CITY OF BLOOMINGTON

PLAN COMMISSION

January 13, 2020 @ 5:30 p.m. COUNCIL CHAMBERS #115 CITY HALL

ROLL CALL

MINUTES TO BE APPROVED: October 2019

REPORTS, RESOLUTIONS AND COMMUNICATIONS:

PETITIONS:

ZO-30-19 City of Bloomington

Adoption Draft Unified Development Ordinance

On September 23, 2019, the Plan Commission recommended that the City Council repeal and replace the City's zoning ordinance, commonly referred to as the Unified Development Ordinance. In the following weeks, during a series of meetings, the City Council considered and amended the Plan Commission's proposal. On December 18, 2019, the City Council adopted an amended version of the zoning ordinance. Under Indiana Code 36-7-4-606(g), the amended version comes back to the Plan Commission for a final review and approval. <u>Case Manager: Scott Robinson</u>

PUD-36-19 Trinitas Development

1550 N. Arlington Park Dr. and 1723 W. Arlington Rd. Request: Approval of Preliminary Plan Amendment and District Ordinance and rezone Business Park (BP), Residential Single Family (RS) and Planned Unit Development (PUD) to PUD. <u>Case Manager: Eric Greulich</u>

**Next Meeting February 10, 2020

Last Updated: 1/8/20

Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call <u>812-349-3429</u> or e-mail <u>human.rights@bloomington.in.gov</u>.

 PETITIONER:
 City of Bloomington, Planning & Transportation Department

 401 N. Morton Street, Bloomington

CONSULTANTS: Clarion Associates 1600 Stout Street, Ste. 1700, Denver, CO

> McBrideDaleClarion 5721 Dragon Way, Ste. 300, Cincinnati, OH

REQUEST: The City is requesting to replace the 2007 Unified Development Ordinance with an updated Unified Development Ordinance (UDO).

BACKGROUND and OVERVIEW: The City of Bloomington adopted the 2018 Comprehensive Plan in March of 2018. This replaced the 2002 Growth Polices Plan. The next step is to update and replace the UDO. This is important to better align policies and ensure consistency with land use guidance provided in the 2018 Comprehensive Plan. The practice of updating comprehensive plans and then zoning ordinances is widely accepted and used throughout American communities; some dating back to the early 1900s when zoning was first being used to promote the health, safety, and welfare of communities. Historically, Bloomington has updated its zoning ordinance after updates to the Comprehensive Plan.

In February 2018, Clarion Associates and McBrideDaleClarion, hired by the City to facilitate the project, kicked off the UDO update. The first public meeting outlined the purpose and general approach to evaluating, reviewing, and updating the UDO. The approach broke the update process into the following steps:

- UDO Assessment (April 30 May 1, 2018): identify recommended development regulations that need to be added, deleted, or revised to better align the UDO with the Comprehensive Plan objectives;
- Zone Districts and Permitted Uses (July 16 17, 2018): propose zone district and use (permitted/conditional/accessory/temporary) changes with each change footnoted;
- Dimensional and Development Standards (September 11 12, 2018): propose changes to dimensional standards (height, size, setbacks, and location of primary and accessory structures) and development layout and quality standards (access/ connectivity, parking, lighting, landscaping/buffering, signage, and maintenance standards);
- Procedures and Administration (November 27 28, 2018): propose changes to review and adoption procedures and criteria for both new development and redevelopment projects;
- Consolidated UDO Draft (March 19-20, 2019): propose changes and integrate prior steps into a Consolidated Draft for review; and
- Adoption Draft (August 5) provide a final draft to be considered for adoption and replacement of the 2007 UDO.

Each step was comprised of multiple meetings with stakeholders, an Advisory Committee, elected officials, board and commission members, and residents from the general public. All meetings within each step were conducted using the same information and process. A project website also mirrored each step to provide consistency and help ensure information was readily available throughout the process. Residents could provide input at any of the 35 public meetings and/or through the website regardless of whether they were able to personally attend a meeting or not. The culmination of these steps together resulted in an Adoption Draft that was posted on August 5, 2019. Copies were also made available at the Planning and Transportation Department and Monroe County Public Library.

The Plan Commission held a series seven of UDO Adoption Draft hearings beginning August 26, 2019 through September 23, 2019. A total of 23 amendments were considered and of these 16 amendments were adopted. The amended UDO Adoption Draft was then considered by the Common Council under Ordinance 19-24.

The Common Council further amended the UDO Adoption Draft and submitted a detailed report on Ordinance 19-24, filed on December 20, 2019, which is included within the meeting packet. The Council's report provides information on state legal requirements, the Common Council process, amendments considered and adopted, the effective date upon adoption of the Conversion Map (section 5 of Ordinance 19-24), and attachments (amended UDO and a log of amendments).

Because the Common Council amended the UDO Adoption Draft, the Plan Commission must either approve or disapprove the amended UDO Adoption Draft per IC 36-7-4-606(g) and report back to the Common Council within 45 days. There are three possible actions the Plan Commission may take:

- Approve Council's Amended UDO within 45 days and Ordinance 19-24 stands;
- Disapprove Council's Amended UDO within 45 days and then the Common Council must confirm their original amendment within 45 days of the Plan Commission certifying its disapproval or the original UDO Adoption Draft certified to the Common Council stands; or
- Do nothing and after 45 days Ordinance 19-24 stands.

RECOMMENDATION: The Planning and Transportation Department is recommending the Plan commission approve ZO-30-19/Ordinance 19-24.



December 20, 2019

Brad Wisler, President City of Bloomington Plan Commission 401 North Morton, Room 160 P.O. Box 100 Bloomington, IN 47402

Dear Mr. Wisler,

This letter is being written pursuant to I.C. 36-7-4-606(g) which requires the Council, in the event it amends a proposal to replace the City's zoning ordinance, to return the proposal and amendments to the Plan Commission, with a statement of reasons for the amendments. On September 25, 2019, the Common Council received certification of the Plan Commission action on the proposal to replace our zoning ordinance, which has come forward as <u>Ordinance 19-24</u> To Repeal and Replace Title 20 of the Bloomington Municipal Code Entitled, "Unified Development Ordinance."

On December 18, 2019, after a series of meetings over the months of October, November, and early December, that comprised one long Special Session, the Common Council approved <u>Ordinance 19-24</u> by a vote of 9 - 0 - 0, with fifty-nine amendments. Attached to this message are copies of the following records:

- Ordinance 19-24 signed by the Council President;
- Consolidated Attachments A & B (which combine the UDO Adoption Draft as revised in September 2019 [Attachment A] and Plan Commission Technical Amendments to the foregoing [Attachment B]); and
- Appendix C, which includes a:
 - log of all amendments considered by the Council which, among other information, includes the number, sponsor, synopsis, and action by the Council. *Please note that the synopses are intended to describe as well as provide the statement of reasons for the amendments and that each amendment includes cites to the Comprehensive Plan which support the proposed change. Please also note that the darkened rows indicate amendments that were <u>not</u> passed by the Council.*
 - o packet of amendments adopted by the Council; and,
 - packet of amendments that appeared on an agenda but were either denied, not introduced, or withdrawn by the Council.

The Council extends its deep appreciation for the countless hours of work the Plan Commissioners and staff undertook in crafting the UDO over the last few years and is looking forward to your response to these proposed amendments. Please any questions to your staff and your attorney, Mike Rouker.

Sincerely,

Dave Rollo, President Bloomington Common Council

401 N. Morton Street Bloomington, IN 47404

TO REPEAL AND REPLACE TITLE 20 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED, "UNIFIED DEVELOPMENT ORDINANCE"

- WHEREAS, the Common Council, by its <u>Resolution 18-01</u>, approved a new Comprehensive Plan for the City of Bloomington, which took effect on March 21, 2018; and
- WHEREAS, the Plan Commission has initiated and prepared a proposal to repeal and replace Title 20 of the Bloomington Municipal Code, entitled "Unified Development Ordinance" ("UDO"); and
- WHEREAS, in February 2018 the City retained Clarion Associates with McBride Dale Clarion to facilitate a comprehensive public engagement process, recommend best land use and zoning practices, and prepare a new UDO that will replace the 2007 UDO; and
- WHEREAS, the Plan Commission forwarded the proposal to the Common Council with a favorable recommendation on September 23, 2019, after providing notice and holding public hearings on the proposal as required by law; and
- WHEREAS, in preparing and considering this proposal, the Plan Commission and Common Council have paid reasonable regard to:
 - 1) the Comprehensive Plan;
 - current conditions and character of current structures and uses in each district;
 - 3) the most desirable use for which land in each district is adapted;
 - 4) the conservation of property values throughout the jurisdiction; and
 - 5) responsible development and growth; and
- WHEREAS, the UDO implements changes necessary to help mitigate the negative effects of climate change, which is consistent with the Common Council's approval of <u>Resolution 19-11</u>, <u>Resolution 18-19</u>, and <u>Resolution 17-13</u> regarding climate change; and
- WHEREAS, in preparing and considering this proposal, the zoning map will be subsequently updated utilizing a two-step process: (1) consider adoption of a "Conversion Zoning Map" to change the respective names of the current zoning districts to the new names used in the UDO, and (2) later consider a more comprehensive update to zoning districts and boundaries in the form of a "New Zoning Map."

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

SECTION 1. Title 20, entitled "Unified Development Ordinance", is repealed.

SECTION 2. A replacement Title 20, entitled "Unified Development Ordinance", including other materials that are incorporated therein by reference, is hereby adopted. Said replacement ordinance consists of the following documents which are incorporated herein and, in accordance with IC § 36-1-5-4, two (2) copies of the material are on file in the office of the clerk for the legislative body for public inspection:

(a) The Proposal forwarded to the Common Council by the Plan Commission with a favorable recommendation, consisting of:

(1) <u>UDO Adoption Draft (released August 2019 and revised September 2019)</u>, (hereinafter "Attachment A"); and

(2) Plan Commission technical amendments to Attachment A (hereinafter "Attachment B") which, once inserted into Attachment A, will together be referred to as Consolidated Attachment A and B; and

(b) The Common Council's amendments to the Consolidated Attachment A and B (hereinafter "Attachment C").

SECTION 3. The Clerk of the City is hereby authorized and directed to oversee the process of consolidating all of the documents referenced in Section 2 into a single text document for codification.

SECTION 4. Severability. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. This ordinance shall be in full force and effect on the same date a zoning conversion map takes effect. This ordinance shall not be rendered effective prior to the effective date of the zoning conversion map, nor shall it be rendered effective in the event the Common Council declines to adopt a zoning conversion map.

SECTION 6. The Clerk of the City is directed to enter the effective date of the ordinance wherever it appears in the body of the ordinance.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this <u>18</u> day of <u>December</u>, 2019.

DAVE ROLLO, President Bloomington Common Council

ATTEST:

NICOLE BOLDEN, Clerk City of Bloomington

PRESENTED by me to 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 repeals Title 20 of the Bloomington Municipal Code, containing the existing zoning ordinance and adopts a replacement ordinance, entitled "Unified Development Ordinance."

The zoning maps will be updated separately. First, the Plan Commission and Common Council will consider adoption of a Conversion Zoning Map. The Conversion Zoning Map will only replace the names of existing districts with new district names as detailed in Table 2-1: Summary of Zoning Districts. The effective date of the UDO will be the same as the effective date of the Conversion Zoning Map. Following adoption of the Conversion Zoning Map, the Plan Commission and Common Council will consider a more comprehensive update to zoning district boundaries and may repeal the Conversion Zoning Map and replace it with a new Zoning Map.

TO REPEAL AND REPLACE TITLE 20 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED, "UNIFIED DEVELOPMENT ORDINANCE"

CONSOLIDATED ATTACHMENT A & B

Which Incorporates and Combines the Following Two Attachments

ATTACHMENT A:

UDO Adoption Draft (released August 2019 and revised September 2019)

ATTACHMENT B:

Plan Commission Technical Amendments to Attachment A

Note: This attachment is available online via this <u>link</u> and at <u>https://bloomington.in.gov/council/plan-schedule</u> (under the column entitled "Relevant Documents/Information") and in the Office of the Bloomington City Clerk (401 N. Morton St., Room 110)

TO REPEAL AND REPLACE TITLE 20 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED, "UNIFIED DEVELOPMENT ORDINANCE"

ATTACHMENT C

Common Council's amendments to Consolidated Attachment A and B.

Attachment C includes the following records: - Log of amendments; - Adopted amendments; and - Amendments appearing on an agenda that failed, were not introduced, or were withdrawn.

TO REPEAL AND REPLACE TITLE 20 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED, "UNIFIED DEVELOPMENT ORDINANCE"

ATTACHMENT C

PART 1 – LOG OF AMENDMENTS

Log of Amendments to <u>Ordinance 19-24</u> - To Repeal and Replace Title 20 of the Bloomington Municipal Code Entitled, "Unified Development Ordinance" Final Council Action: Dec 18, 2019 – 9-0 to adopt <u>Ordinance 19-24</u> as amended

This log lists all amendments that were adopted. Amendments that failed, were withdrawn, or were not introduced, are also listed in the shaded rows below.

Council Am #	PC Am#	Sections Affected	Sponsor	Synopsis (which Includes the Required Statement of Reason[s] for the Amendment)	Action	Vote ¹	Date of Action
01	4-A ²	20.03.020 Table 3-1 20.03.030(b)(3)(A) 20.03.040(b)(4)(A)	Sturbaum Rollo	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.	Adopted	6-2	Nov 14
				That is the intent of this amendment.			

¹ Please see the Memoranda and Minutes to learn the votes of Council member on each amendment.

² CCL AM-1 revised and corrected PC AM 4A to reflect the intent of the sponsors and make it consistent with other provisions mentioned a note in the text box of this amendment.

02		20.03.020 Table 3-1	Volan	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.	Not introduced	N/A	Nov 14
03		20.03.030(b)(3)(C) 20.03.030(b)(4)(C)	Piedmont-Smith	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.	Amend Adopt as Amended Failed	9-0 4-5	Nov 13
04		N/A	N/A	N/A	Not released	N/A	N/A
05	PC Am 03	20.03.030(b)(3) 20.03.030(b)(4)	Piedmont-Smith	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.	Adopted	6-3	Nov 13
06		20.03.020 Table 3-1 20.03.030(g)(5)(C) 20.03.030(g)(5)(G)	Piedmont-Smith	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.	Adopted	5-3	Nov 14
07		20.03.020 Table 3-1 20.03.030(g)(5)(C) 20.03.030(g)(5)(G) 20.03.030(g)(5)(H)	Volan	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.	Not introduced	N/A	Nov 14
08		20.02.050(b)	Piedmont-Smith	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.	Adopted	8-0	Nov 19

09	20.03.030 20.07.010	Volan	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	Withdrawn	8-0	Nov 19
09-R	20.03.030 20.07.010	Volan & staff	standards related to such use.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. This is a revised version of Am 09, which was considered by the Council on November 19 but withdrawn before final action.	Adopted	6-0	Dec 10
10	20.01.010(b)	Piedmont-Smith	Like in the Comprehensive Plan and the subsequent Sustainability Action Plan, we should state at the beginning of the UDO that one of the purposes is to reduce greenhouse gas emissions (GHG). Adapting to climate change is a corollary to reducing GHG emissions and should logically be another purposes of the UDO.	Adopted (via consent agenda)	8-0	Nov 19
11	20.02.020(a)(2) Table 2-2 20.04.020(c) Table 4-2	Piedmont-Smith	With increased precipitation expected to continue in the future, the Environmental Commission is concerned about the UDO increasing impervious surface maximums. These should be kept at current levels (or decreased) to mitigate the impacts of climate change, including surface flooding and the associated run-off, which negatively impacts water quality.	Adopted (via consent agenda)	8-0	Nov 19
12	20.02.020(b)(2) Table 2-3 20.04.020(c) Table 4-2	Piedmont-Smith	With increased precipitation expected to continue in the future, the Environmental Commission is concerned about the UDO increasing impervious surface maximums. These should be kept at current levels (or decreased) to mitigate the impacts of climate change, including surface flooding and the associated run-off, which negatively impacts water quality.	Adopted (via consent agenda)	8-0	Nov 19
13	20.02.020(f)(2) Table 2-7 20.02.020(g)(2) Table 2-8	Piedmont-Smith	This amendment changes the default development standards for single-family, duplex, triplex, or fourplex dwellings in residential multifamily and high density districts from R2 standards to the more dense R4 standards. The change will allow more dense development within multifamily and high density districts. It makes sense to apply the dimensional standards from the R4 district to the densest residential zoning districts when considering single-family, duplex, triplex, or fourplex dwellings that could be adjacent to multifamily dwellings.	Adopted	8-0	Nov 19
14	20.02.030(b)	Piedmont-Smith	This amendment adds language regarding multi-modal transportation and pedestrian travel into the purpose section for Mixed-Use Neighborhood Scale. The Environmental Commission believes neighborhoods should move away from being automobile-centric in their design and should include multiple transportation options for their residents.	Adopted (via consent agenda)	8-0	Nov 19

