

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

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

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

Presentation on Unanswered Questions from Previous Discussions

Conduct of Deliberations – Time Limits

CONSENT AGENDA

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

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

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

REGULAR AGENDA

Amendments Carried-Over from 14 November 2019

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

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

20.01 – ORDINANCE FOUNDATION

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

20.02 - ZONING DISTRICTS

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

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

20.03 – USE REGULATIONS

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

20.04 – DEVELOPMENT STANDARDS & INCENTIVES

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

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

20.05 – SUBDIVISION STANDARDS

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

20.06 – ADMINISTRATION AND PROCEDURES

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

20.07 - DEFINITIONS

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

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

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

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

Written Objections Regarding Proposed Ordinance 19-24

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