am 07 (Cm. Volan) - Affects Table 3-1: Allowed Use Table and 20.03.030 (Use-Specific Standards) (g)(5)<sup>+1</sup>** - Removes the conditional use and owner-occupancy limitations on ADUs

### **Other Amendments**

- **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.
- **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.

→ *Contact:*

*Council Sponsors*

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

*[shermamd@bloomington.in.gov](mailto:shermamd@bloomington.in.gov), [lucass@bloomington.in.gov](mailto:lucass@bloomington.in.gov)*

*Scott Robinson 812-349-3423, [robinsos@bloomington.in.gov](mailto:robinsos@bloomington.in.gov)*

## **PREVIOUSLY-DISTRIBUTED MATERIALS**

### **DRAFT ANNUAL COUNCIL LEGISLATIVE SCHEDULE FOR 2020 - SUMMARY**

This packet contains a draft Annual Council Legislative Schedule for 2020. This draft Schedule has been previously distributed to councilmembers for review and feedback. There have been two changes suggested by Cm. Volan, which are summarized below.

Please review the material, share your suggestions with others, and be ready to discuss the draft Schedule on November 13<sup>th</sup>. The Council Office urges the Council to adopt its Schedule before the end of November, which would make it easier for those working with boards and commissions to resolve room-conflicts and establish their schedules for 2020.

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<sup>1</sup> “+” indicates that other sub-parts are affected by this amendment.

A brief summary of the draft Schedule and proposed changes are included below.

**Legislative Cycles.** The Council generally meets on the first four Wednesdays of the month for Regular Sessions and Committees of the Whole (along with the Land Use Committee). It also meets on Fridays about twice a month for Council Work Sessions to informally hear about upcoming legislation and other pending matters. The draft Schedule includes 21 legislative cycles and one Budget Cycle, which are set forth in rows with five columns of dates for the following meetings and deadlines associated with each legislative cycle:

- Work Sessions;
- Deadline for submittal of ordinances and associated materials to the Council Office (and another for resolutions);
- First Regular Session;
- Committee of the Whole/ Land Use Committee; and
- Second Regular Session.

**Exceptions and Additions to the Usual – Four Wednesday – Schedule.** The draft Schedule includes a number of footnotes, which, among other things, explain and elaborate on any exceptions or additions to the typical legislative cycle. Please see the draft Schedule for more detailed information.

**Religious Holiday Adjustments.** (See excerpts from the IU Religious Holiday Schedule) – as often happens, this proposal makes an adjustment in the schedule due to religious holidays (typically Passover, Rosh Hashanah, or Yom Kippur).

**Proposed changes to draft Schedule.** As of the date of this memo, two changes have been suggested by councilmembers. Cm. Volan offered the following suggestions:

1. Change the column titled “Committee of the Whole/Land Use Discussion” to simply read “Committee Discussion”.  
*In the past, staff used the heading “Committee of the Whole/Land Use Discussion” rather than “Committee Discussion” because these are the only two Council committees that, under local code, are scheduled for discussion at this point in the Legislative Cycle.*
2. Eliminate the 12<sup>th</sup> legislative cycle.  
*This change would mean that the Council’s summer recess would begin after the Regular Session meeting on June 17, 2020.*

If the Council wishes to make these or any other changes, it may do so by motion before final adoption by the Council.

## **SPECIAL SESSION – FIRST READINGS - SUMMARY**

### **Item 1:**

#### **Appropriation Ordinance 19 -08 To Specially Appropriate from the Rental Inspection Program and the Parking Meter Fund Expenditures Not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund, Parks and Recreation General Fund, Parking Facilities Fund, Motor Vehicle Highway Fund, Alternative Transportation Fund; Cumulative Capital Development Fund and, Appropriating Additional Funds from the Parking Meter Fund and the Rental Inspection Fund)**

This legislation is the third and last of the occasions for considering appropriation ordinances each year. The first is the “reversion” ordinances instituted by this Mayor, where some of the funds reverted at the end of the previous year are appropriated for departmental and city-wide purposes for the current year. The second is the “budget” ordinances, which estimate the tax rates and revenues and propose expenditures for the following year. The last is the “end-of-the-year” appropriation ordinance, which shifts, increases, or decreases appropriations to address budgetary needs for the latter part of the current year.

Because of the press of UDO amendments and other matters, the legislation will not be outlined in detail here and, in that regard, the reader is directed to the Memo from Jeff Underwood, Controller, and the legislation for that information.

In brief, there are eight funds affected by this appropriation ordinance. Six of those funds have no net change in appropriations, which means funds are shifted within categories of a departmental budget or from one departmental budget to another within each fund. Those funds include:

- General Fund – with changes in the following departments: Animal Care and Control; Housing and Neighborhood Development (HAND); Public Works – Administration; Common Council; Police; Human Resources; ITS; Board of Public Safety; Facilities Maintenance; Planning & Transportation;
- Parks and Recreation General Fund;
- Parking Facilities Fund – Public Works;
- Motor Vehicle Highway – Public Works – Streets;
- Alternative Transportation Fund; and
- Cumulative Capital Development Fund – Public Works.

Two of those funds have increased appropriations:

- Parking Meter Fund – Police Department – where \$160,000 will be used to install new meters not already budgeted for this year;<sup>2</sup> and
- Rental Inspection Program Fund – HAND – where \$270,000 collected in rental inspection fees will be used to reimburse the General Fund for the cost of operating that program.

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<sup>2</sup> Please note that the Controller’s Office has informed me that there is also one request to transfer funds of \$100,000 or more from one line item to another in this fund, which will come forward for your consideration as resolution on December 4<sup>th</sup> in accordance with Ord 18-10 (Council Fiscal Oversight).

**Item 2:**

**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 listed and briefly described in the Packet Contents Box above.

Additional amendments for consideration at the Council meetings on November 19<sup>th</sup> and 20<sup>th</sup> will be released in the packet on November 15<sup>th</sup> as the Council Office is able to prepare and vet them.

**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**

**WEDNESDAY, 13 NOVEMBER 2019 AND THURSDAY, 14 NOVEMBER 2019**

**COUNCIL CHAMBERS  
SHOWERS BUILDING, 401 N. MORTON ST.**

**I. ROLL CALL**

**II. AGENDA SUMMATION**

**III. LEGISLATION FOR FIRST READING**

1. Appropriation Ordinance 19-08 To Specially Appropriate from the Rental Inspection Program and the Parking Meter Fund Expenditures Not Otherwise Appropriated (Appropriating Various Transfers of Funds within the General Fund, Parks and Recreation General Fund, Parking Facilities Fund, Motor Vehicle Highway Fund, Alternative Transportation Fund; Cumulative Capital Development Fund and, Appropriating Additional Funds from the Parking Meter Fund and the Rental Inspection Fund)

**IV. COUNCIL SCHEDULE**

**V. CONTINUED CONSIDERATION OF ORDINANCE 19-24 - TO REPEAL AND REPLACE TITLE 20 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED, "UNIFIED DEVELOPMENT ORDINANCE" \***

**1. Presentation on Unanswered Questions from Previous Discussions**

**Consideration of Some Amendments Submitted by the First Round Deadline**

**Items 1 and 2 – Permitting by Right or Prohibiting Duplexes, Triplexes, and Fourplexes in R1, R2 & R3 Districts**

*Note: The Council will decide by a motion this evening  
the order of consideration for these two amendments.*

**Am 01 (Cms. Sturbaum and Rollo) – (Revised Version of PC Am04A) - Affects Table 3-1: Allowed Use Table and 20.03.030 (Use-Specific Standards) (b) Residential Uses (3)&(4) – Prohibits “Plexes” on property zoned R1, R2, or R3 on the effective date of the UDO**