15	20.02.050(a)	Piedmont-Smith	The Environmental Commission has a long-standing concern regarding the use of PUDs to avoid environmental rules set by the City. This amendment is a stronger purpose statement that we believe fulfills the original intent of PUDs, while strengthening environmental language.	Adopted (via consent agenda)	8-0	Nov 19
			Council Sponsor took some language from the EC's suggested replacement paragraph, but not the whole paragraph.			
16	20.02.050(b)	Piedmont-Smith	This amendment moves two important environmental standards from <i>optional</i> to <i>required</i> for qualifying standards. It also strikes subsection 20.02.050(b)(7)(G), which was blank.	Adopted (via consent agenda)	8-0	Nov 19
	20.03.020 Table 3-1	Piedmont-Smith	My goal is to provide at least one zoning district where a methadone treatment clinic would be allowed by right. The conditional use process opens up this use to neighborhood objections based on stigma, whereas we as a community should be working to eliminate the stigma of addiction and instead recognize addiction treatment as equivalent to any other medical treatment. A note about the use "Opioid rehabilitation facility." I would include this use in the current amendment, but unfortunately these facilities are not regulated sufficiently	Adopted	8-0	Nov 19
			by the state government to prevent potentially exploitative clinics from setting up shop in Bloomington. Methadone clinics are more highly regulated by the state. Furthermore, we have unfortunately already experienced, as a city, the lack of respect one particular opioid rehabilitation facility has had for local laws and procedures. The city really has no way of knowing when such a clinic opens other than to require the operators of the clinic to go through the conditional use process.			
18	20.03.030(c)(5)(C)	Piedmont-Smith	This amendment clarifies that soil must be tested only if food grown in that soil is to be sold. The goal is to remove what could be a costly impediment to growing food for one's own family's consumption (tracking prior use of the land or comprehensive soil testing).	Adopted	8-0	Nov 19
19	20.03.030(f)(2)	Piedmont-Smith	The Environmental Commission strongly believes that solar collecting devices should be permitted in side-yards, not limited to behind the primary front wall of the building. This amendment allows solar panels anywhere behind the setback of the lot in question.	Adopted	8-0	Nov 19

20	20.04.030(c)(9)	Piedmont-Smith	The goal of this amendment is to make the section on soil constraints more clear, not to change its meaning.	Adopted (via consent agenda)	8-0	Nov 19
21	20.04.030(f)(9)	Piedmont-Smith	 From the Environmental Commission: one acre in an urban environment is a large parcel. Therefore, riparian buffers should only be exempt if smaller than one-half acre. This amendment changes this as well. Council sponsor has added a cut and paste of existing text from the end of the section on riparian buffers to the beginning: The section on new single-family development that is exempt from riparian buffer requirements. Additional mitigation techniques are required for these parcels, and moving these requirements to the beginning of this section will hopefully increase compliance and enforcement, which has been lacking under the current (2007) UDO. 	Adopted (via consent agenda)	8-0	Nov 19
22	20.04.030(f)(7)(D)	Piedmont-Smith	The Environmental Commission strongly feels that "as needed for connectivity" is too low of a bar for putting streets in riparian buffers. This amendment strengthens this language to protect riparian buffers, in order to protect habitats/water quality and mitigate flooding.	Adopted (via consent agenda)	8-0	Nov 19
23	20.04.030(f)(9)	Piedmont-Smith	In order to protect water quality, the use of fertilizers, pesticides, and herbicides should be prohibited within riparian buffer zones. This amendment adds language prohibiting the use of these applicants within all riparian buffer zones, except as needed to control severe cases of invasive species, as designated by the Director of Planning & Transportation. This amendment also adds the requirement that all added vegetation be kept alive and maintained in perpetuity.	Not introduced	N/A	Nov 19
24	20.04.040(d)	Piedmont-Smith	The goal of this amendment is to clarify that construction of any building in the floodplain is only a conditional use and must go through the conditional use approval process. The floodplain standards are set by the state because DNR issues permits for land-disturbing activities within floodplains, but the city can be more restrictive as far as building in a floodplain. In addition, this amendment removes allowed uses that are not defined in Chapter 7 (these were taken from state code).	Adopted	8-0	Nov 19
24-R	20.04.040(d)	Piedmont-Smith	This amendment was a revised version of Am 24, which the sponsor chose not to introduce.	Not introduced	N/A	Nov 19

25	20.04.050(c)(3)(B) 20.04.060(i)(2)	Piedmont-Smith	Wide driveways make walking less appealing as sidewalks and street trees are interrupted to allow access for cars. Furthermore, as the Comprehensive Plan states, we should limit impervious surface in the interest of the environment and stormwater management. A width of 18 feet is sufficient even for a two-car garage and should be the maximum width allowed for new driveways in residential areas.	Adopted	8-0	Nov 19
26	20.04.060(d) Table 4-9	Sturbaum	Parking minimums are too small and are targeted for the R3 zone. The R-3 zone is particularly susceptible to harm to neighborhoods from over-parking. Much of R-3 has on-street parking only and the addition of cars that are beyond the very small minimums will have a negative affect on owners and renters already in the area of such proposed, under-parked developments. This amendment changes multiplex minimums from .5 to 1 space per dwelling unit. For student dormitory, it changes "no requirement" to .5 per bedroom. For 0 to 10 bedrooms, it changes "no requirement" to .5 per bedroom and for over 11 bedrooms, it changes .5 to 1 space per bedroom.	Failed	3-5	Nov 19
27	20.04.060(c), (d), (g), & (n)	Volan	The purpose of this amendment is to remove the minimum vehicle parking requirements contained within 20.04.060(d) and adjustments to those requirements in 20.04.060(g). This change would mean that developments or land use subject to Chapter 20.04 of the UDO would no longer have a minimum amount of parking required as part of the development standards, though maximum vehicle parking allowances would still apply. It also removes 20.04.060(n)(1)(A), which would allow the use of off-street parking by parkers who do not have business with the lot owner or tenant. This amendment is intended to reduce the amount of land dedicated to vehicle parking; to make underutilized off-street parking shareable and more efficient, further reducing the demand to devote more land to parking; and to encourage development centered on the concept of public transportation and pedestrian facilities.	Failed	4-4	Nov 19
28	20.04.060(m)(1)(B)	Piedmont-Smith	This amendment ensures that bicycle parking leaves sufficient space for someone using a wheelchair to pass on the sidewalk.	Adopted (via consent agenda)	8-0	Nov 19

29	2.04.070(d)(1)(C) 2.04.070(d)(2)(B)(iv)	Sturbaum	EIFS has never been a primary material allowed in our zoning code. It is not a long lasting material and is accepted as a secondary material due to its flexible use for smaller details. This amendment is intended to forbid large projects that are primarily covered with this material, from being built in Bloomington. Better quality and durability is required to meet higher requirements to blend into the different zones. An expectation for higher quality structures is communicated by the banning of this particular material. In addition, this amendment also distinguishes between primary and secondary exterior finish materials in mixed-use and non-residential districts.	Amend Adopt as Amended Adopted	8-0 7-1	Nov 19
30	20.04.070(e)	Sturbaum	This amendment adds "contributing" buildings to the list of historic structures that are respected by step-downs in height when new buildings in mixed-use districts are constructed next to historic structures. The majority of historic buildings are rated "contributing". This respects historic structures that are truly historic and important, but not stand-alone important.	Failed	1-7	Nov 19
31	20.04.080(c)(2)(C)	Piedmont-Smith	It is the belief of the Environmental Commission that increased biodiversity is important for our continued ecosystem health. This amendment changes "species" to "genus" when discussing tree planting biodiversity standards. The intent is to make this requirement more restrictive, thus providing for a higher level of biodiversity. Trees are a long-term investment in the ecological health of our community, and we ought to increase biodiversity in order to combat/prevent blights.	Adopted (via consent agenda)	8-0	Nov 19
32	20.04.080(m)	Piedmont-Smith	To fulfill the goal stated in the Comprehensive Plan, and the greenhouse gas emission reduction targets in the Sustainability Action Plan, as well as the several commitments to climate change mitigation made by the Mayor on behalf of the city, we must remove any barriers we control toward the installation of solar panels and other local renewable energy options. Screening is an additional cost that property owners should not have to incur to install solar panels.	Adopted	6-0-1	Nov 20
33	20.04.080(n)(1) 20.04.080(n)(3)	Piedmont-Smith	As the City of Bloomington seeks to improve access to and opportunities for urban agriculture, the Environmental Commission believes it is important to allow property owners to protect their investment and work through increased fence heights. The Comprehensive Plan specifically mentions adjusting these heights to allow for better protection against deer and other animal species. This amendment changes fence heights in interior and corner lots from eight feet to twelve feet. Council sponsor added a phrase at the beginning of the section on fences for the same reasons. Council sponsor adds as an additional reason for this amendment that the Deer Task Force recommended allowing taller fence heights in its report several years ago.	Amend Adopt as Amended Adopted	8-0 8-1	Nov 20

34		20.04.100(l)(3)	Volan	This amendment increases the size allowances for projecting signs within the MD	Amend	5-4	Nov 20
				District. The purpose of this ordinance is to allow signs similar to those contained in	Adopt as	5-4	
				the pictures attached hereto, which depict downtown signage in Bloomington circa	Amended		
				1963 and the current Buskirk-Chumley Theater signage.	Adopted		
35		20.04.110(d)(3)	Piedmont-Smith	This amendment is proposed by Cm. Piedmont-Smith at the request of planning staff.	Adopted	8-0	Nov 19
				The amendment clarifies that single-family, duplex, triplex, and fourplex uses are not	(via consent		
				eligible for the additional primary structure height bonus when those uses meet the	agenda)		
36		20.05.040(e)(3)	Piedmont-Smith	requirements of the sustainable development incentives.The Environmental Commission believes that herbicides/pesticides do not belong in	Not introduced	N/A	Nov 19
30		20.05.040(e)(5) 20.05.040(e)(9)	Pleumont-Simui	conservation easements except in the extreme case of otherwise unmanageable	Not mitrouuceu	IN/A	NOV 19
		20.03.040(6)(9)		invasive species. This amendment adds in this language. Council sponsor added the			
				language for drainage easements as well.			
37		20.05.050(j)(5)(N)	Piedmont-Smith	In street design, "eyebrows" set residential homes off from the street, which,	Adopted	9-0	Nov 20
				according to the Comprehensive Plan, should be a vibrant public realm. They are also	•		
				an unnecessary strip of impermeable surface, adding additional driving lanes. Finally,			
				such "eyebrows" push houses away from the through streets, giving drivers a			
				perception of greater open space which may lead to higher speeds. Higher speeds are			
20	DCA			not safe for pedestrians, bicyclists, and other road users.		0.64	N. DO
38	PC Am	20.06.050(c)	Sturbaum	Excluding partial demolition of "contributing" historic structures from review by the	Failed	2-6-1	Nov 20
	09 - REV	20.06.050(c)(3)(C)(ii) (2)[c]		historic commission allows for staff-approved demolitions of up to 50% of the structure which may lower the rating of a property from "contributing" to "non-			
	KEV			contributing". The directive to staff is the issue here. Currently, staff is to consider			
				whether this property should be individually designated when, by definition, as a			
				"contributing" property, it gains its rating based upon neighborhood context. That is			
				the meaning of the definition of "contributing". Absent an amendment, a historic			
				resource that is an important piece of a group of other contributing resources could			
				be modified without commission or legitimate staff review and, then, be so altered			
				and degraded, that it would no longer be eligible for preservation as a historic			
				property. This amendment clarifies the standard of review for staff in these			
				circumstances in order to avoid that scenario.			

39	20.07.010	Piedmont-Smith	 In order to protect water quality, the Environmental Commission believes it is beneficial and prudent to define the three major stream types, as opposed to just intermittent streams. This amendment adds definitions for perennial and ephemeral streams, and amends the definition of intermittent streams, all of which were designed by City Senior Environmental Planner. Due to the difficulty of identifying ephemeral streams and thus enforcing their protection, staff advised the Council Sponsor to not require ephemeral streams to have riparian buffer zones. Thus the definition of ephemeral stream is not necessary 	Adopted (via consent agenda)	8-0	Nov 19
			and has been deleted from the EC version of this amendment.			
40	20.02.020(c) Table 2-4 20.04.020(c) Table 4-2	Sturbaum	This amendment reduces the maximum height of R2 buildings from 40 feet to 35 feet. Virtually all R2 buildings are presently two story houses at most. The proposed 40' max would allow three story (or even short four story buildings, which would radically change the quality and character of R2 neighborhoods. Reducing the max height to 35' would still permit a two story duplex and triplex structure.	Failed	2-6	Dec 3
41	20.02.060(a)(5)	Sandberg and Staff	This amendment is proposed by Cm. Sandberg at the request of staff. The amendment provides clarification on upper floor facade setbacks and the relationship to a public street and not the side or rear.	Adopted (via consent agenda)	N/A	Dec 3
42	20.03.020 Table 3-1	Sturbaum	This amendment would change the approval of fourplexes, multifamily dwellings and live/work dwellings in a Residential Multifamily (RM) district from a permitted to a conditional use. The Residential Multifamily (RM) zone still contains many single family homes and single family forms that have become multifamily. The higher density forms that are fine in Residential High-Density Multifamily (RH) could have negative consequences in the RM zones. Conditional use still allows their use but the application will have a chance of being more context sensitive with a public process that the conditional use provides.	Failed	1-7	Dec 3
43	20.03.030(b)(10)	Sandberg and Staff	This amendment is proposed by Cm. Sandberg at the request of staff. The amendment further reduces the spacing standard for group care homes to reflect a typical block length, which is 300 feet. The existing UDO spacing standard for group care homes is 3,000 feet and the draft UDO is 500 feet. This change is proposed in order to be consistent with the federal Fair Housing Act Amendments of 1988 (FHAA).	Adopted (via consent agenda)	N/A	Dec 3
44	20.04.020(f)(1)(B) Figure 50	Sandberg and Staff	This amendment is proposed by Cm. Sandberg at the request of staff. The amendment provides a new graphical illustration to better show how building height is measured.	Adopted (via consent agenda)	N/A	Dec 3

45	20.04.060(e) 20.04.060(h)	Volan	This amendment is sponsored by Cm. Volan and adjusts provisions related to maximum parking requirements. The amendment replaces the term "requirement" with the term "allowance" to better reflect that the maximum parking standards contained 20.04.060(e) are the maximum allowed amounts of parking for the listed land uses. It replaces many of the specific maximum parking allowances with a standardized default parking allowance, with different default parking allowances for residential and nonresidential uses. The amendment adds a default parking allowance chart, which reduces the default parking allowances for residential and nonresidential uses by specified amounts each year for 20 years after the effective date of the UDO. The purpose of this amendment is to promote density, reduce the amount of land dedicated to surface parking, and to encourage non-automotive modes of transportation.	Withdrawn	8-0	Dec 3
45-R	20.04.060(e) 20.04.060(h)	Volan	This revised version of Amendment 45 is sponsored by Cm. Volan and adjusts provisions related to maximum parking requirements. The amendment replaces the term "requirement" with the terms "allowance" or "limit" to better reflect that the maximum parking standards contained 20.04.060(e) are the maximum allowed amounts of parking for the listed land uses. It converts many of the maximum allowances to a standard measurement of "[number of spaces] per 1,000 sq. ft. GFA" to allow for easier comparison of spaces allowed for different land uses.	Adopted	9-0	Dec 18
46	20.04.070(c) 20.05.050(j)(10)(D)	Sandberg and Staff	This amendment is proposed by Cm. Sandberg at the request of staff. The amendment relocates MD District standards for street lighting to better align with the Downtown Vision and Infill Strategy Plan.	Adopted (via consent agenda)	N/A	Dec 3
47	20.04.070(d)	Sturbaum	Sometimes the design regulations force architectural outcomes that may have been better if the design were left to the architect. Arbitrary variations are sometimes a positive, but sometimes create outcomes that may be regrettable and avoidable. This amendment would give architects more creative freedom.	Amend Adopt as Amended Adopted	8-0 6-2	Dec 3
48	20.04.070 20.05.050	Sandberg and Staff	This amendment is proposed by Cm. Sandberg at the request of staff. The amendment adds provisions related to the concept of "universal design."	Amend Adopt as Amended Adopted	8-0 8-0	Dec 3
49	20.04.080(c)(2)	Sandberg and Staff	This amendment is proposed by Cm. Sandberg at the request of staff. The amendment provides clarification on plant species identification.	Adopted (via consent agenda)	N/A	Dec 3
50	20.04.080(d) 20.04.080(e)	Sandberg and Staff	This amendment is proposed by Cm. Sandberg at the request of staff. The amendment makes changes to the landscaping lists to identify evergreens, to remove poor quality/invasive species, or to add new species.	Amend Adopt as Amended Adopted	8-0 8-0	Dec 3

51	20.04.080(n)	Sturbaum	In two recent cases, a fence that was requested along an arterial street was turned down and the rules would have placed the fence ten feet in from the property line. This put the fence in the yard in such a way as to make it impractical or give up a large area of the usable yard. In a second recent case, a fence was to be up against the sidewalk, as is common in the core neighborhoods. The owner wanted six feet to keep his large dog safely inside the yard. These rules prevented both desired outcomes without a clear public good resulting from the decision. This amendment allows fences along the frontage of the secondary front building wall in R3 districts to be built to the property line, except where there is an easement which prohibits the fence and no permission has been granted by the easement holder and except where located in the vision clearance triangle. In addition, the maximum height of these fences is eight feet.	FAILED	4-4	Dec 3
52	20.04.100(i)(4) 20.06.020(c), (d), & (g) 20.06.080(b) 20.07.010	Sandberg and Staff	This amendment is proposed by Cm. Sandberg at the request of staff. The amendment removes the reference to the use variance process as the City is attempting to move away from such a process.	Adopted	8-0	Dec 3
53	20.04.120	Sturbaum	Presently there is no mention of noisy machinery, but protecting neighbors from noise is just as important as protecting neighbors from unsightliness, especially because noise is a health issue and not only an aesthetic issue.	Withdrawn	8-0	Dec 3
54	20.05.050(k)(4)	Sandberg and Staff	This amendment is proposed by Cm. Sandberg at the request of staff. The amendment gives authority to the Fire Chief to locate fire hydrant locations other than every 600 feet.	Adopted (via consent agenda)	N/A	Dec 3
55	20.06.030 Table 6-1 20.06.050(b)(3)	Sturbaum	"Conditional Use" could represent an important change to a neighborhood. This amendment requires a neighborhood meeting as part of the process. This will ensure greater transparency and a more predictable procedural outcome.	Not introduced	N/A	Dec 3
56	20.06.090(f)(2)(B)(ii)	Sandberg and Staff	This amendment is proposed by Cm. Sandberg at the request of staff. The amendment clarifies the use standards for corner lots and the respective setbacks are based on highest classified street.	Adopted (via consent agenda)	N/A	Dec 3
57	20.07.010	Sandberg and Staff	This amendment is proposed by Cm. Sandberg at the request of staff. The amendment provides a revised definition for Fraternity or Sorority House.	Adopted	7-0	Dec 3
58	20.07.010	Sandberg and Staff	This amendment is proposed by Cm. Sandberg at the request of staff. The amendment increases the scope of the definition for "Use, Change In" to include "Any change from a nonresidential use to a multifamily use" and includes language about subheadings.	Adopted (via consent agenda)	N/A	Dec 3

59	20.04.030	Piedmont-Smith	When combining two sinkholes into a compound sinkhole for the purpose of better protecting water quality, connecting from the widest points provides environmental protection for the widest possible area. Not doing so results in the possibility of karst features being infringed upon by development activity. This amendment is intended to install this practice into the UDO.	Adopted (via consent agenda)	N/A	Dec 3
60	20.02.020 Table 2-2 Table 2-3 Table 2-7 Table 2-8	Piedmont-Smith	 This amendment, brought for word at the request of a Bloomington resident, potentially reduces the length of driveways in some residential zoning districts thus reducing impervious surface coverage and allowing more space for green plantings. Currently the minimum setback for front-loading garages in several districts is calculated as additional setback from the front of the main building. I argue it's best to set the garage setback independently. 1) For RE zone – the main building setback is 30 ft. If the main reason for the longer garage setback is to allow parking in the driveway, then the additional 10 ft. is really not necessary. If the main reason for the longer garage setback is to make sure the garage is not the most prominent feature of the building, then it seems the equal setback of garage and home would be adequate. 2) For R1 zone – the main building setback is 15 ft. However, an existing main building setback may not be in compliance with UDO standards and may actually be longer. Therefore, an additional 10 ft. makes the garage setback longer than necessary. Therefore it makes sense to make the garage setback independent of the front building setback. That way, if someone on a lot with a nonconforming front building setback wanted to add a garage, the garage may in not case be less than the setback of the main building. We do not want the garage to be the primary visual feature of the home. 3) For RM and RH zones – Same reasoning as for R1 zone 	Adopted	5-2	Dec 10

61	20.02.020(e)(2) Table 2-6	Piedmont-Smith	This amendment is a version of an amendment request brought forward by the Environmental Commission. The EC requested that the height limit in the new R4 district be increased from 35 feet to 50 feet to allow for 3-story buildings with pitched roofs. After talking with staff, the sponsor decided that 50 feet was too tall. Staff indicated that a 3-story building could be constructed within a 40 foot limit, even with the required pitched roof, so that is what I settled on for this amendment. My reasoning, and that of the EC, is that we should allow denser housing types such as row houses and town houses in the R4 district. Denser living close to employment, shopping, services, and schools mean fewer vehicle miles traveled and therefore a reduction in greenhouse gas emissions. We have not mapped the R4 district yet, but I assume these areas will be close to the center of the city. When we do map this district, three-story duplexes, triplexes, townhomes, and row houses should be allowed in these areas.	Adopted	6-0	Dec 10
62	20.03.020, 20.03.030	Sandberg & staff	This amendment is proposed by Cm. Sandberg at the request of staff. The amendment adds an asterisk to the "P" for Fraternity or Sorority in Table 3-1: Allowed Use Table. It also includes a new Use-Specific Standard under 20.03.030(b)(10) for Fraternity or Sorority, and renumbers subsequent sections.	Adopted (via consent agenda)	N/A	Dec 10
63	20.04.020(e) Table 4-6	Rollo	This amendment would amend Table 4-6 (Authorized Exceptions to Setback Requirements) to add a row for Front Entry to allow an exception for a maximum of 6 feet for those kinds of streetside additions which do not exceed one third the width of the main portion of the house. Bloomington housing stock (formally RS) contains a large number of simple ranch and split level homes which have little-to-no entry sequence. Theses entries open directly into the living room or onto a small stair landing. Over the years, property owners have inquired with a local architect, hoping to add a covered front porch or front entry addition and it has not been possible since there is no provision for any sort of front addition to houses in existing, built-out neighborhoods. This exception would allow homeowners to add a modest entry or front porch addition, improve the utility and experience of their entry and potentially enhance the neighborhood streetscape.	Amend Adopt as Amended Adopted	6-0 6-0	Dec 10

64	20.04.110(c)(7)(B)	Rollo	As every effort should be made to remove barriers to adoption of incentives for anyone – either a developer or individual citizen – these calculations should be	Adopted	5-0-1	Dec 10
			included as a part of the UDO and should be as transparent, accessible and			
			understandable as possible. The added language indicates that a timeline should be			
			set for implementation of payment-in-lieu definitions and procedures, and that these			
			procedures should be included. This will increase transparency and reduce negative			
			public perception of the payment-in-lieu mechanism.			
65	20.04.110(d)(1)	Rollo	This new language recognizes the need for rehabilitation of existing structures	Adopted (via	N/A	Dec 10
			toward improved sustainability.	consent agenda)		D 10
66	20.04.110(d)(2)(A)(iv)	Rollo	Section 20.04.80 (Landscaping, Buffering, and Fences) emphasizes the use of native	Adopted (via	N/A	Dec 10
			plants helps to provide native habitat, which should also be applied to roofs – and	consent agenda)		
			additional ecosystem service beyond water retention, heat island mitigation, and			
67	20.04.110(d)(2)(A)(v)	Rollo	insulation. This amendment makes it clear that on-site solar photovoltaic systems may exceed	Adopted (via	N/A	Dec 10
07	20.04.110(u)(2)(A)(V)	KUIIU	the minimum requirements for the incentive.	consent agenda)	N/A	Det 10
68	20.04.120(b)(1)	Rollo	This amendment adds plant material on vegetated roofs to the maintenance	Adopted (via	N/A	Dec 10
00	20.04.120(0)(1)	KOHO	responsibilities of developers and their successors, and includes vegetated roof	consent agenda)	11/11	Dec 10
			infrastructure as an example of applicable landscaping structures.	consent agental		
69	20.07.010	Rollo	Deletes the entry for 'Green Building Worksheet'.	Adopted (via	N/A	Dec 10
				consent agenda)		
			A Green Building Worksheet is not referred to in Section 20.04.110(d) (Sustainable			
			Development) or anywhere else in the UDO. The term should be removed from the			
			definitions section.			
70-R	20.04.020	Piedmont-Smith	This amendment is proposed by Cm. Piedmont-Smith at the request of staff. The	Adopted	9-0	Dec 18
	Table 4-2	& staff	amendment updates Table 4-2 to reflect changes made by Amendments 60, 61, and			
			73.			
71	20.04.020(e)	Rollo & staff	This amendment is proposed by Cm. Rollo at the request of staff. The amendment	Adopted (via	N/A	Dec 18
	Table 4-6		updates Table 4-6 to use defined terms rather than the language originally proposed	consent agenda)		
			by Amendment 63.			

72	20.04.070(d)(2)(E)	Piedmont-Smith	This amendment, brought forward at the request of a few Bloomington architects, allows flat roofs in residential zoning districts for primary structures which have a minimum size. The minimum size requirement is to avoid having mobile homes in these zoning districts, as mobile homes should be placed in the RMH district. Flat roofs make it possible to have both innovative design and to install green roof cover. Green roofs decrease stormwater runoff and thus their greater allowance in the city serves to meet policies 3.2.1 and 3.2.2 of the Comp Plan. Policy 5.2.6 of the Comp Plan indicates that both traditional and contemporary architecture are desirable in residential neighborhoods. Many contemporary architectural designs for residential housing include flat roofs. A building with a flat roof does not necessarily violate the "consistent built character" and "prevailing pattern of development, building distribution, and scale" of a residential neighborhood.	Adopted	9-0	Dec 18
73	20.02.020 Table 2-4	Piedmont-Smith	 This is an addendum to Am. 60. Sponsor made a mistake and submitted the wrong version of Am. 60 for approval Dec. 10. The version she meant to submit included changes in the R2 district. This amendment correction, brought forward at the request the same Bloomington resident who proposed Am. 60, potentially reduces the length of driveways in the R2 zoning district thus reducing impervious surface coverage and allowing more space for green plantings. Currently the minimum setback for front-loading garages in several districts is calculated as additional setback from the front of the main building. I argue it's best to set the garage setback independently. We already did so in the RE, R1, RM, and RH districts via Am. 60 on Dec. 10 For the R2 zone, the same argument may be made as for the R1 zone. The main building setback is 15 ft. However, an existing main building setback may not be in compliance with UDO standards and may actually be longer. For example, in at least 1 neighborhood the driveways are 30 ft. long by covenant. An additional 10 ft. added to the driveway length thus makes the garage setback longer than necessary. Therefore it makes sense to allow the driveway setback to be less, as long as the garage is not closer to the street than the main structure. That way, if someone on a lot with a nonconforming front building setback wanted to add a garage, the garage setback could still be conforming. 	Adopted	9-0	Dec 18
74	20.02.050(b)	Piedmont-Smith & staff	 This amendment is sponsored by Cm. Piedmont-Smith at the request of staff. It adds a reference to the affordable housing section of the code for clarification. Note – this amendment revises section 20.02.050, which was previously amended by Amendment 08 adopted by the Council on November 19, 2019. 	Adopted	9-0	Dec 18

TO REPEAL AND REPLACE TITLE 20 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED, "UNIFIED DEVELOPMENT ORDINANCE"

ATTACHMENT C

PART 2 - ADOPTED AMENDMENTS

AMENDMENT FORM

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (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 Pa	ge	
Chapter/Section/Part/Sub-Pa	rt	Page #
20.03.20 - Table 3-1: Allowe		63
20.03.30 – Use-Specific Stan 20.03.40((b)(4) – Dwelling,T	dards - (b) – Residential Uses - (3) – Dwelling,Duplex - (A)	68 69
20.03.40((D)(4) - Dwelling, 1)	Tiplex and Fourplex - (A)	09
Supported by Following Section	ons of the Comprehensive Plan	
Chapter		Page #
Chapter 5 - Housing & Neighbor		
Overview - <u>Housing Trends and</u> Some of Bloomington's peighborhow	Issues ods are relatively diverse, both economically and by housing type, whereas	
	y of single-family homes and limited in development by covenants. Most	P60
core neighborhoods are stable but a	are trending towards a lower percentage of new single-family homes. With	
	e challenge to preserve neighborhood character and the opportunity to oping small commercial nodes as community gathering places. Existing	
	the focus of the city's increasing density.	
	cale, compact, single-family housing stock located primarily around the ome of the city's more affordable housing stock and must be protected.	P61
Neighborhoods		
	ave been constructed Downtown within the past decade (almost all of	DCI
	mic is shifting. More market opportunities may exist to convert single-	P61
	to owner occupied. This can allow more people to have a chance to live in the context of the con	
	automobile traffic and the negative environmental impacts of traffic	
congestion.		
Goals & Policies		
Goal 5.2 Housing Planning and Desig	gn: Guide growth, change, and preservation of residential and business	
	t create and sustain neighborhood character and green space, and that	P63
build a sense of community, civic ir	ivolvement, and neighborhood pride.	
	es for infill and redevelopment across Bloomington with consideration for	
	plementary design, and underutilized housing types such as accessory	
	ourplex buildings, courtyard apartments, bungalow courts, townhouses, Noid placing these high density forms in single family neighborhoods.	P64
Neighborhood Character and Quali	ty of Life affordable home ownership as another method of permanent affordability	
	dents from poverty while they build equity and security in the local	P65
community.		105
Mixed Urban Residential – Land Us	e Development Approvals	
	ses in density and multifamily residential uses when adjacent to higher	
	ations, or located along neighborhood edges that may support small-scale	P84
	ortant to protect the existing single-family housing stock within this stock within this stop is a stop in the second stop is a stop in the stop in the stop is a stop in the st	1.04
and the conversion of divening		
Neighborhood Residential - Land U	se Development Approvals	DOO
	or this district is mostly limited to remodeling existing or constructing new	P88
-	ances require the Maintain development theme for development	
approvals.		

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 – [November 14, 2019]:

Motion to adopt Am 01: 6-2 (Sims, Volan) (Chopra absent) ADOPTED

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 Error! No text of specified style in document.-1: Allowed Use Table

Use		Residential						Mixed-Use								Non- Residential		Use-Specific Standards	
	RE	R1	R2	R3	R4	RM	RH	RMH	MS	MN	мм	МС	ME	МІ	MD	мн	EM	РО	
RESIDENTIAL USES																			
Household Living																			
Dwelling, single-family (detached)	Ρ	Р	Р	Р	Ρ	P*	P*	Р	Ρ	Ρ	P*	P*	P*			P*			Error! Reference source not found
Dwelling, single-family (attached)			P*	P*	P*	P*	P*		Ρ*	P*	P*				P*				Error! Reference source not found
Dwelling, duplex	С	←*	€*	€*	P*	P*	P*		P*	Р*	P*	C*			P*				Error! Reference source not found
Dwelling, triplex		€*	€*	€*	P*	P*	P*		P*	P*	P*	C*			P*				Error! Reference source not found
Dwelling, fourplex					C*	P*	P*		P*	P*	P*	P*			P*				Error! Reference source not found
Dwelling, multifamily					C*	Р	Р		Р	P*	P*	Р	P*	С	P*				Error! Reference source not found
Dwelling, live/work					C*	P*	P*			P*	P*	P*			P*				Error! Referenc
Dwelling, cottage development		C*	C*	C*	C*	C*	C*	C*		С*									Error! Referenc
Dwelling, mobile home								P*											Error! Referenc
Manufactured home park								P*											Error! Reference
Group Living																			source not found
Assisted living facility					С	Р	Р			С	Р	Р		Р	Р	Р			
Continuing care retirement facility					С	Ρ	Р			С	Ρ	Р		Ρ	Ρ	Ρ			
Fraternity or sorority house									Р					Р					
Group care home, FHAA small	P*	P*	P*	P*	P*	P*	Ρ*	P*	P*	P*	P*	P*		P*		P*			Error! Referenc source not found
Group care facility, FHAA large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			Error! Referenc source not found
Nursing or convalescent home					С	Р	Р			С	Р	Р	Р	Р	Р	Р			
Opioid rehabilitation home, small	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		P*			Error! Referenc source not found
Opioid rehabilitation home, arge					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			Error! Referenc source not found
Residential rooming house						P*	P*		Ρ	P*	Ρ	Ρ	C*						Error! Referenc source not found
Student housing or dormitory						C*	P*		Р	C*	P*	P*		P*	C*				Error! Referenc source not found
Supportive housing, small							С			С	С	С		С	С	С			
Supportive housing, large											С	С		С	С	С			

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

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (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 Pa	ae

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	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
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 – [November 13, 2019]:

Motion to adopt Am 05: 6-3 (Ruff, Sandberg, Sturbaum) ADOPTED

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (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 Pa	ae

obo enapter, section, and rage	
Chapter & Section	Page #
20.03.020, Table 3-1: Allowed Use Table	67
Accessory Uses	
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	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
5	 Programs: Affordable housing 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. 	65
5	 Programs: Neighborhood Character and Quality of Life 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 	65
7	 Mixed Urban Residential: Land Use Development Approvals The following provide additional land development policy guidance: Accessory dwelling units for single-family residential offer options to consider for affordability, aging in place, and to meet other housing needs. 	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 - [November 14, 2019]:

Motion to adopt Am 06: 5-3 (Rollo, Sandberg, Sturbaum) (Chopra absent) ADOPTED 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.

· · ·	Residential							Mixed-Use							Non- Residential		Use-Specific Standards		
	RE	R1	R2	R3	R4	RM	RH	RMH	MS	MN	мм	МС	ME	МІ	MD	мн	ЕМ	РО	

									_										
ACCESSORY USES																			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*	А							20.03.030(g)(4)
Dwelling, accessory unit	<u> </u>	<u>⊖*</u> A*	<u>⊖*</u> A*	<u>⊖*</u> A*	<u>⊖*</u> A*	<u>⊖*</u> A*	<u>(</u> * A*	<u>←*</u> A*	<u>(</u> * A*	<u>⊖*</u> A*	<u>⊖*</u> A*	⊖ A*	<u>⊖*</u> A*		<u>⊖*</u> A*	<u>⊖*</u> A*			20.03.030(g)(5)
Electric vehicle charging facility	A	A	A	A	A	A	A	A	A	A	A	A	A	А	A	A	A	A	
Greenhouse, noncommercial	А	А	А	А	А	А	А	А	А	А	А	А	А	А	А	А	А	А	
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						А	А		А	А	А	А	А	А	А	А	А		
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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (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	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
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 - [November 19, 2019]:

Motion to adopt Am 08: 8-0 (Chopra absent) ADOPTED 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.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 09-R			
Name of Sponsor(s): Cm. Volan & staff				
Date Submitted:	11/4/19			
UDO Chapter, Section, and Page				

Page #
92
351 &
360

Supported by Following Sections of the Comprehensive Plan

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

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. This is a revised version of Am 09, which was considered by the Council on November 19 but withdrawn before final action. The changes from Am 09 made by this amendment are highlighted in green below.