**Am 02 (Cm. Volan) – Affects Table 3-1: Allowed Use Table – Permits “plexes” by right where currently allowed via conditional use approval.**

**Other Amendments Regarding Duplexes, Triplexes, and Fourplexes**

**3. Am 03 (Cm. Piedmont-Smith) – Affects 20.03.030 (Use-Specific Standards)(b) Residential Uses (3)(C) & (4)(C) – Reduces the maximum number of bedrooms in a duplex (from 6 to 4) and in a triplex (from 9 to 6).**

**4. Am 05 (Cm. Piedmont-Smith) – (Revised Version of PC Am 03) - Affects 20.03030 (Use-Specific Standards) (b) Residential Uses (3)&(4) – Limits “plexes” on property in R1, R2 & R3 districts where demolition of at least 35% of the principal dwelling structure occurred within the previous three years and the construction of the duplex structure would exceed the gross square footage of the original structure by more than 25%.**

## Amendments Regarding Accessory Dwelling Units (ADUs)

5. **Am 06 (Cm. Volan) - Affects Table 3-1: Allowed Use Table and 20.03.030 (Use-Specific Standards) (g)(5)+<sup>1</sup>** - Removes the conditional use and owner-occupancy limitations on ADUs
6. **Am 07 (Cm. Piedmont-Smith) – Affects Table 3-1: Allowed Use Table+ –** Removes the conditional use limitation for ADUs in all residential and mixed-use districts.

## Other Amendments

7. **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.
8. **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.

## **VI. 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 and continue deliberations on the proposed amendments on Tuesday, 19 November 2019 and Wednesday, 20 November 2019, at 6:00 pm in this room. Any business not completed on Thursday, will be taken up at that time.)*

*\* 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. .*

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<sup>1</sup> “+” indicates that other sub-parts are affected by this amendment.



**APPROPRIATION ORDINANCE 19-08**

**TO SPECIALLY APPROPRIATE FROM THE RENTAL INSPECTION PROGRAM AND THE PARKING METER FUND EXPENDITURES NOT OTHERWISE APPROPRIATED (Appropriating Various Transfers of Funds within the General Fund, Parks and Recreation General Fund, Parking Facilities Fund, Motor Vehicle Highway Fund, Alternative Transportation Fund; Cumulative Capital Development Fund and, Appropriating Additional Funds from the Parking Meter Fund and the Rental Inspection Fund)**

- WHEREAS, various Departments within the General Fund, desire to transfer amounts from Classifications 1 (Personnel Services), 2 (Supplies), 3 (Other Services and Charges) & 4 (Capital) to other classifications within their budgets or return amounts to the General Fund for use by other departments; and
- WHEREAS, the Parks & Recreation Department desires to transfer funds from Classification 1 to Classification 3 for other services and charges in the Parks & Recreation General Fund not included in the adopted budget; and
- WHEREAS, the Public Works Department desires to transfer funds from Classification 2 to Classifications 1 and 3 in the Parking Facilities Fund budget to pay for personnel services and garage repairs; and
- WHEREAS, the Public Works Street Department desires to transfer funds from Classification 4 to Classification 3 in the Motor Vehicle Highway Fund for other services and charges not included in the adopted budget; and
- WHEREAS, the Parking Enforcement Division desires to transfer funds from Classification 1 to Classification 3 in the Alternative Transportation Fund for other services and charges not included in the adopted budget; and
- WHEREAS, the Public Works Department desires to transfer funds from Classification 2 to Classifications 3 and 4 in the Cumulative Capital Development Fund for reimbursement from a State grant and for capital expenditures not included in the adopted budget; and
- WHEREAS, the Police Department desires to increase its budget in Classifications 2 and 3 for the Parking Meter Fund for the cost of installing new meters that were not included in the adopted budget; and
- WHEREAS, the Housing & Neighborhood Development Department desires to increase its budget in Classification 3 for the Rental Inspection Program Fund to reimburse the General Fund for program expenses;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION I. For the expenses of said Municipal Corporation the following additional sums of money are hereby appropriated and ordered set apart from the funds herein named and for the purposes herein specified, subject to the laws governing the same:

	AMOUNT REQUESTED
General Fund(F101)	
General Fund – Animal Care & Control	
Classification 1 – Personnel Services	25,000
Classification 3 – Services and Charges	(25,000)
Total General Fund – AC&C	0

General Fund – Housing and  
Neighborhood Development

Classification 3 – Services and Charges	16,240
Total General Fund – Hand	<u>16,240</u>

General Fund – Community and  
Family Resources

Classification 1 – Personnel Services	(80,226)
Classification 3 – Services and Charges	10,226
Total General Fund – CFRD	<u>(70,000)</u>

General Fund – Public Works  
Administration

Classification 1 – Personnel Services	(10,820)
Classification 2 – Supplies	(3,000)
Classification 3 – Services and Charges	3,000
Total General Fund – PWA	<u>(10,820)</u>

General Fund – Common Council

Classification 1 – Personnel Services	7,000
Total General Fund – Common Council	<u>7,000</u>

General Fund – Police

Classification 1 – Personnel Services	167,000
Classification 3 – Services and Charges	74,887
Total General Fund – Police	<u>241,887</u>

General Fund – Human Resources

Classification 1 – Personnel Services	(10,000)
Classification 3 – Services and Charges	35,000
Total General Fund – HR	<u>25,000</u>

General Fund – Information  
Technology Services

Classification 1 – Personnel Services	(87,308)
Classification 4 – Capital	1,000
Total General Fund – ITS	<u>(86,308)</u>

General Fund – Board of Public  
Safety

Classification 1 – Personnel Services	1
Total General Fund – Board of Public Safety	<u>1</u>

General Fund – Facilities  
Maintenance

Classification 1 – Personnel Services	27,000
Classification 3 – Services and Charges	<u>25,000</u>
Total General Fund – Facilities Maintenance	<u>52,000</u>

General Fund – Planning and  
Transportation

Classification 1 – Personnel Services	(175,000)
Classification 2 – Supplies	42,000
Classification 3 – Services and Charges	<u>(42,000)</u>
Total General Fund – P&T	<u>(175,000)</u>

**Grand Total General Fund(F101)**

0

**Park & Recreation General Fund  
(F200)**

Classification 1 – Personnel Services	(25,000)
Classification 3 – Services and Charges	<u>25,000</u>
Total Parks & Rec	<u>0</u>

Grand Total Parks & Rec General  
Fund

0

**Parking Facilities Fund (F452) –  
Public Works**

Classification 1 – Personnel Services	19,000
Classification 2 – Supplies	(23,000)
Classification 3 – Services and Charges	<u>4,000</u>
Total Parking Facilities – Public Works	<u>0</u>

Grand Total Parking Facilities  
Fund

0

**Motor Vehicle Highway (F451) -  
Street**

Classification 3 – Services and Charges	60,000
Classification 4 – Capital	<u>(60,000)</u>
Total Motor Vehicle Highway - Street	<u>0</u>

Grand Total Motor Vehicle  
Highway Fund

0

**Alternative Transportation Fund  
– Parking (F454)**

Classification 1 – Personnel Services	1,000
Classification 3 – Services and Charges	<u>(1,000)</u>
Total Alternative Transportation Fund –Parking	<u>0</u>

Grand Total Alternative  
Transportation Fund

**0**

**Cumulative Capital Development  
Fund (F601) – Public Works**

Classification 2 – Supplies	(322,426)
Classification 3 – Services and Charges	300,388
Classification 4 – Capital	<u>22,038</u>
Total Cumulative Capital Development Fund – Public Works	<u>0</u>

Grand Total Cumulative Capital  
Development Fund

**0**

**Parking Meter (F455) - Police**

Classification 2 – Supplies	125,000
Classification 3 – Services and Charges	<u>35,000</u>
Total Parking Meter Fund - Police	<u>160,000</u>

Grand Total Parking Meter Fund

160,000

**Rental Inspection Program Fund  
(F411) – HAND**

Classification 3 – Services and Charges	<u>270,000</u>
Total Rental Inspection Program Fund - HAND	<u>270,000</u>

Grand Total Rental Inspection  
Program Fund

**270,000**

**Grand Total All Funds**

**430,000**

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this  
\_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
DAVE ROLLO, President  
Bloomington Common Council

ATTEST:

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
NICOLE BOLDEN, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
JOHN HAMILTON, Mayor  
City of Bloomington

#### SYNOPSIS

This ordinance appropriates various transfers of funds within the General Fund, Parking Facilities Fund, Parks & Recreation General Fund, Motor Vehicle Highway Fund, Alternative Transportation Fund, Cumulative Capital Development Fund; and, appropriates additional funds from the Parking Meter Fund and Rental Inspection Program Fund.



**JOHN HAMILTON  
MAYOR**

CITY OF BLOOMINGTON

401 N Morton St  
Post Office Box 100  
Bloomington IN 47402

**JEFFREY H. UNDERWOOD  
CONTROLLER**

CONTROLLER'S OFFICE

p 812.349.3416  
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controller@bloomington.in.gov

## Memorandum

**To:** Council Members  
**From:** Jeffrey Underwood, Controller  
**Date:** November 6, 2019  
**Re:** Appropriation Ordinance 19-08

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Appropriation Ordinance 19-08 is our comprehensive 2019 year-end appropriation. The total additional appropriation is \$430,000. In addition, there are appropriations that are simple transfers between departments that have zero net impact on the total budget.

1. **General Fund – Various** The majority of this ordinance transfers appropriations between departments and categories in order to cover changes between the initial budget prepared, and actual operational results. As in previous years, the net effect on the actual appropriation from the General Fund is zero. There will be no impact on the fund balance or tax rates.
  - a. **Public Works Animal Care & Control** – \$25,000 increase in Classification 1 – Personnel Services and a \$25,000 decrease in Classification 3 – Services. This will assist in covering higher than anticipated temporary salaries & wages.
  - b. **Housing & Neighborhood Development** – \$16,240 increase in Classification 3 – Services. This will cover the costs associated with the 2019 Housing Study.
  - c. **Community and Family Resources Department** – \$80,226 to be released from Classification 1 – Personnel Services, as projected expenses will be below budget for 2019 and \$10,226 transfer to Classification 3 – Services. The funds are being released to cover shortfalls in other General Fund departments.
  - d. **Public Works Administration** – \$3,000 transfer from Classification 2 – Supplies to Classification 3 – Services to cover the Public Works portion of a brush clearing project that will be done in partnership with City of Bloomington Utilities. And a \$10,820 to be released from Classification 1 – Personnel Services, as projected expenses will be below budget for 2019. The funds are being released to cover shortfalls in other General Fund departments.
  - e. **Common Council** – \$7,000 additional funds in Classification 1 – Personnel Services to cover the payouts for departing employees, hiring temporary employee, and filling vacancies in the latter half of the year.
  - f. **Police Department** – \$167,000 increase to Classification 1 – Personnel Services \$74,877 increase to Classification 3 – Services. This will cover the cost of overtime required to cover open positions as well as covering the 2019 Dispatch Equalization payment made to Monroe County.
  - g. **Human Resources** – \$35,000 increase to Classification 3 – Services, with \$10,000 transferred from Classification 1 – Personnel Services – and \$25,000 contributed from other departments. This will cover higher costs associated with the department's organizational assessments.
  - h. **Information Technology Services** - \$1,000 transfer from Classification 1 – Personnel Services to Classification 4 – Capital to fund a computer kiosk for Human Resources' entryway. In addition, \$86,308 release from Category 1 – Personnel Services (net of transfer) as projected expenses will be below budget for 2019. The funds are being released to cover shortfalls in other General Fund departments
  - i. **Board of Public Safety** – \$1 increase in Classification 1 – Personnel Services, as projected expenses will be more than the budget for 2019.

- j. **Public Works – Facilities Maintenance** - \$27,000 increase in Classification 1 – Personnel Services and a \$25,000 increase in Classification 3 – Services. This will assist in covering higher than anticipated temporary salaries & wages and building equipment repairs
  - k. **Planning & Transportation** – \$175,000 released from Classification 1 – Personnel Services and a transfer of \$42,000 from Classification 3 – Services to Classification 2 – Supplies. The \$42,000 transfer is for the purchase of cubicles for the redesigned offices and \$175,000 released of funds to cover shortfalls in other General Fund departments.
2. **Parks & Recreation General Fund** - Parks is requesting a \$25,000 transfer of funds from Classification 1 - Capital to Classification 3 – Services. This is needed to pay for the contracted landscaping services provided by Centerstone. This is a partnership agreement between Parks and Centerstone.
  3. **Parking Facilities Fund** – Parking Facilities is requesting a \$23,000 transfer from Classification 2 – Supplies, with \$19,000 going to Classification 1 – Personnel Services and \$4,000 going to Classification 3 – Services. This will cover increased temporary personnel cost and higher than anticipated repair costs.
  4. **Motor Vehicle Highway Fund** – Motor Vehicle Highway is requesting a \$60,000 transfer of funds from Classification 4 - Capital to Classification 3 – Services. The decision was made to refurbish the existing two-way radio system rather than to purchase a new system.
  5. **Alternative Transportation Fund – Parking** – Transfer \$1,000 from Classification 3 - Services to Classification 1 – Personnel, as projected expenses will be more than the budget for 2019.
  6. **Cumulative Capital Development Fund** – The Public Works Department is requesting to transfer \$322,426 from Classification 2 – Supplies, with \$300,388 going to Classification 3 – Services and \$22,038 going to Classification 4 – Capital. This will cover costs associated with Community Crossings Grant projects and pavement marking activities, respectively.
  7. **Parking Meter Fund** – The Parking Meter Fund is requesting a \$35,000 increase in Classification 3 – Services and a \$125,000 increase to Classification 2 – Supplies, for a total of \$160,000 for the Parking Meter fund. This will cover costs associated with the acquisition of new meters.
  8. **Rental Inspection Program – HAND** In 2012 the state legislature created new rules regarding rental inspection programs. This requires the City to deposit receipts from the program in a designated fund. As of October 31, that fund has collected approximately \$270,000 for the 12 months ended October 31, 2019. Although the revenue is now accounted for in the new fund, expenses for the program are still appropriated in the general fund. As such, we will be creating an invoice to reimburse the general fund from the rental inspection program fund.



**CITY OF BLOOMINGTON, INDIANA**  
**ANNUAL COUNCIL LEGISLATIVE SCHEDULE FOR 2020**  
**(Subject to Revision by Common Council)**

**The Legislative Cycle.** While it is typical for the Council to introduce and take final action on legislation during the same legislative cycle, which typically spans three consecutive Wednesdays (or 14 days), the Council may schedule legislation for further consideration at subsequent Committees of the Whole, Regular Sessions, or Special Sessions. Matters certified by the Plan Commission may be referred to the Land Use Committee which, unless given more time by that motion, may return the matter to the full Council at the second Regular Session following its referral to the Land Use Committee.

**Work Sessions.** Work Sessions provide an opportunity for the Council members to learn about City initiatives, most of which are close to formal consideration by the Council. These meetings are typically held in the Clerk/Council Office Library (Room 110 of City Hall) at noon. If the room is too small for the meeting, the Council may move it to another room in City Hall and post notice on the door of the Council Office the day of the change in location. Except for the meetings on Monday, December 16, 2019 and Monday, December 14, 2020, these meetings will be held on a Friday.