Council Action – [December 10, 2019]:

Motion to adopt Am 09-R: 6-0 (Volan out of room) (Chopra, Sturbaum absent) ADOPTED

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, registered with the Indiana Secretary of State, 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.

Family

An individual or group of persons that meets at least one of the following definitions.

1) An individual or a group of people all of whom are related to each other by blood, marriage, or legal adoption, foster parent responsibility, or other legal status making the person a dependent of one or more persons legally residing in the household under federal or state law.

2) A group of no more than five adults aged 55 years of age or older living together as a single housekeeping unit in a dwelling unit.

3) A group of people whose right to live together is protected by the federal Fair Housing Act Amendments of 1988, and/or the Bloomington Human Rights Ordinance, as amended and interpreted by the courts, including but not limited to persons that are pregnant.

4) In the RE, R1, R2, R3, and R4 zoning districts, and in single-family residential portions of planned unit developments, a group of no more than three adults, and their dependent children, living together as a single housekeeping unit in a dwelling unit or a combination of a single-family dwelling unit and an accessory dwelling unit.

5) In all other zoning districts, "family" also includes a group of no more than five adults and their dependent children, living together as a single housekeeping unit in a dwelling unit.

6) A group of people who are shareholders in the same cooperative corporation that owns a facility meeting the definition of cooperative housing contained in this UDO in which no more than two adults per bedroom occupy the facility.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 10		
Name of Sponsor(s): Cm. Piedmont-Smith			
Date Submitted:	11/3/19		
UDO Chapter, Section, and Page			

Chapter & SectionPage #20.01.010(b) Purpose1

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 10: 8-0 (Chopra absent) (via consent agenda) ADOPTED Amendment (indicate text added in **bold** and text to be deleted via strikeout) E.g., Except for as necessary for the development of the Convention Center site, discourage large footprint buildings (i.e. with a maximum size greater than of a quarter of a block) in order to encourage local developers and businesses and better urban form create a more pedestrian-friendly public realm.

20.01.010 Title, Purpose, and Effective Date

(b) Purpose

This UDO is adopted to:

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 11
Name of Sponsor(s):	Cm. Piedmont-Smith
Date Submitted:	11/3/19

UDO Chapter, Section, and PageChapter & SectionPage #20.02.020(a)(2) Dimensional Standards6Table 2-2: RE District Dimensional Standards620.04.020(c) General Dimensional Standards95Table 4-2: Residential District Dimensional Standards4

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 11: 8-0 (Chopra absent) (via consent agenda) ADOPTED

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

20.02.20 Residential Zoning Districts

(a) RE: Residential Estate

(2) Dimensional Standards

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

Та	Table 2-2: RE District Dimensional Standards					
Lo	Lot Dimensions (Minimum, only for lots created after the effective date)					
Α	Lot area 108,900 square feet (2.50 acres)					
В	Lot width	200 feet				
Bu	ilding Setbacks (Minimum)					
С	Front	30 feet				
D	Attached front-loading garage or carport	10 feet behind the primary structure's front building wall				
Е	Side	30 feet				
F	Rear	60 feet				
Ot	Other Standards					
	Impervious surface coverage (maximum)	20% 15%				
G	Primary structure height (maximum)	40 feet				
	Accessory structure height (maximum)	30 feet				

20.04.20 Dimensional Standards

(c) General Dimensional Standards

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

(1) Residential Zoning Districts

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

(2) Mixed-Use Zoning Districts

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

(3) Downtown Character Areas (MD District)

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

(4) Nonresidential Zoning Districts

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

sq.ft. = so	quare feet				Standard					
Dimens Stand		RE	R1	R2	R3	R4	RM [1]	RH [1]	RMH	[1]
		/linimum, o	nly for lots o	created afte	r the effectiv	/e date)			Entire Development	Dwelling Site
l ot area	sq. ft.	108,900	20,000 [2]	7,200 [2]	5,000 [2]	4,000	5,000	5,000	43,560	3,000
Lot area	acres	2.50	0.459 [2]	0.165 [2]	0.115 [2]	0.092	0.115	0.115	1.00	0.069
Lot width		200 feet	100 feet [2]	60 feet [2]	50 feet [2]	35 feet	50 feet	50 feet	200 feet	40 feet
Building	Setbacks	(Minimum)								
Front build	-to line	None	None	None	15 feet [3]	None	None	None	None	None
Front		30 feet	15 feet	15 feet [3]	None	15 feet [3]	10 feet	10 feet	25 feet	10 feet
Attached fi loading ga carport			10 feet	behind the pr	imary structur	e's front buildi	ng wall		None	None
Side		30 feet	First floor: 8 feet Each story above the ground floor: 10 feet [2]	First floor: 8 feet Each story above the ground floor: 10 feet [2] [4]	First floor: 6 feet Each story above the ground floor: 10 feet [2] [4]	5 feet	10 feet [5]	10 feet [5]	20 feet	Primary Structure: 7 feet Accessory Structure: 2 feet
Rear		60 feet	25 feet [2]	25 feet [2]	25 feet [2]	25 feet	15 feet [5]	15 feet [5]	20 feet	
Other Sta	andards									
Front parki setback (m	-	None	None	None	None	None	primary stru	ehind the Icture's front ng wall	None	None
Impervious coverage (maximum		20% 15%	40%	40%	45%	50%	60%	65%	None	65%
Landscape (minimum)		None	None	None	None	None	40%	35%	None	None
Primary str height (ma		40 feet	40 feet	40 feet	35 feet	35 feet	3 stories, not to exceed 40 feet [2] [5]	5 stories, not to exceed 63 feet [2] [5]	None	20 feet
Accessory height (ma		30 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	None	20 feet

Notes:

[1] Any single-family, duplex, triplex, or fourplex development shall be subject to the R2 residential lot standards.

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

[3] Or the median front setback of abutting residential structures, whichever is less.

[4] Legally established lots of record that are less than the minimum lot width may reduce the required setback up to 2 feet.

[5] Buildings abutting a property in the RE, R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(4) (Neighborhood Transition Standards).

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 12	
Name of Sponsor(s):	Cm. Piedmont-Smith	
Date Submitted:	11/3/19	

UDO Chapter, Section, and PageChapter & SectionPage #20.02.020(b)(2) Dimensional Standards8Table 2-3: R1 District Dimensional Standards820.04.020(c) General Dimensional Standards95Table 4-2: Residential District Dimensional Standards95

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 12: 8-0 (Chopra absent) (via consent agenda) ADOPTED

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

20.02.20 Residential Zoning Districts

(b) R1: Residential Large Lot

(2) Dimensional Standards

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

Та	Table 2-3: R1 District Dimensional Standards					
Lo	Lot Dimensions (Minimum, only for lots created after the effective date)					
Α	Lot area	20,000 square feet (0.459 acres) [1]				
В	Lot width	100 feet [1]				
Bu	ilding Setbacks (Minimum)					
С	Front	15 feet				
D	Attached front-loading garage or carport	10 feet behind the primary structure's front building wall				
Е	Side	First floor: 8 feet [1] Each story above the ground floor: 10 feet [1]				
F	Rear	25 feet [1]				
Ot	her Standards					
	Impervious surface coverage (maximum)	4 0% 30%				
G	Primary structure height (maximum)	40 feet				
	Accessory structure height (maximum)	20 feet				
No	Notes:					
[1]	[1] See Section 20.04.110 (Incentives) for alternative standards.					

20.04.20 Dimensional Standards

(c) General Dimensional Standards

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

(1) Residential Zoning Districts

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

(2) Mixed-Use Zoning Districts

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

(3) Downtown Character Areas (MD District)

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

(4) Nonresidential Zoning Districts

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

Table 4 sq. ft. = se			istrict Din	nensional	Standard	S				
Dimens Stand	sional	RE	R1	R2	R3	R4	RM [1]	RH [1]	RMH	[1]
		Minimum, o	nly for lots o	created after	r the effectiv	ve date)			Entire Development	Dwelling Site
	sq. ft.	108,900	20,000 [2]	7,200 [2]	5,000 [2]	4,000	5,000	5,000	43,560	3,000
Lot area	acres	2.50	0.459 [2]	0.165 [2]	0.115 [2]	0.092	0.115	0.115	1.00	0.069
Lot width		200 feet	100 feet [2]	60 feet [2]	50 feet [2]	35 feet	50 feet	50 feet	200 feet	40 feet
Building	Setback	s (Minimum)							
Front build	l-to line	None	None	None	15 feet [3]	None	None	None	None	None
Front		30 feet	15 feet	15 feet [3]	None	15 feet [3]	10 feet	10 feet	25 feet	10 feet
Attached f loading ga carport			10 feet	behind the pr	imary structur	e's front buildi	ing wall		None	None
Side		30 feet	First floor: 8 feet Each story above the ground floor: 10 feet [2]	First floor: 8 feet Each story above the ground floor: 10 feet [2] [4]	First floor: 6 feet Each story above the ground floor: 10 feet [2] [4]	5 feet	10 feet [5]	10 feet [5]	20 feet	Primary Structure: 7 feet Accessory Structure: 2 feet
Rear		60 feet	25 feet [2]	25 feet [2]	25 feet [2]	25 feet	15 feet [5]	15 feet [5]	20 feet	
Other Sta Front parki setback (m	ing	None	None	None	None	None	primary stru	ehind the Icture's front ng wall	None	None
Impervious coverage (maximum		20%	4 0% 30%	40%	45%	50%	60%	65%	None	65%
Landscape (minimum)		None	None	None	None	None	40%	35%	None	None
Primary str height (ma	ructure	40 feet	40 feet	40 feet	35 feet	35 feet	3 stories, not to exceed 40 feet [2] [5]	5 stories, not to exceed 63 feet [2] [5]	None	20 feet
Accessory height (ma		30 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	None	20 feet

Notes:

[1] Any single-family, duplex, triplex, or fourplex development shall be subject to the R2 residential lot standards.

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

[3] Or the median front setback of abutting residential structures, whichever is less.

[4] Legally established lots of record that are less than the minimum lot width may reduce the required setback up to 2 feet.

[5] Buildings abutting a property in the RE, R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(4) (Neighborhood Transition Standards).

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 13
Name of Sponsor(s):	Cm. Piedmont-Smith
Date Submitted:	11/3/19

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 13: 8-0 (Chopra absent) ADOPTED

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

Table 2-7: RM District Dimensional Standards					
(M	ot Dimensions linimum, only for lots created ter the effective date)	Multifamily Dwelling	Single-Family, Duplex, Triplex, or Fourplex Dwelling		
Α	Lot area	5,000 square feet (0.115 acres)	R <mark>24</mark> district standards apply		
В	Lot width	50 feet			
Βι	uilding Setbacks (Minimum)				
С	Front	15 feet			
	Attached front-loading garage or	10 feet behind the primary structure's			
_	carport	front building wall	R ²⁴ district standards apply		
D	Side	10 feet [1]			
E	Rear	10 feet [1]			
	Other Standards				
	Front parking setback (minimum)	20 feet behind the primary structure's front building wall			
	Impervious surface coverage (maximum)	60%			
	Landscape area (minimum)	40%	R <mark>24</mark> district standards apply		
F	Primary structure height (maximum)	3 stories, not to exceed 40 feet [1] [2]			
	Accessory structure height (maximum)	20 feet			

Notes:

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

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

Table 2-8: RH District Dimensional Standards

Lot Dimensions (Minimum, only for lots created after the effective date)		Multifamily Dwelling	Single-Family, Duplex, Triplex, or Fourplex Dwelling				
Α	Lot area	5,000 square feet (0.115 acres)	R <mark>24</mark> district standards				
в	Lot width	50 feet	apply				
Set	tbacks (Minimum)						
С	Front	15 feet					
	Attached front-loading garage or carport	10 feet behind the primary structure's front building wall	R <mark>24</mark> district standards				
D	Side	10 feet [1]	apply				
Е	Rear	10 feet [1]					
Otl	her Standards						
	Front parking setback (minimum)	20 feet behind the primary structure's front building wall					
	Impervious surface coverage (maximum)	65%	R24 district standards				
	Landscape area (minimum)	35%	apply				
F	Primary structure height (maximum)	5 stories, not to exceed 63 feet [1] [2]					
	Accessory structure height (maximum)	20 feet					
No	Notes:						

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

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 14
Name of Sponsor(s):	Cm. Piedmont-Smith
Date Submitted:	11/3/19
UDO Chapter, Section, and Pa	ae

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 14: 8-0 (Chopra absent) (via consent agenda) ADOPTED

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

20.02.030 Mixed-Use Zoning Districts

(b) MN: Mixed-Use Neighborhood Scale

(1) Purpose

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 15			
Name of Sponsor(s):	Cm. Piedmont-Smith			
Date Submitted:	11/3/19, revised 11/12/19			
JDO Chapter, Section, and Page				

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 15: 8-0 (Chopra absent) (via consent agenda) ADOPTED

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

20.02.050 Planned Unit Development (PUD) District

(a) Purpose

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 16	
Name of Sponsor(s):	Cm. Piedmont-Smith	
Date Submitted:	11/3/19, revised 11/10/19	
UDO Chapter, Section, and Pa	ge	-
Chapter & Section		Pag

Chapter & SectionPage #20.02.50 Planned Unit Development (PUD) District51(b) Qualifying Standards51

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 16: 8-0 (Chopra absent) (via consent agenda) ADOPTED

- over -

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

20.02.50 Planned Unit Development (PUD) District

(b) Qualifying Standards

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

- (1) The proposed PUD zoning district includes a minimum of five acres of land;
- (2) The land included in the proposed PUD zoning district is not within the Mixed-Use Downtown (MD) zoning district;
- (3) Where residential dwelling units are proposed, a minimum of 15 percent of the total dwelling units must be permanently income-limited through a deed restriction to households earning less than 120 percent of the HUD AMI for Monroe County, Indiana, unless the City otherwise adjusts or releases this requirement. A payment-in-lieu of providing income-restricted housing may be authorized by the Common Council, provided the payment is in an amount estimated to offset the cost to the City of providing an equivalent amount of income-restricted housing.
- (4) The proposed PUD could not be developed using conventional zone districts or standards established in this UDO;
- (5) The land included in the proposed PUD is under single ownership or control. Single control of property under multiple ownership may be considered when the petition includes enforceable agreements, covenants, or commitments that run to the benefit of the City and that the City may require to be recorded if the PUD is approved; and
- (6) The proposed PUD zoning district embraces the following highly-valued design features:
 - (A) Protection of specific natural, environmental, or scenic resources or green spaces; and/or
 - (B) Retaining natural landforms throughout the development-;
 - (C) Low Impact Development design features throughout the development;

(D) Solar orientation of building forms and other passive energy-efficient design strategies throughout the development.

- (7) The proposed PUD zoning district embraces several highly-valued design features, as determined by the Planning and Transportation Director, including but not limited to:
 - (A) No block perimeter greater than 1,400 feet in the development;
 - (B) Centralized gathering and recreation spaces of an appropriate size for the entire development, or designed to serve an area larger than the entire development;
 - (C) Internally and externally connected park, trail, and open space system;
 - (D) Low Impact Development design features throughout the development;

(E) Solar orientation of building forms and other passive energy-efficient design strategies throughout the development, and/or

- (F) (D) Community-level renewable energy production.
- (G)

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 17			
Name of Sponsor(s):	Cm. Piedmont-Smith			
Date Submitted:	11/3/19			
UDO Chapter, Section, and Page				

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 17: 8-0 (Chopra absent) ADOPTED

- over -

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									on- dential	Use-Specific Standards
		R1	R2	R3	R4	RM	RH	RMH	MS	MN	ММ	мс	ME	МІ	MD	мн	EM	РО	
Healthcare Facilities																			
Hospital														С		С			
Medical clinic										Р	Р	Р	Р	Р	Р	Р			
Methadone or other treatment facility												P ∈ *		C*		C*			20.03.030(c)(7)
Opioid rehabilitation facility											C*	C*	C*		C*	C*			20.03.030(c)(7)

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 18						
Name of Sponsor(s):	Cm. Piedmont-Smith						
Date Submitted:	11/3/19						
UDO Chapter, Section, and Page							

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 18: 8-0 (Chopra absent) ADOPTED

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

20.03.030 Use-Specific Standards

(c) Public, Institutional, and Civic Uses

(5) Urban Agriculture, Noncommercial

(C) Soil Quality

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

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 19	
Name of Sponsor(s):	Cm. Piedmont-Smith	
Date Submitted:	11/3/19, revised 11/12/19	
UDO Chapter, Section, and Pa	ge	
Chapter & Section		P

Chapter & SectionPage #20.03.030(f) Utilities and Communication84(2) Solar Collector, Ground- or Building-Mounted64

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 19: 8-0 (Chopra absent) ADOPTED

- over -

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

20.03.030 Use-Specific Regulations

(f) Utilities and Communication

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

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 20				
Name of Sponsor(s):	Cm. Piedmont-Smith				
Date Submitted:	11/3/19				
UDO Chapter, Section, and Page					

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 20: 8-0 (Chopra absent) (via consent agenda) ADOPTED

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

20.04.030 Environmental

(c) Steep Slopes

(9) Soil Constraints

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

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 21	
Name of Sponsor(s):	Cm. Piedmont-Smith	
Date Submitted:	11/3/19, revised 11/12/19	
UDO Chapter, Section, and Page		

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 21: 8-0 (Chopra absent) (via consent agenda) ADOPTED

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

20.04.30 Environmental

(f) Riparian Buffers

(1) Applicability

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

(9) Riparian Maintenance

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 22	
Name of Sponsor(s):	Cm. Piedmont-Smith	
Date Submitted:	11/3/19, revised 11/12/19	
UDO Chapter, Section, and Page		

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 22: 8-0 (Chopra absent) (via consent agenda) ADOPTED

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

20.04.030 Environmental

(f) Riparian Buffers

(7) Fringe Zone Design

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

(D) Disturbance Activities

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

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 24	
Name of Sponsor(s):	Cm. Piedmont-Smith	
Date Submitted:	11/3/19	
UDO Chapter, Section, and Page		

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 24: 8-0 (Chopra absent) ADOPTED

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

20.04.040 Floodplain

(d) Flood Hazard Reduction

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

(1) Permitted Uses

(A) Floodway

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

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

(B) Floodway Fringe

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

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

(2) (1) Conditional Uses

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

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

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 25	
Name of Sponsor(s):	Cm. Piedmont-Smith	
Date Submitted:	11/3/19	
UDO Chapter, Section, and Pa	ge	Тп

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 25: 8-0 (Chopra absent) ADOPTED

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

20.04.050 Access and Connectivity

(c) Driveways and Access

(3) Driveway and Access Design

- (B) Driveway Pavement Widths
 - i. Single-Family, Duplex, Triplex, and Fourplex Residential Uses
 - The width of a driveway between the required front building setback and the street shall not exceed 18 feet the width of the door of an attached garage or 22 feet where there is no attached garage.
 In the R3 zoning district, the maximum width of a driveway shall be 18 feet regardless of the presence or a garage.