**Deadlines for Legislation:** There are typically two deadlines for submitting legislation for each legislative cycle: one for ordinances and another for resolutions. These deadlines include the submittal of all accompanying materials, including a summary memo, and are set at noon on the date listed below. For information on the manner for submitting these materials, please inquire with the Council Office.

**Usual Day, Location, and Time of Meetings:** Unless otherwise indicated, the Council meets on the first four Wednesdays of the month in the Council Chambers in Room 115 of the Showers Center, 401 North Morton Street, Bloomington, Indiana, at 6:30 p.m. It also meets for a Work Session on Fridays about 12 days before the beginning of the next legislative cycle. See the first column of the chart (below) and Work Sessions (above) for the day, time, location of those meetings and the typical topics discussed at them. Matters certified by the Plan Commission to the Common Council may be referred to the Land Use Committee. When considering those matters, unless changed by a motion of the Council, the Land Use Committee, as a standing committee of the Council, shall meet on the second and fourth Wednesday of the month and start its meeting between 5:30 pm and 9:45 pm. (BMC 2.04.255)

LEGIS CYCLE	WORK SESSIONS	DEADLINE FOR ORDINANCES; E-MAILED TO CCL BY NOON	DEADLINE FOR RESOLUTIONS; E-MAILED TO CCL BY NOON	REGULAR SESSION 1st READING FOR ORDS.	COMMITTEE OF THE WHOLE/ LAND USE COMMITTEE DISCUSSION	REGULAR SESSION 2nd READINGS AND RESOLUTIONS
1	Mon. Dec. 16 (2019)	Wed. Dec. 18 (2019)	Wed. Dec. 18 (2019)	<sup>1</sup> Jan. 8	<sup>1</sup> Jan. 8	Jan. 15
2	Fri. Jan. 3	Mon. Jan. 6	Mon. Jan. 13	Jan. 15	Jan. 22	<sup>2</sup> Feb. 5
3	Fri. Jan 24	Mon. Jan. 27	Mon. Feb. 3	Feb. 5	Feb. 12	Feb. 19
4	Fri. Feb. 7	Mon. Feb. 10	Mon. Feb. 17	Feb. 19	Feb. 26	Mar. 4
5	Fri. Feb. 21	Mon. Feb. 24	Mon. Feb. 24	<sup>3</sup> Mar. 4	<sup>3</sup> Mar. 4	Mar. 11
6	Fri. Feb. 28	Mon. Mar. 2	Fri. Mar. 13	Mar. 11	Mar. 25	Apr. 1
7	Fri. Mar. 13	Mon. Mar. 23	Mon. Mar. 30	Apr. 1	<sup>4</sup> Tue. Apr. 7	Apr. 15
8	Fri. Apr. 3	Mon. Apr. 6	Mon. Apr. 13	Apr. 15	<sup>5</sup> Apr. 22	<sup>2</sup> May 6
9	Fri. Apr. 24	Mon. Apr. 27	Mon. May 4	May 6	May 13	May 20
10	Fri. May 8	Mon. May 11	Mon. May 18	May 20	May 27	June 3
11	Fri. May 22	Fri. May 22	Mon. June 1	June 3	June 10	<sup>6</sup> June 17
12	Fri. June 5	Mon. June 8	Mon. June 15	<sup>6 &amp; 7</sup> June 17	<sup>7</sup> June 24	<sup>7</sup> July 1
SUMMER RECESS (ENDING WITH REGULAR SESSION ON AUGUST 5) AND DEPARTMENTAL BUDGET HEARINGS (STARTING ON MONDAY, AUGUST 17 THROUGH AUGUST 20) <sup>5</sup>						
13	Fri. July 24	Mon. July 27	Mon. July 27	<sup>7 &amp; 8</sup> Aug 5	<sup>7 &amp; 8</sup> Aug. 5	<sup>7 &amp; 8</sup> Aug. 12
14	Fri. July 31	Mon. Aug. 3	Fri. Aug. 14	Aug. 12	Aug. 26	Sept. 2
15	Fri. Aug. 21	Mon. Aug. 24	Mon. Aug. 31	Sept. 2	Sept. 9	<sup>9</sup> Sept. 16
16	Fri. Sept. 4	Fri. Sept. 4	Fri. Sept. 11	<sup>9</sup> Sept. 16	<sup>9</sup> Sept. 23	<sup>9</sup> Oct. 7
<sup>5 &amp; 10</sup> Budget	N/A	Mon. Sept. 14	Mon. Sept. 14	<sup>10</sup> Sept. 30	<sup>10</sup> Sept. 30	<sup>10</sup> Oct. 14
17	Fri. Sept. 25	Mon. Sept. 28	Mon. Sept. 28	<sup>9</sup> Oct. 7	<sup>9</sup> Oct. 7	<sup>9</sup> Oct. 21
18	Fri. Oct. 9	Fri. Oct. 9	Mon. Oct. 19	Oct. 21	Oct. 28	Nov. 4
19	Fri. Oct. 23	Mon. Oct. 26	Mon. Oct. 26	Nov. 4	<sup>11</sup> Thur. Nov. 12	<sup>11</sup> Nov. 18
20	Fri. Oct. 30	Wed. Nov. 4	Wed. Nov. 4	<sup>11</sup> Nov. 18	<sup>11</sup> Nov. 18	<sup>11</sup> Dec. 2
21	Fri. Nov. 13	Wed. Nov. 18	Mon. Nov. 30	Dec. 2	Dec. 9	Dec. 16
YEAR END RECESS						
First Legislative Cycle for 2020:						
1	Mon. Dec. 14 (2020)	Wed. Dec. 16 (2020)	Wed. Dec. 16 (2020)	<sup>1</sup> Wed. Jan. 13 (2021)	<sup>1</sup> Wed. Jan. 13 (2021)	Wed. Jan. 20 (2021)

(Over)



The following footnotes list and explain the exceptions to this general rule:

1. **Organizational Meeting.** The Council will hold an annual Organizational Meeting on this date when, along with other matters, it elects officers, appoints its members to serve on boards and commissions, and gives legislation first reading. Under local code, the meeting must be held by the second Wednesday in January unless rescheduled by a majority of the Council. (BMC 2.04.010 and BMC 2.04.050[a, c & d]). This meeting will be immediately followed by a Committee of the Whole.
2. **Fifth Wednesdays.** The Council does not, in general, meet on the fifth Wednesday of the month. In 2020, there are four such Wednesdays, which occur in January, April, July, and September. According to this schedule, the Council would meet on those Wednesdays in April (for a Budget Advance) and in September (for a Special Session and Committee of the Whole regarding the Budget for the following year – See Footnote #5 & #10 below).
3. **Spring Break.** The Council will hold its first Regular Session and first Committee of the Whole in March on the first Wednesday (March 4, 2020). This schedule calls for two meetings on one night in order to avoid meeting over Spring Break (when many residents are out-of-town).
4. **Passover.** Passover begins on the evening of Wednesday, April 8. To avoid meeting on this day of religious observance, the Council will instead meet for a Committee of the Whole on Tuesday, April 7.
5. **Budget Hearings.** The Council will hold a Council Budget Advance in the Council Chambers of City Hall at 6:00 p.m. on Wednesday, April 29 and Departmental Budget Hearings in the Council Chambers at 6:00 p.m. on Monday, August 17, Tuesday, August 18, Wednesday, August 19, and Thursday, August 20, 2020. Budget Books are scheduled to be delivered on Monday, August 10, which is one week before the start of the Departmental Budget Hearings.
6. **Tax Abatement Report.** The Council will hear the Annual Tax Abatement Report as a Report from the Mayor and City Offices at this Regular Session.
7. **Summer Recess.** BMC 2.04.050[e] & [g] call for the Council to take a brief recess after the first Regular Session in August and the second Regular Session in December, and not introduce legislation for first reading at these meetings. By approving this Annual Schedule, the Council will be starting and ending the Summer Recess earlier than set forth in the BMC, but not as early as in 2019. The Summer Recess will begin after the second legislative cycle in June (which ends with a Regular Session on July 1) and end with a Work Session on Friday, July 24. Please note that this will move one legislative cycle from before to after the Summer Recess.
8. **Summer Schedule Adjustment.** As mentioned in Footnote #6, this Annual Schedule moves one legislative cycle from before to after the Summer Recess and ends that recess earlier than usual. In order to avoid losing a legislative cycle (because of Departmental Budget Hearings), the first legislative cycle after Summer Recess will entail doubling-up a Regular Session and Committee of the Whole on August 5. That legislative cycle includes a Work Session on Friday, July 24, a Regular Session and Committee of the Whole on August 5, and a Regular Session on August 12.
9. **Second Legislative Cycle in September and First Legislative Cycle in October – Overlap with Budget Cycle.** The second legislative cycle in September and the first legislative cycle in October overlap with the Budget Cycle and are intended to allow for consideration of routine, non-budget legislation during that time. Those meetings will include a Regular Session on Wednesday, September 16, a Committee of the Whole on September 23, a Regular Session and Committee of the Whole on October 7 (a first Wednesday), and a Regular Session on October 21. Because of the fifth Wednesday in September, this will add a legislative cycle which is generally lost with the inclusion of the Budget Cycle.
10. **Budget Cycle Schedule.** After holding Departmental Budget Hearings in the mid-August (See Footnote #5), the Council will formally consider the City Budget for 2019 during a separate legislative cycle (known as the “Budget Cycle”) starting in late September and ending in early October. In keeping with the Wednesday meeting schedule, this Budget Cycle starts with a Special Session and Committee of the Whole on the fifth Wednesday in September and ends with a Special Session on the second Wednesday in October. Please note that the statutorily required initial public hearings associated with the City Budget package will be held during the aforementioned Committee of the Whole in September and the adoption hearings will be held at the Special Budget Session in October.
11. **Scheduling around Veteran’s Day and Thanksgiving.** Veteran’s Day falls on Wednesday, November 11. To avoid meeting on this City holiday, the Council will instead meet for a Committee of the Whole on Thursday, November 12. The Council will not meet for a Committee of the Whole on the Wednesday before Thanksgiving per BMC 2.04.050 (f). In order to hold a full complement of Wednesday meetings during the two legislative cycles in November, this schedule doubles-up a Regular Session and Committee of the Whole on November 18. The meetings in the two November legislative cycles include: a Regular Session on Wednesday, November 4, a Committee of the Whole on Thursday, November 12, a Regular Session and Committee of the Whole on Wednesday, November 18, and a Regular Session on Wednesday, December 2.

*Note: By adoption of this schedule, the Council gives staff the authority to correct typographical errors and align the footnotes and narrative to mesh with changes made in the course of Council approval of this schedule. These changes will not alter the date, time, or place of any meeting voted upon by the Council.*

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 01 (PC 4A – revised)

Name of Sponsor(s): Cms. Sturbaum and Rollo

Date Submitted: 9/26/19

UDO Chapter, Section, and Page

Chapter/Section/Part/Sub-Part	Page #
20.03.20 - Table 3-1: Allowed Use Table	63
20.03.30 – Use-Specific Standards - (b) – Residential Uses - (3) – Dwelling, Duplex - (A)	68
20.03.40((b)(4) – Dwelling, Triplex and Fourplex - (A)	69

Supported by Following Sections of the Comprehensive Plan

Chapter	Page #
<p><b><u>Chapter 5 – Housing &amp; Neighborhoods</u></b>  <b><u>Overview - Housing Trends and Issues</u></b>                      Some of Bloomington’s neighborhoods are relatively diverse, both economically and by housing type, whereas others are comprised almost entirely of single-family homes and limited in development by covenants. Most core neighborhoods are stable but are trending towards a lower percentage of new single-family homes. With greater density in the city comes the challenge to preserve neighborhood character and the opportunity to strengthen neighborhoods by developing small commercial nodes as community gathering places. <b>Existing core neighborhoods should not be the focus of the city’s increasing density.</b></p> <p><b>Bloomington’s older urban, small scale, compact, single-family housing stock located primarily around the city center and university provide some of the city’s more affordable housing stock and must be protected.</b></p> <p><u>Neighborhoods</u>                      Now that 1,900 new housing units have been constructed Downtown within the past decade (almost all of them apartments) the market dynamic is shifting. <b>More market opportunities may exist to convert single-family homes from student-rental to owner occupied.</b> This can allow more people to have a chance to live in urban neighborhoods, which are often closer to employment, shopping, and other amenities. This may also have the added benefit of reducing automobile traffic and the negative environmental impacts of traffic congestion.</p> <p><b>Goals &amp; Policies</b>  <b>Goal 5.2</b> Housing Planning and Design: Guide growth, change, and preservation of residential and business areas through <b>planning policies that create and sustain neighborhood character and green space, and that build a sense of community, civic involvement, and neighborhood pride.</b></p> <p><b>Policy 5.3.1:</b> Encourage opportunities for infill and redevelopment across Bloomington with consideration for increased residential densities, complementary design, and underutilized housing types such as accessory dwelling units, duplex, triplex, and fourplex buildings, courtyard apartments, bungalow courts, townhouses, row houses, and live/work spaces. <b>Avoid placing these high density forms in single family neighborhoods.</b></p> <p><b><u>Neighborhood Character and Quality of Life</u></b>  <b>Continue to support and promote affordable home ownership</b> as another method of permanent affordability that can help to raise and keep residents from poverty while they build equity and security in the local community.</p> <p><b><u>Mixed Urban Residential – Land Use Development Approvals</u></b>                      A few locations may support increases in density and multifamily residential uses when adjacent to higher volume roads, or near major destinations, or located along neighborhood edges that may support small-scale neighborhood mixed uses. It is important to protect the existing single-family housing stock within this district. <b>The conversion of dwellings to multifamily or commercial uses should be discouraged.</b></p> <p><b><u>Neighborhood Residential - Land Use Development Approvals</u></b>  <b>New and redevelopment activity for this district is mostly limited to remodeling existing or constructing new singlefamily residences. These instances require the Maintain development theme for development approvals.</b></p>	<p>P60</p> <p>P61</p> <p>P61</p> <p>P63</p> <p>P64</p> <p>P65</p> <p>P84</p> <p>P88</p>

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

This amendment brings forward a simplified version of PC Am-4A. It prohibits the “plexes” on properties zoned R1, R2 & R3 on the effective date of the UDO by making two changes. First, it amends Table 3-1: Allowed Use Table by removing the “C” (Conditional Use) for duplexes and triplexes in R1, R2, and R3 districts and, second, it strikes two provisions in the Use-Specific Standards for “plexes” that would allow them in those districts via reconfiguring lots.

Conforming to the Comprehensive plan, this amendment is intended to preserve the stable and diverse character of these unique core neighborhoods that are a model for appropriate density. Up-zoning to allow duplexes and triplexes in these already dense zones will create many unintended consequences:

- \* New home buyers will compete against rental investors and the new density will favor the investors;
- \* Property speculation, conversion and possible demolition will likely result in displacement of renters and eventual replacement with market rate rentals;
- \* Neighborhood quality of life will suffer from increased density;
- \* There are enough opportunity areas for at least a decade of this kind of infill outside the core neighborhoods;
- \* The fact that the large lot suburbs are exempt from this up-zoning, focuses the burden of this unasked-for removal of existing single family zoning on core neighborhoods exclusively;
- \* A good option already exists to increase density in the core neighborhoods. Accessory Dwelling Units are basically duplexes with the added requirement that the owner live in one of the structures. They are allowed as a conditional use which is approved 88% of the time and no ADU’s have been turned down to date; and
- \* If we don’t want multi-plexes in the core neighborhoods, banning them is the correct option. That is the intent of this amendment.