20.04.060 Parking and Loading

(i) Vehicle Parking Location and Design

(2) Location

(B) In the R1 District

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

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

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 28			
Name of Sponsor(s):	Cm. Piedmont-Smith			
Date Submitted:	11/3/19			
JDO Chapter, Section, and Page				

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 28: 8-0 (Chopra absent) (via consent agenda) ADOPTED

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

20.04.060 Parking and Loading

(m) Bicycle Parking Location and Design

(1) Location

(B) Access and Pedestrian Obstruction

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in vellow.*

Amendment Number:	Am 29
Name of Sponsor(s):	Cm. Sturbaum
Date Submitted:	11/3/19

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

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

Synopsis and Legislative Intent (brief description of amendment

EIFS has never been a primary material allowed in our zoning code. It is not a long lasting material and is accepted as a secondary material due to its flexible use for smaller details. This amendment is intended to forbid large projects that are primarily covered with this material, from being built in Bloomington. Better quality and durability is required to meet higher requirements to blend into the different zones. An expectation for higher quality structures is communicated by the banning of this particular material. In addition, this amendment also distinguishes between primary and secondary exterior finish materials in mixed-use and non-residential districts. Council Actions – [November 19th]:

#1 – Motion to Amend Am 29 by adding "transparent glass" as an enumerated item in 20.04.070(d)(1)(C) under the list of Primary Exterior Finish Materials – *see dark red font below*

8-0 ADOPTED

#2 - Motion to Adopt Am 29 as Amended

7- 1 (Volan) ADOPTED

Amendment

Г

(1) Mi z	ng Design xed-Use and Nonresidential
	Applicability
(**)	The following standards shall apply to parcels in the MN, MM, MC, ME, MI, and MH zone districts.
(B)	Exceptions
	Single-family detached, duplex, triplex, and fourplex dwellings shall not be subject to the architectural standards of this Section 20.01.010(a)(1). Such residential dwelling units shall be subject to the architectural standards in Section Error! Reference source not found.
(C)	Materials
	All facades of a primary building shall consist of one or more of the following primary and secondary exterior finish materials:
	Primary Exterior Finish Materials
	Cementitious siding;
	ii EIFS;
	iii. Masonry;
	iii iv Brick;
	iv. Natural stone; vi Precast concrete;
	vii- Split-faced block;
	viii Transparent glass
	Secondary Exterior Finish Materials
	viii Transparent glass;
	i. Wood; ji. EIFS or
	 ii. EIFS or iii. Other products that replicate the appearance and durability of the above materials, as approved by the staff.

(2) Residential

(A) Applicability

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

(B) Materials

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

- i. Horizontal lap siding (e.g., vinyl, cementitious, wood);
- ii. V-grooved tongue-and-groove siding;
- iii. Wood-grained vertical siding materials in a board-and-batten or reverse batten pattern;
- iv. Cedar or other wood materials (excluding EIFS);
- v. Stucco, plaster, or similar systems;
- vi. Stone;
- vii. Split face block, ground face block, or brick;
- viii. Cast or cultured stone;
- ix. Cast in place concrete;
- x. Earthen structural materials;

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

>>>>

For reference:

20.07.010 Defined Words

Exterior Finish Material, Primary

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

Exterior Finish Material, Secondary

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in vellow.*

Amendment Number:	Am 31	
Name of Sponsor(s):	Cm. Piedmont-Smith	
Date Submitted:	11/3/19	
UDO Chapter, Section, and Page		

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 31: 8-0 (Chopra absent) (via consent agenda) ADOPTED

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

20.04.080 Landscape, Buffering, and Fences

(c) General Landscaping

(2) Plant Material Standards

(C) Species Diversity

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 32	
Name of Sponsor(s):	Cm. Piedmont-Smith	
Date Submitted:	11/3/19	
UDO Chapter, Section, and Page		

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 20, 2019]:

Motion to adopt Am 32: 6-0-1 (Sturbaum) (Ruff, Chopra absent) ADOPTED

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

20.04.80 Landscaping, Buffering, and Fences

(m) Screening

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

(2) Ground-Mounted Mechanical Equipment

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

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 33		
Name of Sponsor(s):	Cm. Piedmont-Smith		
Date Submitted:	11/3/19, revised 11/12/19 and 11/20/2019		
UDO Chapter, Section, and Page			

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – 20 November 2019:

Amend Am 33 by clarifying that 12' fences are only allowed when the fence is intended exclusively to protect food gardens. (see below in **green** font) 8 - 0 (Ruff absent) Adopt Am 33 as Amended 8 - 1 (Chopra) ADOPTED

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

20.04.080 Landscape, Buffering, and Fences

(n) Fences and Walls

(1) Applicability

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

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

(3) Fence Wall and Height

(A) Interior Lots

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

(B) Corner Lots

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

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

- iv. The portion of fences up to and between the build to line/building setback line and the secondary front building wall that exceed five feet in height, shall, by use of voids and solids via latticework or other similar techniques, be of open construction. This portion of the fence shall be constructed of materials widely accepted in the fence industry for permanent open-topped fencing.
- v. Any determinations as to the secondary front building wall shall be decided by the City Planning and Transportation Department.

(C) Through Lots

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

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in vellow.*

Amendment Number:	Am 34	
Name of Sponsor(s):	Cm. Volan	
Date Submitted:	11/4/19	
UDO Chapter, Section, and Page		

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – 20 November 2019: Amend Am 34 by striking 20.04.100(I)(3)(H). (see below in **green** font) 5 – 4 (Chopra, Piedmont-Smith, Granger, Rollo) Adopt Am 34 as Amended 5 – 4 (Chopra, Piedmont-Smith, Granger, Rollo) ADOPTED

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

20.04.100 Signs

(I) MD District Sign Standards

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 35	
Name of Sponsor(s):	Cm. Piedmont-Smith	
Date Submitted:	11/8/19	
UDO Chapter, Section, and Page		

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 35: 8-0 (Chopra absent) (via consent agenda) ADOPTED

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

20.04.110 Incentives

(d) Sustainable Development

(3) Sustainable Development Incentives

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

(B) All Other Uses

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

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 37	
Name of Sponsor(s):	Cm. Piedmont-Smith	
Date Submitted:	11/3/19	
UDO Chapter, Section, and Page		

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action - [November 20, 2019]:

Motion to adopt Am 37: 9-0 ADOPTED

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

20.05.050 Subdivision Design Standards

(j) Streets and Right-of-Ways

(5) Street Design

(N) Eyebrows

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

Ordinance 19-24: To Repeal and Replace Title 20 (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" Please complete all fields indicated in yellow.

Amendment Number:	Am 39
Name of Sponsor(s):	Cm. Piedmont-Smith
Date Submitted:	11/3/19, revised 11/12/19
UDO Chapter, Section, and Pa	ige

Chapter & Section Page # 20.07.10 Defined Words 390

Supported by Following Sections of the Comprehensive Plan

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

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 39: 8-0 (Chopra absent) (via consent agenda) ADOPTED

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

20.07.010 Defined Words

Stream, Intermittent

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

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

Stream, Perennial

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 41	
Name of Sponsor(s):	Cm. Sandberg & staff	
Date Submitted:	11/4/2019	
UDO Chapter, Section, and Pa	ge	

Chapter & Section	Page #
20.02.060(a)(5) Upper Floor Façade Stepbacks	54

Supported by Following Sections of the Comprehensive Plan

Section	Page #
(e.g., Overview, Goals & Policies, or Programs)	

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

This amendment is proposed by Cm. Sandberg at the request of staff. The amendment provides clarification on upper floor facade setbacks and the relationship to a public street and not the side or rear.

Council Action – [December 03, 2019]:

Motion to adopt Am 41: 7-0 (Chopra, Sturbaum absent) (via consent agenda) ADOPTED

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.

20.02.60 Overlay Districts

(a) DCO - Downtown Character Overlay District

(5) Upper Floor Façade Stepbacks

All primary buildings shall comply with the following standards for upper floor stepbacks:

- (A) The first three stories of building façade in the DC character area, and the first two stories in the DG and ST character areas shall comply with the build-to range in Section 20.02.010 (Dimension Standards).
- (B) Portions of the building façade facing the street above three stories in the DC character area, and portions of the building facade facing the street above two stories in the DG and ST character areas, shall step back from the lower story vertical facade/wall plane a minimum of 15 feet.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 43
Name of Sponsor(s):	Cm. Sandberg & staff
Date Submitted:	11/4/2019

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.03.030(b)(10) Group Care Home, FHAA (Small and Large) & Opioid	72
Rehabilitation Home (Small and Large)	

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	

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

This amendment is proposed by Cm. Sandberg at the request of staff. The amendment further reduces the spacing standard for group care homes to reflect a typical block length, which is 300 feet. The existing UDO spacing standard for group care homes is 3,000 feet and the draft UDO is 500 feet. This change is proposed in order to be consistent with the federal Fair Housing Act Amendments of 1988 (FHAA).

Council Action – [December 03, 2019]:

Motion to adopt Am 43: 7-0 (Chopra, Sturbaum absent) (via consent agenda) ADOPTED

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.

20.03.30 Use-Specific Standards

(b) Residential Uses

- (10) Group Care Home, FHAA (Small and Large) & Opioid Rehabilitation Home, (Small and Large)
 - (A) Group homes for the exclusive use of citizens protected by the provisions of the federal Fair Housing Act Amendments of 1988 (FHAA), as defined in that Act and interpreted by the courts, or by any similar legislation of the State of Indiana, may be established in any Residential zone district or portion of a Mixed-Use zoning district or PD district that permits residential dwellings, provided that they meet the definition of "small" and "large" facilities in Error! Reference source not found.Error! Reference source not found.) and are located in zoning districts where facilities of that size are allowed pursuant to Table 3-1, and subject to the licensing requirements of the state and the City of Bloomington.
 - (B) In the MN and R4 zoning districts, group homes shall not be designed for or occupied by more than 20 residents living together.
 - (C) No Group Care Home shall be located within 500 300 feet of any other Group Care Home.
 - (D) No Opioid Rehabilitation Home shall be located within 500 **300** feet of any other Opioid Rehabilitation Home.
 - (E) Where minimum spacing is required by subsections (B) and (C) above, the distance shall be measured from the nearest property line of the property from which spacing is required to the nearest property line on which the group home will be located, using a straight line, without regard to intervening structures or public rights-of-way.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 44
Name of Sponsor(s):	Cm. Sandberg & staff
Date Submitted:	11/4/2019
UDO Chapter, Section, and Page	

Chapter & Section	Page #
20.04.020(f)(1)(B) Figure 50: Building Height	101

Supported by Following Sections of the Comprehensive Plan

Section	Page #
(e.g., Overview, Goals & Policies, or Programs)	_

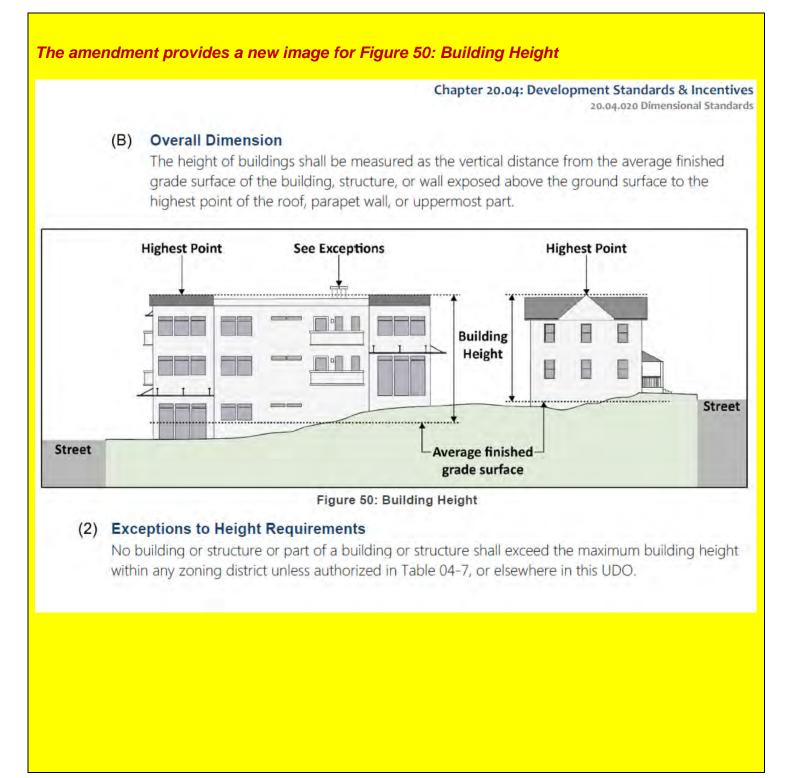
Synopsis and Legislative Intent (brief description of amendment and its motivation)

This amendment is proposed by Cm. Sandberg at the request of staff. The amendment provides a new graphical illustration to better show how building height is measured.

Council Action – [December 03, 2019]:

Motion to adopt Am 44: 7-0 (Chopra, Sturbaum absent) (via consent agenda) ADOPTED

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.



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 45 - R	
Name of Sponsor(s):	Steve Volan	
Date Submitted:	12/3/2019	
UDO Chapter, Section, and Pa	age	
Chapter & Section		Page #
20.04.060(e) Maximum Veh	icle Parking Requirement	135-14
20.04.060(h) Adjustments to	o Maximum Parking Requirements	142

Supported by Following Sections of the Comprehensive Plan

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

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

This revised version of Amendment 45 is sponsored by Cm. Volan and adjusts provisions related to maximum parking requirements. The amendment replaces the term "requirement" with the terms "allowance" or "limit" to better reflect that the maximum parking standards contained 20.04.060(e) are the maximum allowed amounts of parking for the listed land uses. It converts many of the maximum allowances to a standard measurement of "[number of spaces] per 1,000 sq. ft. GFA" to allow for easier comparison of spaces allowed for different land uses.

Council Action - [December 18, 2019]:

Motion to adopt Am 45-R: 9-0 ADOPTED

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

5-140

20.04.060 Parking and Loading

(e) Maximum Vehicle Parking Requirement Allowance

In no case shall any land use or development subject to this Section 20.40.30 **20.04.060** provide more than the maximum number of vehicle parking spaces required **allowed** for each land use listed in Table 4-10: Maximum Vehicle Parking Requirements **Allowances**.