Council Action – [Date]:

(Over)

Amendment (use red font and indicate new text in **bold** and deleted text via ~~strikeout~~)

20.03.20 Table of Allowed Uses – Table 3-1

Delete "C" but keep the "\*" in cells intersecting rows entitled "Dwelling, duplex" and "Dwelling, triplex and fourplex" and columns entitled R1, R2 & R3.

## 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	
<b>RESIDENTIAL USES</b>																			
<b>Household Living</b>																			
Dwelling, single-family (detached)	P	P	P	P	P	P*	P*	P	P	P	P*	P*	P*			P*			20.03.030(b)(1)
Dwelling, single-family (attached)			P*	P*	P*	P*	P*		P*	P*	P*				P*				20.03.030(b)(2)
Dwelling, duplex	C	<del>C*</del>	<del>C*</del>	<del>C*</del>	P*	P*	P*		P*	P*	P*	C*			P*				20.03.030(b)(3)
Dwelling, triplex		<del>C*</del>	<del>C*</del>	<del>C*</del>	P*	P*	P*		P*	P*	P*	C*			P*				20.03.030(b)(4)
Dwelling, fourplex					C*	P*	P*		P*	P*	P*	P*			P*				20.03.030(b)(4)
Dwelling, multifamily					C*	P	P		P	P*	P*	P	P*	C	P*				20.03.030(b)(5)
Dwelling, live/work					C*	P*	P*			P*	P*	P*			P*				20.03.030(b)(6)
Dwelling, cottage development		C*	C*	C*	C*	C*	C*	C*		C*									20.03.030(b)(7)
Dwelling, mobile home								P*											20.03.030(b)(8)
Manufactured home park								P*											20.03.030(b)(9)
<b>Group Living</b>																			
Assisted living facility					C	P	P			C	P	P		P	P	P			
Continuing care retirement facility					C	P	P			C	P	P		P	P	P			
Fraternity or sorority house									P					P					
Group care home, FHAA small	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		P*			20.03.030(b)(10)
Group care facility, FHAA large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			20.03.030(b)(10)
Nursing or convalescent home					C	P	P			C	P	P	P	P	P	P			
Opioid rehabilitation home, small	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		P*			20.03.030(b)(10)
Opioid rehabilitation home, large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			20.03.030(b)(10)
Residential rooming house						P*	P*		P	P*	P	P	C*						20.03.030(b)(11)
Student housing or dormitory						C*	P*		P	C*	P*	P*		P*	C*				20.03.030(b)(12)
Supportive housing, small							C			C	C	C		C	C	C			
Supportive housing, large											C	C		C	C	C			

Note: According to 20.03.10 (b)(7), a blank cell indicates that the "use is not allowed in that zoning district."

### 20.03.030 Use-Specific Standards – (b) Residential Uses – (3) Dwelling Duplex

(3) Dwelling, Duplex

(A) Generally

~~i. For any property zoned R1, R2, or R3 on [effective date], duplex dwelling uses shall not be established on any lot or parcel that has been platted, replatted, subdivided, or consolidated after [effective date] where such action creates more R1, R2, or R3 residential lots than existed prior to such action.~~

ii. i For any property that has been rezoned to R1, R2, or R3 after [effective date] that was not previously designated in the R1, R2, or R3 zoning districts, duplex dwelling uses shall be permitted by-right and shall not require conditional use permit approval.

**20.03.030 Use-Specific Standards - (b) Residential Uses - (3) Dwelling, Triplex and Fourplex**

(4) Dwelling, Triplex and Fourplex

(A) Generally

~~i. For any property zoned R1, R2, or R3 on [effective date], triplex dwelling uses shall not be established on any lot or parcel that has been platted, replatted, subdivided, or consolidated after [effective date] where such action creates more R1, R2, or R3 residential lots than existed prior to such action.~~

ii. i. For any property that has been rezoned to R1, R2, or R3 after [effective date] that was not previously designated in the R1, R2, or R3 zoning districts, triplex dwelling uses shall be permitted by-right and shall not require conditional use permit approval.

iii. For any property that has been rezoned to R4 after [effective date] that was previously designated in the R1, R2 or R3 zoning districts, fourplex dwelling uses shall require conditional use permit approval.

# 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 02

Name of Sponsor(s): Cm. Volan

Date Submitted: 11/4/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.03.020, Table 3-1: Allowed Use Table Residential Uses	63
20.03.030(b)(3)(A)	68
20.03.030(b)(4)(A)	69

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Policy 5.1.3: Encourage a wide range of housing types to provide a more diverse mix of housing opportunities and household income levels, preferably within neighborhoods and multi-family housing developments.	63
5	Programs: Affordable housing <ul style="list-style-type: none"> <li>• Seek to expand compact urban housing solutions such as pocket neighborhoods, tiny houses, accessory dwelling units, and similar housing solutions, in a manner that attracts workforce and senior populations or otherwise complements the surrounding neighborhood.</li> </ul>	65
5	Programs: Neighborhood Character and Quality of Life <ul style="list-style-type: none"> <li>• Encourage a variety of housing options to meet the needs of seniors such as shared housing, accessory dwelling units, smaller homes and lots, adult foster homes and other assisted residential living arrangements.</li> </ul>	65

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

This amendment allows duplexes, triplexes, and fourplexes as permitted uses in the residential and mixed-use zoning districts indicated below on Table 3-1: Allowed Use Table. The purpose for allowing duplexes, triplexes, and fourplexes as permitted uses in these districts is to encourage a variety of housing options, to increase housing density, and to promote compact urban form.

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	
<b>RESIDENTIAL USES</b>																			
<b>Household Living</b>																			
Dwelling, single-family (detached)	P	P	P	P	P	P*	P*	P	P	P	P*	P*	P*			P*			20.03.030(b)(1)
Dwelling, single-family (attached)			P*	P*	P*	P*	P*		P*	P*	P*				P*				20.03.030(b)(2)
Dwelling, duplex	<del>CP</del>	<del>CP*</del>	<del>CP*</del>	<del>CP*</del>	P*	P*	P*		P*	P*	P*	<del>CP*</del>			P*				20.03.030(b)(3)
Dwelling, triplex		<del>CP*</del>	<del>CP*</del>	<del>CP*</del>	P*	P*	P*		P*	P*	P*	<del>CP*</del>			P*				20.03.030(b)(4)
Dwelling, fourplex					<del>CP*</del>	P*	P*		P*	P*	P*				P*				20.03.030(b)(4)
Dwelling, multifamily					C*	P	P		P	P*	P*	P	P*	C	P*				20.03.030(b)(5)
Dwelling, live/work					C*	P*	P*			P*	P*	P*			P*				20.03.030(b)(6)
Dwelling, cottage development		C*	C*	C*	C*	C*	C*	C*		C*									20.03.030(b)(7)
Dwelling, mobile home								P*											20.03.030(b)(8)
Manufactured home park								P*											20.03.030(b)(9)

### 20.03.030(b)(3) Dwelling, Duplex

#### (A) Generally

- i. For any property zoned R1, R2, or R3 on [effective date], duplex dwelling uses shall not be established on any lot or parcel that has been platted, replatted, subdivided, or consolidated after [effective date] where such action creates more R1, R2, or R3 residential lots than existed prior to such action.
- ~~ii. For any property that has been rezoned to R1, R2, or R3 after [effective date] that was not previously designated in the R1, R2, or R3 zoning districts, duplex dwelling uses shall be permitted by right and shall not require conditional use permit approval.~~