Table 4-10: Maximum Vehicle Parking Requirements Allowances

Use	Maximum Vehicle Parking Requirement Allowance
RESIDENTIAL USES	
Household Living	
Dwelling, single-family (detached)	No requirement limit
Dwelling, single-family (attached)	
Dwelling, duplex	
Dwelling, triplex	2 spaces per DU
Dwelling, fourplex	
Dwelling, multifamily	125 percent of the required minimum, or 1.25 spaces per bedroom, whichever is less.
Dwelling, live/work	1 space per DU
Dwelling, cottage development	2 spaces per DU
Dwelling, mobile home	2 spaces per DU
Manufactured home park	2 spaces per DU, plus 1 visitor space per 2 DUs
Group Living	
Assisted living facility	1 space per 6 infirmary or nursing home beds;
Continuing care retirement facility	plus 1 space per 3 rooming units; plus 1 space per 3 DUs
Fraternity or sorority house	0.8 spaces per bed
Group care home, FHAA small	
Group care facility, FHAA large	
Nursing or convalescent home	1 space per 4 persons design capacity
Opioid rehabilitation home, small	
Opioid rehabilitation home, large	
Residential rooming house	2 spaces; plus 1 space per guest room
Student housing or dormitory	0.75 spaces per bedroom
Supportive housing, small	Number of Sector and Barth
Supportive housing, large	No requirement limit
PUBLIC, INSTITUTIONAL, AND CIVI	CUSES
Community and Cultural Facilities	
Art gallery, museum, or library	1 space per 500 sq. ft. GFA 2.0 spaces per 1,000 sq. ft. GFA
Cemetery or mausoleum	No requirement limit
Club or lodge	1 space per 4 seats in main assembly area, or 1 space per 200 sq. ft. GFA 5.0 spaces per 1,000 sq. ft. GFA , whichever is greater
Community center	No requirement limit

	- space per 500 sq. it. Gra 2.0 spaces per 1,000 sq. it. Gra 101
Conference or convention center	surface parking
	No requirement limit for structured parking
Crematory	1-space per 300 sq. ft. GFA 3.3 spaces per 1,000 sq. ft. GFA
Day-care center, adult or child	1-space per 300 sq. ft. GFA 3.3 spaces per 1,000 sq. ft. GFA
Government service facility	No requirement limit
Jail or detention facility	No requirement limit
Meeting, banquet, or event facility	1 space per 250 sq. ft. GFA 4.0 spaces per 1,000 sq. ft. GFA
Mortuary	1-space per 300 sq. ft. GFA 3.3 spaces per 1,000 sq. ft. GFA
Park	No requirement limit
Place of worship	1 space per 4 seats in main assembly area, or 1 space per 200 sq. ft. GFA 5.0 spaces per 1,000 sq. ft. GFA , whichever is greater
Police, fire, or rescue station	No requirement limit

2.0 spaces per 1.000 sq. ft CEA for

Urban agriculture, noncommercial	No requirement limit
Educational Facilities	
School, college or university	No requirement limit
School, public or private	No requirement limit
School, trade or business	1 space per 250 sq. ft. GFA 4.0 spaces per 1,000 sq. ft. GFA
Healthcare Facilities	
Hospital	1 space per patient bed design capacity
Medical clinic	1 space per 300 sq. ft. GFA 3.3 spaces per 1,000 sq. ft. GFA
Methadone or other treatment facility	1 space per 300 sq. ft. GFA 3.3 spaces per 1,000 sq. ft. GFA
Opioid rehabilitation facility	1 space per 300 sq. ft. GFA 3.3 spaces per 1,000 sq. ft. GFA
COMMERCIAL USES	
Agricultural and Animal Uses	
Kennel	No-requirement limit
Orchard or tree farm, commercial	No requirement limit
Pet grooming	No requirement limit
Plant nursery or greenhouse, commercial	1 space per 300 sq. ft. GFA retail sales 3.3 spaces per 1,000 sq. ft. GFA retail sales
Veterinarian clinic	1 space per 300 sq. ft. GFA 3.3 spaces per 1,000 sq. ft. GFA
Entertainment and Recreation	
Amenity center	No requirement limit
Country club	No requirement limit
	Bowling alley: 3 spaces per lane
Recreation, indoor	Theater: 1 space per 4 seats in assembly areas
	All other: 1 space per 250 sq. ft. GFA 4.0 spaces per 1,000 sq. ft. GFA
	Golf course: 2 spaces per golf hole Mini golf course: 1 space per golf hole
Recreation, outdoor	Golf driving range: 1 space per tee box
	All other: 1 space per 400 sq. ft. 2.5 spaces per 1,000 sq. ft. of site
	area used for recreation
Sexually oriented business	1-space per 200 sq. ft. GFA 5.0 spaces per 1,000 sq. ft. GFA
Stadium	No requirement limit
Food, Beverage, and Lodging	
Bar or Dance club	1-space per 250 sq. ft. GFA 4.0 spaces per 1,000 sq. ft. GFA
Bed and breakfast	1 space per guest bedroom Indoor tasting/seating area: 1 space per 100 sq. ft. GFA 10.0 spaces
	Indoor lasting/seating area. I space per inv su. It. GFA IV.V spaces
	per 1,000 sq. ft. GFA; Outdoor tasting/seating area: 1 space per 200 sq. ft. of 5.0 spaces
Brewpub, distillery, or winery	per 1,000 sq. ft. GFA; Outdoor tasting/seating area: 1 space per 200 sq. ft. of 5.0 spaces per 1,000 sq. ft. of
Brewpub, distillery, or winery	per 1,000 sq. ft. GFA;Outdoor tasting/seating area: 1 space per 200 sq. ft. of 5.0 spacesper 1,000 sq. ft. of1 space per guest room
Brewpub, distillery, or winery	 per 1,000 sq. ft. GFA; Outdoor tasting/seating area: 1 space per 200 sq. ft. of 5.0 spaces per 1,000 sq. ft. of 1 space per guest room Indoor seating area: 1 space per 100 sq. ft. GFA 10.0 spaces per 1,000
Brewpub, distillery, or winery Hotel or motel	per 1,000 sq. ft. GFA;Outdoor tasting/seating area: 1 space per 200 sq. ft. of 5.0 spacesper 1,000 sq. ft. of1 space per guest room
Brewpub, distillery, or winery Hotel or motel Restaurant	 per 1,000 sq. ft. GFA; Outdoor tasting/seating area: 1 space per 200 sq. ft. of 5.0 spaces per 1,000 sq. ft. of 1 space per guest room Indoor seating area: 1 space per 100 sq. ft. GFA 10.0 spaces per 1,000 sq. ft. GFA;;
Brewpub, distillery, or winery Hotel or motel Restaurant	 per 1,000 sq. ft. GFA; Outdoor tasting/seating area: 1 space per 200 sq. ft. of 5.0 spaces per 1,000 sq. ft. of 1 space per guest room Indoor seating area: 1 space per 100 sq. ft. GFA 10.0 spaces per 1,000 sq. ft. GFA;; Outdoor seating area: 1 space per 200 sq. ft. of 5.0 spaces per 1,000
Brewpub, distillery, or winery Hotel or motel Restaurant Office, Business, and Professional Services	 per 1,000 sq. ft. GFA; Outdoor tasting/seating area: 1 space per 200 sq. ft. of 5.0 spaces per 1,000 sq. ft. of 1 space per guest room Indoor seating area: 1 space per 100 sq. ft. GFA 10.0 spaces per 1,000 sq. ft. GFA;; Outdoor seating area: 1 space per 200 sq. ft. of 5.0 spaces per 1,000
Brewpub, distillery, or winery Hotel or motel Restaurant Office, Business, and Professional Services Artist studio or workshop	per 1,000 sq. ft. GFA; Outdoor tasting/seating area: 1 space per 200 sq. ft. of 5.0 spaces per 1,000 sq. ft. of 1 space per guest room Indoor seating area: 1 space per 100 sq. ft. GFA 10.0 spaces per 1,000 sq. ft. GFA;; Outdoor seating area: 1 space per 200 sq. ft. of 5.0 spaces per 1,000 sq. ft. of Sq. ft. GFA;; Outdoor seating area: 1 space per 200 sq. ft. of 5.0 spaces per 1,000 sq. ft. of No maximum limit 1 space per 250 sq. ft. GFA 4.0 spaces per 1,000 sq. ft. GFA
Brewpub, distillery, or winery Hotel or motel Restaurant Office, Business, and Professional Services Artist studio or workshop Check cashing Financial institution	per 1,000 sq. ft. GFA; Outdoor tasting/seating area: 1 space per 200 sq. ft. of 5.0 spaces per 1,000 sq. ft. of 1 space per guest room Indoor seating area: 1 space per 100 sq. ft. GFA 10.0 spaces per 1,000 sq. ft. GFA;; Outdoor seating area: 1 space per 200 sq. ft. of 5.0 spaces per 1,000 sq. ft. of No maximum limit 1 space per 250 sq. ft. GFA 4.0 spaces per 1,000 sq. ft. GFA 1 space per 250 sq. ft. GFA 4.0 spaces per 1,000 sq. ft. GFA
Brewpub, distillery, or winery Hotel or motel Restaurant Office, Business, and Professional Services Artist studio or workshop Check cashing Financial institution Fitness center, small	per 1,000 sq. ft. GFA; Outdoor tasting/seating area: 1 space per 200 sq. ft. of 5.0 spaces per 1,000 sq. ft. of 1 space per guest room Indoor seating area: 1 space per 100 sq. ft. GFA 10.0 spaces per 1,000 sq. ft. GFA;; Outdoor seating area: 1 space per 200 sq. ft. of 5.0 spaces per 1,000 sq. ft. GFA;; Outdoor seating area: 1 space per 200 sq. ft. of 5.0 spaces per 1,000 sq. ft. of No maximum limit 1 space per 250 sq. ft. GFA 4.0 spaces per 1,000 sq. ft. GFA 1 space per 250 sq. ft. GFA 4.0 spaces per 1,000 sq. ft. GFA 1 space per 250 sq. ft. GFA 3.3 spaces per 1,000 sq. ft. GFA
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Retail sales, big box	1 space per 300 sq. ft. GFA 3.3 spaces per 1,000 sq. ft. GFA
Vehicles and Equipment	
Equipment sales or rental	1 space per 350 sq. ft. 2.85 spaces per 1,000 sq. ft. of indoor sales/leasing/ office area;
	plus 1 space per service bay
Transportation terminal	No requirement limit
Vehicle fleet operations, small	No requirement limit
Vehicle fleet operations, large	No requirement limit
Vehicle fuel station	1 space per 200 sq. ft. GFA 5.0 spaces per 1,000 sq. ft. GFA
Vehicle impound storage	No requirement limit
	No requirement limit
Vehicle parking garage	
Vehicle repair, major	1 space per 350 sq. ft. 2.85 spaces per 1,000 sq. ft. of indoor
Vehicle repair, minor	sales/leasing/ office area;
Vehicle sales or rental	plus 1 space per service bay
Vehicle wash	No requirement limit
EMPLOYMENT USES	
Menufacturian and Decession	
Manufacturing and Processing	
Commercial Laundry	No requirement limit
Food production or processing	No requirement limit
Manufacturing, artisan	No requirement limit
Manufacturing, light	No requirement limit
Manufacturing, heavy Salvage or scrap yard	No requirement limit No requirement limit
	no requirement liftit
Storage, Distribution, or Warehousing	
Bottled gas storage or distribution	No requirement limit
Contractor's yard	No requirement limit No requirement limit
Distribution, warehouse, or wholesale facility Storage, outdoor	No requirement limit
	1 space per 350 GFA 2.85 spaces per 1,000 sq. ft. GFA of indoor
Storage, self-service	sales/leasing/office space
Resource and Extraction	
Gravel, cement, or sand production	No requirement limit
Quarry	No requirement limit
Stone processing	No requirement limit
UTILITIES AND COMMUNICATION	
Communication facility	No requirement limit
Solar collector, ground- or building-mounted	No requirement limit
Utility substation and transmission facility	No requirement limit
Wind energy system, large	No requirement limit
Wind energy system, small	No requirement limit
ACCESSORY USES	
Chicken flock	No requirement limit
Crops and pasturage	No requirement limit
Detached garage	No requirement limit
Drive-through	No requirement limit
Dwelling, accessory unit	No requirement limit
Electric vehicle charging facility Greenhouse, noncommercial	No requirement limit No requirement limit
	No requirement limit No requirement limit
Home occupation Outdoor retail and display	No requirement limit
Outdoor retail and display Outdoor trash and recyclables receptacles	No requirement limit No requirement limit
Recycling drop-off, self-serve	No requirement limit
Swimming pool	No requirement limit
TEMPORARY USES	
	No requirement limit
Book buyback Construction support activities	No requirement limit

Farm produce sales	No requirement limit
Real estate sales or model home	No requirement limit
Seasonal sales	No requirement limit
Special event	No requirement limit

(h) Adjustments to Maximum Parking Requirements Allowance

No use shall provide vehicle parking spaces in an amount exceeding the maximum established in Table 4-10: Maximum Vehicle Parking Requirements Allowances, unless approved by the City Planning and Transportation Department based on the following:

- (1) The proposed development has unique or unusual characteristics that typically do not apply to comparable developments, uses, or combinations of uses, such as high sales volume per floor area or low parking turnover, that create a parking demand that exceeds the maximum ratio;
- (2) The petitioner submits a parking demand study demonstrating that anticipated off-street vehicle parking demand for the proposed development, use, or combination of uses will be more than that calculated from Table 4-10: Maximum Vehicle Parking Requirements Allowances, and the City Planning and Transportation Department determines that the information and assumptions used in the study are reasonable and that the study accurately reflects maximum reasonably anticipated off-street vehicle parking demand for the proposed development, use, or combination of uses; and
- (3) Any parking provided above the maximum required in Table 4-10: Maximum Vehicle Parking Requirements Allowances is constructed in a parking structure or with approved pervious surfaces.

Note: This amendment authorizes staff to update any citations outside of 20.04.060 that reference amended sections or tables within 20.04.060 as a result of this amendment.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 46
Name of Sponsor(s):	Cm. Sandberg & staff
Date Submitted:	11/4/2019
UDO Chapter, Section, and Page	

Chapter/Section		Page #
20.04.070(c) MD District		152
20.05.050(j)(10)(D) Street Lighting	Plans in the MD Distrct	226

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #

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

This amendment is proposed by Cm. Sandberg at the request of staff. The amendment relocates MD District standards for street lighting to better align with the Downtown Vision and Infill Strategy Plan.

Council Action – [December 03, 2019]:

Motion to adopt Am 46: 7-0 (Chopra, Sturbaum absent) (via consent agenda) ADOPTED

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

20.04.070 Site and Building Design

(c) MD District

(1) Generally

Notwithstanding subsections (d) and (e) below, all construction activity shall be subject to the design standards set forth in the applicable Downtown Character Area as specified in Section 20.02.030(g) (MD: Mixed-use Downtown) and Section 20.02.060(a) (DCO - Downtown Character Overlay District).

(2) Street Lighting Plans in the MD District

All certified street lighting plans proposed for the MD district shall be consistent with the design recommendations of the City of Bloomington Downtown Vision and Infill Strategy Plan and shall comply with the following:

(A) Generally

(i) Pedestrian scaled street lighting shall be provided as approved by the Board of Public Works.(ii) Pedestrian scaled street lighting shall not exceed 15 feet in height.

(B) Lighting Fixture Styles

- (i) Lighting fixture styles shall generally conform to the prevailing pattern of street lighting found on adjacent properties and street block faces.
- (ii) All pedestrian scaled street lighting in the MD district shall be of a traditional design style (gas lamp, acorn, or similar decorative style) except as otherwise provided below.
- (iii) Properties in the following Downtown Character Overlays may use traditional or contemporary design styles:
 - 1. Downtown Core;
 - 2. University Village (excluding Kirkwood Corridor and Restaurant Row);
 - 3. Downtown Gateway; and
 - 4. Showers Technology.

20.05.050 Subdivision Standards

(j) Streets and Right-of-Ways

(10) Street Lighting

- (D) Street Lighting Plans in the MD District
 - All certified street lighting plans proposed for the MD district shall be consistent with the design

recommendations of the City of Bloomington Downtown Vision and Infill Strategy Plan and shall comply with the following:

(i) Generally

- (1) Pedestrian scaled street lighting shall be provided as approved by the Board of Public Works.
- (2) Pedestrian scaled street lighting shall not exceed 15 feet in height.
- (ii) Lighting Fixture Styles
 - (1) Lighting fixture styles shall generally conform to the prevailing pattern of street lighting found on adjacent properties and street block faces.
 - (2) All pedestrian scaled street lighting in the MD district shall be of a traditional design style (gas lamp, acorn, or similar decorative style) except as otherwise provided below.
 - (3) Properties in the following Downtown Character Overlays may use traditional or contemporary design styles: [a] Downtown Core;
 - [b] University Village (excluding Kirkwood Corridor and Restaurant Row);
 - [c] Downtown Gateway; and
 - [d] Showers Technology.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 47
Name of Sponsor(s):	Chris Sturbaum
Date Submitted:	11/3/19

UDO Chapter, Section, and Page

Chapter/Section	Page #	
20.04.070 Site and Building Design (d) Building Design	152-153	

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
Vision	* Ensure all land development makes a positive and lasting	12
Statement	community contribution.	

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

Sometimes the design regulations force architectural outcomes that may have been better if the design were left to the architect. Arbitrary variations are sometimes a positive, but sometimes create outcomes that may be regrettable and avoidable. This amendment would give architects more creative freedom.

Council Action – 03 December 2019: Amend Am 47 by clarifying that the newly-added text applies generally to 20.04.070(d), not just to 20.04.070(d)(1) (see below in **green** font) 8 – 0 (Chopra absent) Adopt Am 47 as Amended 6 – 2 (Piedmont-Smith, Volan) (Chopra absent) ADOPTED

- over -

20.04.070 Site and Building Design

(d) Building Design

The Planning and Transportation Director may retain an independent third party consultant to review any proposed building design in order to assist with review of compliance with the standards in this section, 20.04.070(d). Where the decision on an application is made by the Plan Commission or City Council (as shown in Table 6-1), the consultant may offer alternative compliant design option(s) that addresses each element of building design addressed in this section 20.04.070(d). The body making the final decision on the application may approve some or all of the suggested design options if it determines that the suggested option:

- Significantly enhances the visual appeal of the building;
- Significantly enhances the perceived quality of the building facades visible from public streets;
- Creates no adverse impacts on surrounding properties beyond those that would be permitted if the standards in this Section 20.04.070(d) were applied; and
- Strengthen the public-private interaction at the street level.

(1) Mixed-Use and Nonresidential

(A) Applicability

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

(B) Exceptions

Single-family detached, duplex, triplex, and fourplex dwellings shall not be subject to the architectural standards of this Section 20.04.070(d)(1). Such residential dwelling units shall be subject to the architectural standards in Section 20.04.070(d)(2).

(C) Materials

All facades of a primary building shall consist of one or more of the following materials:

(See Am 29 – Adopted on 19 November 2019)

(D) Exterior Facades

All facades of a primary building shall incorporate three or more of the following design elements every 40 feet to avoid blank, uninterrupted walls:

- i. Awning or canopy;
- ii. Change in building facade height (minimum of five feet of difference);
- **iii.** A regular pattern of transparent glass constituting a minimum of 50 percent of the total wall/facade area of the first-floor facade/elevation facing a street;
- **iv.** Wall elevation recesses and/or projections, the depth that are at least three percent of the horizontal width of the building façade.

(E) Patterns

All facades of a primary building visible from any roadway shall contain the following color and texture changes:

- i. Facades shall consist of at least one primary and one secondary color.
- **ii.** At least one of these elements, either texture or color, shall repeat horizontally across the facade.
- iii. Variations in texture and color elements shall repeat vertically a minimum of every 30 feet.

(F) Eaves and Roofs

Buildings with sloped roofs (those greater than 3:12 pitch) visible from any roadway shall contain overhanging eaves, extending no less than two feet past the supporting walls. Flat roofs (those less than 3:12 pitch) shall include a parapet on supporting walls.

- (G) 360-Degree Architecture >>>>
- (H) Primary Pedestrian Entry >>>>
- (I) Windows on Primary Facades
- (J) Street Addresses

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Am 48
Cm. Sandberg & staff
11/4/2019

UDO Chapter, Section, and Page

Chapter/Section	Page #
20.04.070 Site and Building Design	156
20.05.050 Subdivision Design Standards	227

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
1	Policy 1.1.2: Continue and enhance programs that embrace Bloomington's diversity of cultures, languages, gender orientations, and abilities, and support populations that have traditionally been excluded.	28
1	Policy 1.5.3: Implement infrastructure plans and projects that anticipate growth and reduce community vulnerability.	29
5	Policy 5.2.7: Encourage the addition of visitability and accessibility features, where practicable, and where not otherwise required, in all single family and multi-family residential new housing construction and modification	64

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

This amendment is proposed by Cm. Sandberg at the request of staff. The amendment adds provisions related to the concept of "universal design."

Council Action – 03 December 2019: Amend Am 48 by making changes in **green** font below 8 – 0 (Chopra absent) Adopt Am 48 as Amended 8 – 0 (Chopra absent) ADOPTED

- over -

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

20.04.070 Site and Building Design

New subsection (f) Universal Design

- (1) In multifamily residential buildings and student housing and dormitory buildings constructed after <u>[insert effective date here]</u> that contain more than 25 dwelling units, at least 20 percent of the dwelling units shall incorporate at least two of the following elements of "universal design":
 - a. At least one entrance at grade level and not requiring any steps up or down or a ramp for entry;.
 - In addition, one of the following additional elements of "universal design" is required:
 - b. a. All interior doorways with at least 32-inch wide openings;
 - e. b. At least one bathroom with 32-inch counter height;
 - d. c. At least one bathroom with wall reinforcements for handrails; and/or
 - e. d. All light switches installed between 44 and 48 inches in height.

20.05.050 Subdivision Design Standards

New subsection (I) Universal Design

- (1) In subdivisions or phases of subdivisions approved after <u>[insert effective date here]</u> that contain more than 25 lots designed to accommodate single-family detached or singlefamily attached dwellings, at least 20 percent of the dwelling units shall incorporate at least two of the following elements of "universal design":
 - a. At least one entrance at grade level and not requiring any steps up or down or a ramp for entry;.
 - In addition, one of the following additional elements of "universal design" is required:
 - b. a. All interior doorways with at least 32-inch wide openings;
 - e. b. At least one bathroom with 32-inch counter height;
 - d. c. At least one bathroom with wall reinforcements for handrails; and/or
 - e. d. All light switches installed between 44 and 48 inches in height.
- (2) For purposes of determining the applicability of the 25 lot threshold, this subsection k, the Planning and Transportation Director may determine that a proposed subdivision or phase of a subdivision is a part of an earlier, adjacent, subdivision or phase of a subdivision in common or related ownership. If that determination is made, the two subdivisions or phases of subdivisions shall be treated as one, and the requirements of subsection 1 above shall apply to 20 percent of all lots in the two combined subdivisions or phases of subdivisions.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 49
Name of Sponsor(s):	Cm. Sandberg & staff
Date Submitted:	11/4/2019

UDO Chapter, Section, and PageChapter/SectionPage #20.04.080(c)(2) Plant Material Standards158

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	

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

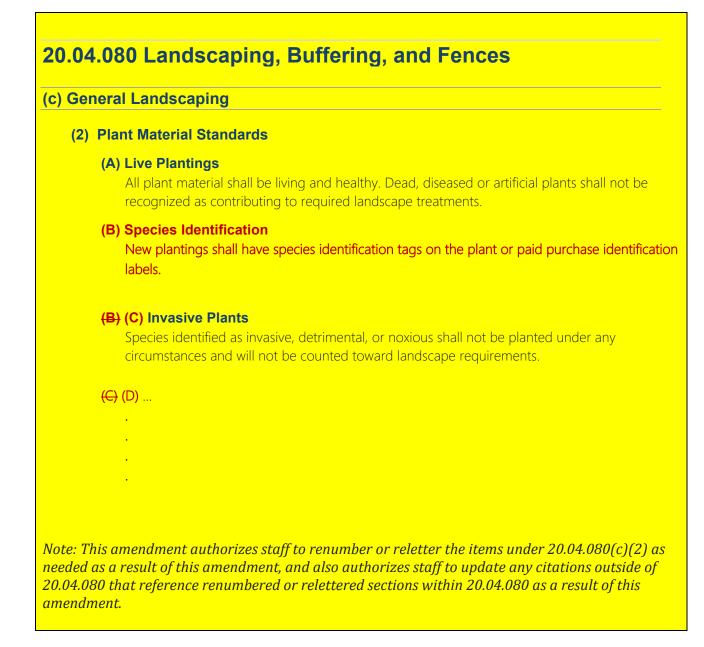
This amendment is proposed by Cm. Sandberg at the request of staff. The amendment provides clarification on plant species identification.

Council Action – [December 03, 2019]:

Motion to adopt Am 49: 7-0 (Chopra, Sturbaum absent) (via consent agenda) ADOPTED

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.



<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 50	
Name of Sponsor(s):	Cm. Sandberg & staff	
Date Submitted:	11/4/2019	

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.080(d) Permitted Plant Species	161-165
20.04.080(e) Prohibited Plant Species	166-168

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	_

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

is proposed by Cm. Sandberg at the request of staff. The amendment makes ndscaping lists to identify evergreens, to remove poor quality/invasive species, ecies.

Council Action – 03 December 2019: Amend Am 50 by adding "Yellow Groove Bamboo" and "Phyllostachys aureosulcata" under prohibited invasive grasses (see below in **green** font) 8 – 0 (Chopra absent) Adopt Am 50 as Amended 8 – 0 (Chopra absent) ADOPTED

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

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

Table 04-14: Permitted Street Tree Species

Bold text indicates evergreen species

Common Name	Scientific Name
Large Street Trees - 45 feet or more at mature he	ight
Black Maple	Acer nigrum
Red Maple	Acer rubrum
Sugar Maple	Acer saccharum
Sugar Hackberry	Celtis laevigata
Hackberry	Celtis occidentalis
American Beech	Fagus grandfolia
Thornless Honeylocust	Gleditsia triacanthos inermis
Kentucky Coffee Tree	Gymnocladus dioica
Sweetgum	Liquidambar styraciflura
Tulip Tree	Liriodendron tulipifera
Blackgum or Tupelo	Nyssa sylvatica
Sycamore	Platanus occidentalis
White Oak	Quercus alba
Swamp White Oak	Quercus bicolor
Scarlet Oak	Quercus coccinea
Shingle Oak	Quercus imbricaria
Bur Oak	Quercus macrocarpa
Red Oak	Quercus rubra
Shumard Oak	Quercus shumardii
Black Oak	Quercus velutina
Bald Cypress	Taxodium distichum
Basswood or American Linden	Tilia americana
Medium Street Trees - 25 feet to 45 feet at mature	e height
Autumn Flame Red Maple	Acer rubrum
Downy Serviceberry	Amelanchier arborea
American Hornbeam or Blue Beech	Carpinus caroliniana
Yellowwood	Cladrastis lutea
Hop Hornbeam or Ironwood	Ostrya virginiana
Small Street Trees - Under 25 feet at mature heig	ht
Shadblow Serviceberry	Amelanchier canadensis
Allegheny Serviceberry	Amelanchier laevis
Eastern Redbud	Cercis canadensis
Flowering Dogwood	Cornus florida
Thornless Cockspur Hawthorn	<u>Crataegus crus-galli</u>
Washington Hawthorn	Crataegus phaenopyrum
Green Hawthorn	Crataegus viridis

Table 04-15: Permitted Interior Tree Species Bold text indicates evergreen species

Common Name	Scientific Name
Large Trees - 45 feet or more at mature height	
Ohio Buckeye	Aesculus glabra
Yellow Buckeye	Aesculus octandra
Horsechestnut or Buckeye	Aesculus sp.
Bitternut Hickory	Carya cordiformis
Pignut Hickory	Carya glabra
Shellbark Hickory	Carya laciniosa
Shagbark Hickory	Carya ovata
Mockernut Hickory	Carya tomentosa
Northern Catalpa	Catalpa speciosa
American Holly	Hex opaca
Black Walnut	Juglans nigra
Eastern Red Cedar	Juniperus virginiana
<u>Cucumber Tree</u>	<u>Magnolia acuminata</u>
White Pine	<u>Pinus strobus</u>
Virginia Pine	Pinus virginiana
Black Cherry	Prunus serotina
Chestnut Oak	Quercus prinus
Canadian or Eastern Hemlock	Tsuga Canadensis
Medium Trees - 25 feet to 45 feet at mature height	
River Birch	Betula nigra
Sassafras	Sassafras albidum
American Arborvitae	Thuja occidentalis
Small Trees - Under 25 feet at mature height	
Red Buckeye	Aesculus pavia
Pawpaw	Asimina triloba
Pagoda Dogwood	Cornus alternifolia
Persimmon	<u>Diospyros virginiana</u>
Silverbell	Halesia carolina
Wild Plum	Prunus Americana
<u>Staghorn Sumac</u>	<u>Rhus typhina</u>

Table 04-16: Permitted Shrubs, Bushes and Hedges Species

Bold text indicates evergreen species

Common Name	Scientific Name
Red Chokeberry	Aronia arbutifolia
Black Chokeberry	Aronia melanocarpa
New Jersey Tea	Ceanothus americanus
Buttonbush	Cephalanthus occidentalis
American Hazelnut	Corylus Americana
Silverbell shrub	Halesia tetraptera
Spring Witch Hazel	Hamamelis vernalis
Eastern Witch Hazel	Hamamelis virginiana
Wild Hydrang <u>ia</u>	Hydrangia arborescens
Inkberry	<u>Llex glabra</u>
Oakleaf Hydrang	Hydrangia quercifolia
Winterberry Holly	Ilex verticillata
Virginia Sweetspire	Itea virginica
Juniper	Juniperus communis
Spicebush	Lindera benzoin
Ninebark	Physocarpus opulifolius
Shrubby Cinquefoil	Potentilla
Sand Cherry	Prunus pumila
Fragrant Sumac	Rhus aromatica
Winged Sumac	Rhus copallina
Shinning Sumac	Rhus glabra
Staghorn Sumac	Rhus typhina
Virginia Rose	Rosa virginiana, Rosa setigera, Rosa palustris
Pussy Willow	Salix discolor
Elderberry	Sambucus canadensis
Bladdernut	Stapphylea trifolia
Coralberry or Indian Currant	Symphoricarpos orbiculatus
Canadian Yew	Taxus canadensis
Highbush Blueberry	Vaccinium corymbosum, Vaccinium vacillans
Mapleleaf Viburnum Viburnum acerifolium	
Arrowwood	Viburnum dentatum
Nannyberry	Viburnum lentago
Black Haw	Viburnum prunifolium, Viburnum rufidulum
American Highbush Cranberry	Viburnum trilobum
Prickly Ash	Zanthoxylum americanum

Table 04-17: Permitted Herbacaceous Herbaceous Perennial Plant Species

Bold	text	indicates	evergreen	species

Common Name	Scientific Name
Flowering Perennials	
Canada Anemone	Anemone canadensis
Columbine	Aquilegia canadensis
Swamp or Marsh Milkweed	Asclepias incarnata
Common Milkweed	Asclepias syriaca
Butterflyweed	Asclepias tuberosa
Smooth Aster	Aster laevis
Short's Aster	Aster shortii
False Blue Indigo	Baptisia australis
Tall Coreopsis	Coreopsis tripteris
Larkspur	Delphinium tricorne
Purple Coneflower	Echinacea purpurea
Spotted-Joe-Pye-Weed	Eupatorium maculatum
Wild Geranium	Geranium maculatum
Autumn Sneezeweed	Helenium autumnale
Stiff or Prairie Sunflower	Helianthus pauciflorus
False Sunflower	Heliopsis helianthoides
Violet Lespedeza	Lespedeza violacea
Rough Blazing Star	<u>Liatris aspera</u>
Prairie Blazing Star	Liatris pycnostachya
Dense Blazing Star	Liatrus spicata
Cardinal Flower	Lobelia cardinalis
Great Blue Lobelia	Lobelia siphilitica
Virginia Bluebells	Mertensia virginica
Bergamot or Bee-balm	Monarda fistulosa
Purple Prairie Clover	Petalostemum purpureum
Blue Phlox	Phlox divaricata
Summer Phlox	Phlox paniculata
Obedient Plant	Physostegia virginiana
Yellow Coneflower	Ratibida pinnata
<u>Orange Coneflower</u>	<u>Redbeckia fulgida</u>
Black-Eyed-Susan	Rudbeckia hirta
Green-Headed Coneflower	Rudbeckia laciniata
Sweet Coneflower	Rudbeckia subtomentosa
Stiff Goldenrod	Solidago rigida
Blue-stemmed Goldenrod	Solidago caesia
Grey Goldenrod	Solidago nemoralis
Royal Catchfly	Silene regia
Fire Pink	Silene virginica

Table 04-17: Permitted Herbacaceous Herbaceous Perennial Plant Species Bold text indicates evergreen species Perennial Plant Species Perennial Plant Species

Common Name	Scientific Name
Celandine Poppy	Stylophorum diphyllum
Coralberry	Symphoricarpos orbiculatus
Culver's Root	Veronicastrum virginicum
Violet	Viola sororia
Ground Covers	
Canada Anemone	Anemone canadensis
Wild Ginger	Asarum canadense
Palm Sedge	Carex muskingumensis
Common Oak Sedge	Carex pensylvanica
Green and Gold	Chrysogonum virginianum
Running Strawberry Bush	Euonymus obovatus
Wild Strawberry	Fragaria virginiana
Dwarf Crested Iris	Iris cristata
Creeping Juniper	Juniperus horizontalis
Creeping Phlox	Phlox subulata
Partridge Berry	Mitchella repens
Wild Stonecrop	Sedum ternatum
Foam Flower	Tiarella cordifolia
Vines	
Wooly Douchman's Pipe	Aristolochia tomentosa
Crossvine	Bignonia capreolata
Trumpet Creeper	Campsis radicans
American Bittersweet	Celastrus scandens
Virgin's Bower (native clematis)	Clematis virginiana
Virginia Creeper	Parthenocissus quinquefolia
Ferns	
Maidenhair Fern	Adiantum pedatum
Lady Fern	Athyrium filix-femina
Giant Wood Fern or Goldie's Fern	Dryopteris goldiana
Evergreen Shield Fern	Dryopteris marginalis
Ostrich Fern	Matteuccia struthiopteris
Cinnamon Fern	Osmunda cinnamomea
Christmas Fern	Polystichum acrostichoides
Grasses	
Big Bluestem	Andropogon gerardii
Side-Oats Gramma	Bouteloua curtipendula
Indian Seaoats	Chasmanthium latifolium
Bottlebrush Grass	Elymus hystrix

Table 04-17: Permitted Herbacaceous Herbaceous Perennial Plant Species Bold text indicates evergreen species Perennial Plant Species Perennial Plant Species

Common Name	Scientific Name
<u>Virginia Wild Rye</u>	<u>Elymus virginicus</u>
June Grass	Koeleria macrantha
Switch Grass	Panicum virgatum
Little Bluestem	Schizachyrium scoparium
Praire Dropseed	Sporobulus heterolepsis

(e) **Prohibited Plant Species**

Species identified in Table 04-18: Prohibited Plant Species are considered unacceptable and shall not be planted because of invasive characteristics, weak wood, and/or abundant litter.