### 20.03.030(b)(4) Dwelling, Triplex and Fourplex

#### (A) Generally

- i. For any property zoned R1, R2, or R3 on [effective date], triplex dwelling uses shall not be established on any lot or parcel that has been platted, replatted, subdivided, or consolidated after [effective date] where such action creates more R1, R2, or R3 residential lots than existed prior to such action.
- ~~ii. For any property that has been rezoned to R1, R2, or R3 after [effective date] that was not previously designated in the R1, R2, or R3 zoning districts, triplex dwelling uses shall be permitted by right and shall not require conditional use permit approval.~~
- ~~iii. For any property that has been rezoned to R4 after [effective date] that was previously designated in the R1, R2 or R3 zoning districts, fourplex dwelling uses shall require conditional use permit approval.~~



# 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 03

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

Date Submitted: 11/5/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.03.030(b)(3)(C)	69
20.03.030(b)(4)(C)	69-70

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Policy 5.1.3: Encourage a wide range of housing types to provide a more diverse mix of housing opportunities and household income levels, preferably within neighborhoods and multi-family housing developments	63
5	Programs: Neighborhood Character and Quality of Life <ul style="list-style-type: none"> <li>Continue to support and promote affordable home ownership as another method of permanent affordability that can help to raise and keep residents from poverty while they build equity and security in the local community.</li> <li>Encourage a variety of housing options to meet the needs of seniors such as shared housing, accessory dwelling units, smaller homes and lots, adult foster homes and other assisted residential living arrangements</li> </ul>	65

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

The purpose of this amendment is to limit the number of bedrooms in duplexes and triplexes in existing residential neighborhoods in response to public concerns about increased density.

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(b)**

**(3) Dwelling, Duplex**

**(C) Design**

In the R1, R2, R3, and R4 zoning districts the following shall apply:

- i. Each individual dwelling unit shall have a separate exterior entrance facing a public or private street.
- ii. The front elevation building width of the duplex dwelling structure shall not exceed 40 feet.
- iii. The following design elements of the duplex dwelling shall be similar in general shape, size, and design to, with the majority of existing single-family or duplex structures on the same block face on which it is located:
  1. Roof pitch;
  2. Front porch width and depth;
  3. Front building setback; and
  4. Vehicle parking access (i.e., front-, side-, or rear-access garage or parking area).
- iv. No duplex dwelling structure shall contain more than ~~six~~**four** bedrooms total.
- v. Each individual dwelling unit shall have separate utility meters.

**20.03.030(b)**

**(4) Dwelling, Triplex and Fourplex**

**(C) Design**

- i. The front elevation building width of the triplex or fourplex dwelling structure shall not exceed 40 feet.
- ii. The following design elements of the triplex or fourplex dwelling shall be similar in general size, shape, and design with the majority of existing structures on the same block face on which it is located:
  1. Roof pitch;
  2. Front porch width and depth;
  3. Front building setback; and
  4. Vehicle parking access (i.e., front-, side-, or rear-access garage or parking area).
- iii. In the R1, R2, R3, and R4 zoning districts, no triplex dwelling structure shall contain more than ~~nine~~**six** bedrooms total, and no fourplex dwelling structure shall contain more than 12 bedrooms total.
- iv. Each individual dwelling unit shall have separate utility meters.

# 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 05

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

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.03.030(b) Residential Uses	
(3) Dwelling, Duplex	68
(4) Dwelling, Triplex and Fourplex	69

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Policy 5.4.1: Promote and maintain housing options within neighborhoods to ensure that a diversity of housing types, a mix of household incomes, and a variety of homeownership and rental opportunities exist, including for locally protected classes of vulnerable residents.	64
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)

The goal of this amendment is to assuage concerns of many residents in core neighborhoods that the allowance for duplexes, triplexes, and (in the new R4 district) fourplexes will lead to demolition of existing single-family houses. The amendment is based on Plan Commission Amendment 3, which failed for lack of a motion, but revises and clarifies the language.

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.***

### **(3) Dwelling, Duplex**

#### **(A) Generally**

- i. For any property zoned R1, R2, or R3 on *[effective date]*, duplex dwelling uses shall not be established on any lot or parcel that has been platted, replatted, subdivided, or consolidated after *[effective date]* where such action creates more R1, R2, or R3 residential lots than existed prior to such action.
- ii. For any property that has been rezoned to R1, R2, or R3 after *[effective date]* that was not previously designated in the R1, R2, or R3 zoning districts, duplex dwelling uses shall be permitted by-right and shall not require conditional use permit approval.
- iii. **For any property zoned R1, R2, or R3 on *[effective date]*, duplex dwelling uses may be established on a lot or parcel where a demolition permit has been issued when:**
  1. **No more than 35 percent of the gross square footage of the existing principal dwelling structure has been demolished or removed within the previous 3 calendar years; and**
  2. **The proposed duplex structure does not exceed the total gross square footage of the original structure that was demolished or removed by more than 25 percent.**

### **(4) Dwelling, Triplex and Fourplex**

#### **(A) Generally**

- i. For any property zoned R1, R2, or R3 on *[effective date]*, triplex dwelling uses shall not be established on any lot or parcel that has been platted, replatted, subdivided, or consolidated after *[effective date]* where such action creates more R1, R2, or R3 residential lots than existed prior to such action.
- ii. For any property that has been rezoned to R1, R2, or R3 after *[effective date]* that was not previously designated in the R1, R2, or R3 zoning districts, triplex dwelling uses shall be permitted by-right and shall not require conditional use permit approval.
- iii. For any property that has been rezoned to R4 after *[effective date]* that was previously designated in the R1, R2 or R3 zoning districts, fourplex dwelling uses shall require conditional use permit approval.
- iv. **For any property zoned R1, R2, or R3 on *[effective date]*, triplex dwelling uses may be established on a lot or parcel where a demolition permit has been issued when:**
  1. **No more than 35 percent of the gross square footage of the existing principal dwelling structure has been demolished or removed within the previous 3 calendar years; and**
  2. **The proposed triplex structure does not exceed the total gross square footage of the original structure that was demolished or removed by more than 25 percent.**

# 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 06

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 Accessory Uses	67
20.03.030(g)(5)(C) Existing Planned Unit Developments	87
2.003.030(g)(5)(G) Historic Districts	87

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Programs: Affordable housing <ul style="list-style-type: none"> <li>Seek to expand compact urban housing solutions such as pocket neighborhoods, tiny houses, accessory dwelling units, and similar housing solutions, in a manner that attracts workforce and senior populations or otherwise complements the surrounding neighborhood.</li> </ul>	65
5	Programs: Neighborhood Character and Quality of Life <ul style="list-style-type: none"> <li>Encourage a variety of housing options to meet the needs of seniors such as shared housing, accessory dwelling units, smaller homes and lots, adult foster homes and other assisted residential living arrangements</li> </ul>	65
7	Mixed Urban Residential: Land Use Development Approvals The following provide additional land development policy guidance: <ul style="list-style-type: none"> <li>Accessory dwelling units for single-family residential offer options to consider for affordability, aging in place, and to meet other housing needs.</li> </ul>	84
7	Neighborhood Residential: Land Use Development Approvals For larger lots (larger than one acre), attached single-family residential, accessory dwelling, and minor subdivision are appropriate residential uses and require the Enhance theme for development approvals.	88

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

ADUs are called for in multiple paragraphs in the Comprehensive Plan. The City has now allowed ADUs as a conditional use for over 2 years, and there have been no negative impacts of such approved uses as far as I know. I think this is largely due to the owner occupancy requirement. The conditional use process is an unnecessary burden for homeowners who want to add an ADU to their property and are able to do so within the rules of the city. Therefore I seek to remove the conditional use limitation for ADUs in all residential districts.

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	
<b>ACCESSORY USES</b>																		20.03.030(g)(1)	
Chicken flock	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*		P*	20.03.030(g)(1)(G)
Detached garage	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*								20.03.030(g)(3)
Drive-through											A*	A							20.03.030(g)(4)
Dwelling, accessory unit	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*			20.03.030(g)(5)
Electric vehicle charging facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Greenhouse, noncommercial	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Home occupation	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*			20.03.030(g)(6)
Outdoor retail and display										T*	T*	T*			T*		A*		20.03.030(g)(7)
Outdoor trash and recyclables receptacles						A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*		20.03.030(g)(8)
Recycling drop-off, self-serve						A	A		A	A	A	A	A	A	A	A			
Swimming pool	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	20.03.030(g)(9)

### 20.03.030(g)(5)

**(C) Existing Planned Unit Developments**

~~For any PUD zoning district that permits detached single-family dwellings, and that was approved before September 6, 2017, ADUs shall be considered a Conditional Use and are subject to the requirements of this section and Conditional Use approval.~~

### 20.03.030(g)(5)

**(G) Historic Districts**

If located within a historic district, any exterior changes or new construction shall be in compliance with the historic district's guidelines and any required certificate of appropriateness shall be obtained pursuant to Title 8 (Historic Preservation and Protection) of the Bloomington Municipal Code., ~~prior to review through the conditional use approval process.~~

# 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 07

Name of Sponsor(s): Cm. Volan

Date Submitted: 11/4/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.03.020, Table 3-1: Allowed Use Table Accessory Uses	67
20.03.030(g)(5)(C) Existing Planned Unit Developments	87
2.003.030(g)(5)(G) Historic Districts	87
20.03.030(g)(5)(H) Owner Occupancy	87-88

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Programs: Affordable housing <ul style="list-style-type: none"> <li>Seek to expand compact urban housing solutions such as pocket neighborhoods, tiny houses, accessory dwelling units, and similar housing solutions, in a manner that attracts workforce and senior populations or otherwise complements the surrounding neighborhood.</li> </ul>	65
5	Programs: Neighborhood Character and Quality of Life <ul style="list-style-type: none"> <li>Encourage a variety of housing options to meet the needs of seniors such as shared housing, accessory dwelling units, smaller homes and lots, adult foster homes and other assisted residential living arrangements</li> </ul>	65
7	Mixed Urban Residential: Land Use Development Approvals The following provide additional land development policy guidance: <ul style="list-style-type: none"> <li>Accessory dwelling units for single-family residential offer options to consider for affordability, aging in place, and to meet other housing needs.</li> </ul>	84
7	Neighborhood Residential: Land Use Development Approvals For larger lots (larger than one acre), attached single-family residential, accessory dwelling, and minor subdivision are appropriate residential uses and require the Enhance theme for development approvals.	88

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

This amendment removes the conditional use limitation as well as the owner occupancy requirements from accessory dwelling units (ADUs). The intent is to make this housing option more accessible with fewer burdens on those wanting to utilize ADUs.

Council Action – [Date]:

- over -

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***

## 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	
<b>ACCESSORY USES</b>																		20.03.030(g)(1)	
Chicken flock	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*		P*	20.03.030(g)(1)(G)
Detached garage	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*								20.03.030(g)(3)
Drive-through											A*	A							20.03.030(g)(4)
Dwelling, accessory unit	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*	<del>C*</del> A*			20.03.030(g)(5)
Electric vehicle charging facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Greenhouse, noncommercial	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Home occupation	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*			20.03.030(g)(6)
Outdoor retail and display										T*	T*	T*			T*		A*		20.03.030(g)(7)
Outdoor trash and recyclables receptacles						A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*		20.03.030(g)(8)
Recycling drop-off, self-serve						A	A		A	A	A	A	A	A	A	A			
Swimming pool	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	20.03.030(g)(9)

### 20.03.030(g)(5)

**(C) Existing Planned Unit Developments**

For any PUD zoning district that permits detached single-family dwellings, and that was approved before September 6, 2017, ADUs shall be considered a Conditional Use and are subject to the requirements of this section and Conditional Use approval.

### 20.03.030(g)(5)

**(G) Historic Districts**

If located within a historic district, any exterior changes or new construction shall be in compliance with the historic district's guidelines and any required certificate of appropriateness shall be obtained pursuant to Title 8 (Historic Preservation and Protection) of the Bloomington Municipal Code., ~~prior to review through the conditional use approval process.~~



## 20.03.030(g)(5)

### **(H) Owner Occupancy**

- i. ADUs shall only be permitted on a property where either the primary dwelling unit or the ADU is occupied by the owner of the property.
- ii. The owner of each property on which an ADU is located shall sign an affidavit pledging agreement with the terms of this section. The affidavit shall specify which dwelling unit (either the primary dwelling unit or the ADU) the owner will occupy. If at any time the owner moves from one dwelling unit to the other, the owner shall file an updated affidavit. Otherwise, all affidavits shall be filed annually with the Planning and Transportation Department.
- iii. Any primary dwelling or ADU used as a rental unit shall register with the department of housing and neighborhood development (HAND) and receive appropriate certification prior to occupancy.

*Note: This amendment also authorizes staff to renumber (or re-letter) the items under 20.03.030(g)(5) accordingly as a result of this amendment.*

*public realm.*

# 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 08

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

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.02.050(b) Qualifying Standards	51

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Goal 5.1: Housing Affordability	63
	Goal 5.3: Housing Supply	64

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

Constructed affordable or workforce housing units are more valuable for our community than a contribution to our Housing Development Fund. Therefore, developers seeking an exception to the underlying zoning through a PUD should contribute to the high community need for affordable/workforce housing by including actual affordable units and not by making a monetary contribution which may or may not result in actual housing units within a reasonable time frame.

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**

### **(b) Qualifying Standards**

(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.~~

# 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 09

Name of Sponsor(s): Cm. Volan

Date Submitted: 11/4/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.03.030 Use-Specific Standards	92
20.07.010 Defined Words	351

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Policy 5.1.3: Encourage a wide range of housing types to provide a more diverse mix of housing opportunities and household income levels, preferably within neighborhoods and multi-family housing developments.	63

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

This amendment is proposed by Cm. Volan at the request of planning staff. The amendment creates a definition for cooperative housing and adds use-specific standards related to such use.

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**

#### **(i) Cooperative Housing**

Any of the uses listed as Household Living uses in Table 3-1 (Allowed Use Table) may be organized as Cooperative Housing, but shall be a Permitted use or a Conditional use only in those zoning districts where another Household Living use with the same layout and number of units would be allowed as a Permitted use or Conditional use, and shall be subject to those Use-specific standards applicable to such Household Living use with the same layout and number of units. For example, a Cooperative Housing facility that meets the definition of "Dwelling, multifamily" in terms of layout and number of units is a Permitted use available only in those zoning districts where a "Dwelling, multifamily" is a Permitted use in Table 3-1 (Allowed Use Table), and is a Conditional use available only in those zoning districts where a "Dwelling, multifamily", is listed as a Conditional use in Table 3-1 (Allowed Use Table), and is subject to those Use-specific standards applicable to a "Dwelling, multifamily" in Section 20.03.030(b)(5).

### **20.07.010 Defined Words**

#### **Cooperative Housing**

A facility used for the purpose of household living, where the residents share common areas and cooking, dining, and maintenance duties. All residents are shareholders in a cooperative corporation that owns the property, and are entitled to use of a housing unit in the property, but shall not own a real property interest in the building, land, or other amenities that make up the facility. Membership in the cooperative corporation shall be open regardless of age, sexual orientation, gender, religion, or ethnicity, and governance of the cooperative is provided by the membership. This definition does not include any facility that meets the definition of a Student Housing or Dormitory or a Fraternity or Sorority House under this UDO or the definition of a condominium under Indiana law.