Table 04-18: Prohibited Plant Species

* = Indiana State-listed noxious weeds (USDA, INDNR, &/or State Seed Commissioner)

+ = Indiana detrimental plants (INDNR)

Prohibited Invasive TreesAmur MapleAcer ginnalaNorway MapleAcer platanoidesTree-of-HeavenAilanthus altissimaBlack AlderAlus glutinosaRussian OliveElaeagnus angustifoliaAutumn OliveElaeagnus umbellataGlossy BuckthornFrangula alnusWhite MulberryMorus albaPrincess TreePaulownia tomentosaSawtooth OakQuercus acutissimaAmur Cork TreePhellodendron amurenseCallery Pear and all cultivarsRhamnus catharticaGlossy or Smooth Buckthorn and all cultivarsRhamnus frangulaBuckthorn Tallhedge and all cultivarsRhamnus frangulaBuckthorn Tallhedge and all cultivarsRhamnus frangulaSiberian ElmUlmus pumilaProhibited Non-Invasive TreesPlants with Poor Characteristics	
Norway MapleAcer platanoidesTree-of-HeavenAilanthus altissimaBlack AlderAlnus glutinosaRussian OliveElaeagnus angustifoliaAutumn OliveElaeagnus umbellataGlossy BuckthornFrangula alnusWhite MulberryMorus albaPrincess TreePaulownia tomentosaSawtooth OakQuercus acutissimaAmur Cork TreePhellodendron amurenseCallery Pear and all cultivarsRhamnus catharticaGlossy or Smooth Buckthorn and all cultivarsRhamnus frangulaBuckthorn Tallhedge and all cultivarsRhamnus frangulaBlack LocustRobinia pseudoacaciaSiberian ElmUlmus pumilaProhibited Non-Invasive Trees Plants with Poor Characteristics	
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Siberian Elm Ulmus pumila Prohibited Non-Invasive TreesPlants with Poor Characteristics	
Prohibited Non-Invasive TreesPlants with Poor Characteristics	
Box Elder Acer negundo	
Silver maple Acer saccharinum	
European White Birch Betula pendula	
Poison Hemlock <u>Conium maculatum L.</u>	
Ash Fraxinus species	

Table 04-18: Prohibited Plant Species

- * = Indiana State-listed noxious weeds (USDA, INDNR, &/or State Seed Commissioner)
- + = Indiana detrimental plants (INDNR)

Common Name	Scientific Name
Gingko (female only)	Gingko biloba
Giant Hogweed	Heracleum mantegazziznum
Rice Cutgrass	Leersia oryzoides
Flowering Crabapple	Malus
<u>Wild Parsnip</u>	<u>Pastinaca sativa</u>
	rman', 'Doubloons', 'Indian Magic', 'Indiana Summer', 'Liset', 'Robinson', 'Selkirk', 'Sentinel', 'Snowdrift', 'Sugar Tyme', 'Velvet Pillar',
Bradford Pear	Pyrus calleryana
American Elm	Ulmus Americana
<u>Poison Ivy</u>	Toxicodendron radicans
<u>Poison Sumac</u>	<u>Toxicodendron vernix</u>
Prohibited Invasive Herbaceous Perennials	
Japanese Chaff Flower	<u>Achyranthes japonica</u>
Wild Garlic and Wild Onion	Alliums spp. *
Garlic Mustard	Alliaria petiolata
Mugwort	<u>Artemisia vulgaris</u>
<u>Spiny Plumeless Thistle</u>	<u>Carduus acanthoides</u>
Cornflower or Bachelor's Button	Centaurea cyanus
Russian Knapweed	Centaurea repens*
Spotted Knapweed	<u>Centaurea stoebe</u>
Canada Thistle	Cirsium arvense *+
<u>Bull Thistle</u>	<u>Cirsium vulgare</u>
Poison Hemlock	<u>Conium maculatum</u>
Grecian Foxglove	Digitalis lanata
Teasel	Dipsacus fullonum ssp. Sylvestris
<u>Cutleaf Teasel</u>	<u>Dipsacus lacinatum</u>
Leafy Spurge	<u>Euphorbia virgata</u>
Giant Hogweed	Fallopia japonica
Dame's Rocket	Hesperis matronalis
Meadow Fleabane or British Yellowhead	Inula britannica
Perennial Peppergrass	<u>Lepidium draba *</u>
Pepperweed	Lepidium latifolium
<u>Bicolar Lespedesza</u>	Lespedesza cuneata
Sericea Lespedeza	Lespedeza cuneata
Purple Loosestrife	Lythrum salicaria *
Sweet Clover	Melilotus alba, M. officinalis
Star of Bethlehem	Ornithogalum umbellatum
Lesser Celandine	<u>Ranunculus ficaria</u>

Table 04-18: Prohibited Plant Species

- * = Indiana State-listed noxious weeds (USDA, INDNR, &/or State Seed Commissioner)
- + = Indiana detrimental plants (INDNR)

New species

Common Name	Scientific Name
Japanese Knotweed	Polygonum cuspidatum
<u>Giant Knotweed</u>	<u>Reynoutria sachalinensis</u>
Bohemian Knotweed	<u>Reynoutria x bohemica</u>
Perennial Sowthistle	Sonchus arvensis*
<u>Black Swallow-wort</u>	Vincetoxicum nigrum
Pale Swallow-wort	<u>Vincetoxicum rossicum</u>
Prohibited Invasive Grasses	
Quackgrass	Agropyron repens *
Giant Reed	<u>Arundo donax</u>
Small Carpgrass	<u>Arthraxon hispidus</u>
Smooth Brome	Bromus inermis
Tall Fescue and all cultivars	Festuca elatior
Perennial Peppergrass	Lepidium draba *
Japanese Stilt -Gg rass	Microstegium vimineum
Maiden Grass	Miscanthus sinensis
Reed Canary Grass	Phalaris arundinacea
Common Reed Grass	Phragmites australis
Columbus Grass	Sorghum almun Parodi *
Shattercane	Sorghum bicolor *+
Johnson Grass or Sorghum Almum Yellow Groove Bamboo Prohibited Invasive Vines and Groundcovers	Sorghum halepense *+ Phyllostachys aureosulcata
Oriental Bittersweet	Celastrus orbiculatus
Asiatic Bittersweet	<u>Celastrus scandens</u>
<u>Asiatic Bittersweet</u>	<u>Celastrus scandens</u>
<u>Asiatic Bittersweet</u> <u>Sweet Autumn Clematis</u> Field Bindweed	<u>Celastrus scandens</u> <u>Clematis terniflora</u>
<u>Asiatic Bittersweet</u> <u>Sweet Autumn Clematis</u> Field Bindweed	<u>Celastrus scandens</u> <u>Clematis terniflora</u> Convolvulus arvensis *
Asiatic Bittersweet Sweet Autumn Clematis Field Bindweed Crown Vetch	<u>Celastrus scandens</u> <u>Clematis terniflora</u> Convolvulus arvensis * Coronilla varia
Asiatic Bittersweet Sweet Autumn Clematis Field Bindweed Crown Vetch Black Swallow-Wort	<u>Celastrus scandens</u> <u>Clematis terniflora</u> Convolvulus arvensis* Coronilla varia Cynanchum nigrum, syn. Vincetoxicum nigrum
Asiatic Bittersweet Sweet Autumn Clematis Field Bindweed Crown Vetch Black Swallow-Wort Pale Swallow-Wort Potato Verine	<u>Celastrus scandens</u> <u>Clematis terniflora</u> Convolvulus arvensis * Coronilla varia Cynanchum nigrum, syn. Vincetoxicum nigrum Cynanchum rossicum
Asiatic Bittersweet Sweet Autumn Clematis Field Bindweed Crown Vetch Black Swallow-Wort Pale Swallow-Wort Potato Verine	<u>Celastrus scandens</u> <u>Clematis terniflora</u> Convolvulus arvensis* Coronilla varia Cynanchum nigrum, syn. Vincetoxicum nigrum Cynanchum rossicum Dioscorea batatas
Asiatic Bittersweet Sweet Autumn Clematis Field Bindweed Crown Vetch Black Swallow-Wort Pale Swallow-Wort Potato <u>√</u> vine Chinese Yam Purple Winter Creeper	<u>Celastrus scandens</u> <u>Clematis terniflora</u> Convolvulus arvensis* Coronilla varia Cynanchum nigrum, syn. Vincetoxicum nigrum Cynanchum rossicum Dioscorea batatas Dioscora oppositifolia
Asiatic Bittersweet Sweet Autumn Clematis Field Bindweed Crown Vetch Black Swallow-Wort Pale Swallow-Wort Potato <u>√</u> vine Chinese Yam Purple Winter Creeper	<u>Celastrus scandens</u> <u>Clematis terniflora</u> Convolvulus arvensis* Coronilla varia Cynanchum nigrum, syn. Vincetoxicum nigrum Cynanchum rossicum Dioscorea batatas Dioscora oppositifolia Euonymus fortunei
Asiatic Bittersweet Sweet Autumn Clematis Field Bindweed Crown Vetch Black Swallow-Wort Pale Swallow-Wort Potato <u>V</u> wine Chinese Yam Purple Winter Creeper Creeping Charlie English Ivy	<u>Celastrus scandens</u> <u>Clematis terniflora</u> Convolvulus arvensis* Coronilla varia Cynanchum nigrum, syn. Vincetoxicum nigrum Cynanchum rossicum Dioscorea batatas Dioscora oppositifolia Euonymus fortunei Glechoma hederacea
Asiatic Bittersweet Sweet Autumn Clematis Field Bindweed Crown Vetch Black Swallow-Wort Pale Swallow-Wort Potato <u>V</u> +vine Chinese Yam Purple Winter Creeper Creeping Charlie English Ivy Japanese Hops	Celastrus scandensClematis ternifloraConvolvulus arvensis*Coronilla variaCynanchum nigrum, syn. Vincetoxicum nigrumCynanchum rossicumDioscorea batatasDioscora oppositifoliaEuonymus fortuneiGlechoma hederaceaHedera helix
Asiatic Bittersweet Sweet Autumn Clematis Field Bindweed Crown Vetch Black Swallow-Wort Pale Swallow-Wort Potato √+vine Chinese Yam Purple Winter Creeper Creeping Charlie English Ivy Japanese Honeysuckle	Celastrus scandensClematis ternifloraConvolvulus arvensis*Coronilla variaCynanchum nigrum, syn. Vincetoxicum nigrumCynanchum rossicumDioscorea batatasDioscora oppositifoliaEuonymus fortuneiGlechoma hederaceaHedera helixHumulus japonicus
Asiatic Bittersweet Sweet Autumn Clematis Field Bindweed Crown Vetch Black Swallow-Wort Pale Swallow-Wort Potato Verine Chinese Yam Purple Winter Creeper Creeping Charlie	Celastrus scandensClematis ternifloraConvolvulus arvensis*Coronilla variaCynanchum nigrum, syn. Vincetoxicum nigrumCynanchum rossicumDioscorea batatasDioscorea batatasDioscora oppositifoliaEuonymus fortuneiGlechoma hederaceaHedera helixHumulus japonicusLonicera japonica

Table 04-18: Prohibited Plant Species

- * = Indiana State-listed noxious weeds (USDA, INDNR, &/or State Seed Commissioner)
- + = Indiana detrimental plants (INDNR)

Common Name	Scientific Name
Poison Ivy	Rhus radicans
Bur Cucumber	Sicyos angulatus*+
Periwinkle or Myrtle	Vinca minor
Wisteria	Wisteria sinensis
Asiatic Bittersweet	Celastrus scandens
Prohibited Invasive Shrubs	
Black Alder	Alnus glutinosa
Japanese Barberry	Berberis thunbergii
Butterfly Bush	Buddleia davidii
Burning Bush	Euonymus alatus
Bicolor Lespedeza	Lespedeza bicolor
<u>Blunt-leaved Privet</u>	Ligustrum obusifolium
Common Privet	Ligustrum vulgare
Bush or Amur Honeysuckle	Lonicera maackii
Morrow's Honeysuckle	Lonicera morowii
Tatarian Honeysuckle	Lonicera tatarica
<u>Bell's Honeysuckle</u>	Lonicera x bella
Jetbead	Rhodotypos scandens
Multiflora Rose	Rosa multiflora *
Winberry	<u>Rubus phoenicolasius</u>
Japanese Spirea	Spiraea japonica
Atlantic Poison Oak	Toxicodendron pubescens, syn. Rhus pubescens
Poison Sumac	Toxicodendron vernix, syn Rhus vernix
European Highbush Cranberry	Viburnum opulus v. opulus
Amur Honeysuckle	Lonicera maackii

(f) Street Trees

(1) Number

A minimum of one canopy tree shall be planted per 40 feet of property that abuts a public right-ofway or 20 feet for small trees under overhead utility lines.

(2) **Type**

Street tree species shall be subject to approval by the City's Urban Forester based on hardiness, seasonal appearance, and contribution to shading and cooling.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 52
Name of Sponsor(s):	Cm. Sandberg & staff
Date Submitted:	11/4/2019

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.100(i)(4)	187
20.06.020(c), (d), & (g)	230-232, 236
20.06.080(b)	316-317, 319-321
20.07.010	396

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
_	(e.g., Overview, Goals & Policies, or Programs)	_

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

This amendment is proposed by Cm. Sandberg at the request of staff. The amendment removes the reference to the use variance process as the City is attempting to move away from such a process.

Council Action – [December 03, 2019]:

Motion to adopt Am 52: 8-0 (Chopra absent) ADOPTED

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) Multifamily

- (A) Multifamily developments containing between three and 14 dwelling units shall be permitted one wall sign not to exceed 24 square feet per development.
- (B) Multifamily developments containing at least 15 dwelling units shall be permitted:
 - i. One freestanding sign per development vehicle entrance, not to exceed 32 square feet per side in maximum sign area and not to exceed six feet in height; and
 - ii. One wall sign per building not to exceed 24 square feet each.

(4) Conforming Nonresidential Uses

For any nonresidential use approved as a permitted use, or conditional use, or use variance, the provisions of Section 20.04.100(k) shall apply. These provisions may be modified by action of the Board of Zoning Appeals as part of a conditional use or use variance approval.

(5) Legal Nonconforming Multifamily Residential Uses

Legal nonconforming multifamily residential uses in single family zoning districts with at least three units shall be permitted wall signage not to exceed 10 square feet in area but shall not be permitted any freestanding signs. This subsection supersedes Section 20.04.100(i)(3)(A).

(6) Legal Nonconforming Nonresidential Uses

Legal nonconforming nonresidential uses shall be permitted:

- (A) Wall signage not to exceed 10 square feet in area and:
- (B) On lots with less than 30 feet of street frontage, no additional freestanding signs; and
- (C) On lots with 30 feet or more of street frontage, one additional freestanding sign not to exceed 12 square feet in maximum area per side, and not to exceed four feet in height.

(7) Illumination

Signs within residential districts shall not be internally illuminated.

(8) Window Signs

Window signs are not permitted for residential uses.

(9) Temporary Signs

In addition to the temporary signs exempted under Section 20.04.100(c)(2)(C), conforming nonresidential uses and multifamily structures with at least 15 dwelling units are permitted to display temporary signage provided that the temporary signs comply with the following standards:

- (A) All temporary signs shall receive a sign permit from the City Planning and Transportation Department before being displayed;
- (B) A maximum of three temporary signs per display period described below are permitted;
- (C) Temporary sign types shall be limited to freestanding portable signs or materials not prohibited in 20.04.100(e)(8);
- (D) Temporary signs shall not exceed 16 square feet in area per side;
- (E) Freestanding temporary signs shall not exceed six feet in height; and
- (F) External illumination of temporary signs is prohibited.
- (G) Display of temporary signs shall be permitted for a maximum of three periods of up to 30 days per period, per calendar year. These permitted periods may be combined into one or two periods per year provided that the total display period does not exceed 90 days.

(2) Conflicts

- (A) Pursuant to Indiana Code § 36-7-4-223, a member of the Common Council may not participate in a hearing or decision of the Common Council concerning a zoning matter in which he or she has a direct or indirect financial interest. The Common Council shall enter in its records the fact that its member has such a disqualification. As used in this section, "zoning matter" does not include the preparation or adoption of a Comprehensive Plan.
- (B) A member of the Plan Commission or the Common Council may not directly or personally represent another person in a hearing before the Plan Commission or Common Council concerning a zoning matter.

(c) Plan Commission

(1) Jurisdiction and Authority

The Plan Commission shall have the following jurisdiction and authority subject to the provisions of this UDO and the applicable provisions of the Indiana Code.

- (A) To initiate, hear, review, and certify recommendations to the Common Council on replacement or amendment of the Comprehensive Plan and this UDO, including the Official Zoning Map;
- (B) To hear, review, and make recommendations to the Common Council on the PUD district ordinance and preliminary plan for a proposed Planned Unit Development. When stipulated by the Plan Commission at the time of preliminary approval, to review and approve the final plan for a Planned Unit Development, unless the Plan Commission has delegated that authority to the Planning and Transportation Department;
- (C) To authorize a Hearing Officer pursuant to Indiana Code 36-7-4-923, and to establish rules prescribing and limiting the authority and procedures therefore pursuant to Indiana Code 36-7-4-923 and Indiana Code 36-7-4-924;
- (D) To hear, review, and make recommendations to the Board of Zoning Appeals on use variance petitions involving multifamily or nonresidential uses;
- (E)(D) To review and approve or disapprove site plans and amendments to site plans, as required pursuant to Section 20.06.050(a) (Site Plan Review), including the power to approve with conditions, to permit or require commitments, and to require bonding or other financial assurances for public improvements;
- (F)(E)_To aid and assist the Common Council and the mayor in implementing the City's adopted Comprehensive Plan and in planning, developing, and completing specific projects;
- (G)(F) To review and report on any matters referred to it by the Common Council or the mayor;
- (H)(G)Upon reasonable written request, to make its special knowledge and expertise available to any official, department, board, or commission of the city to aid them in the performance of their respective duties relating to the planning and development of the city;
- (<u>()(H)</u> To delegate responsibilities relating to ordinance administration and enforcement to the staff and to other appropriate executive departments and personnel;
- ()(<u>)</u>To review and approve or disapprove plats and replats of subdivisions;

- (K)(J) To supervise and make rules for the administration of the affairs of the Plan Commission, including but not limited to adopting and maintaining a schedule of uniform fees for permits, processes and official actions of the Common Council and the Planning and Transportation Department;
- (L)(K) To prescribe uniform rules pertaining to investigations and hearings;
- (M)(L) To keep a complete record of all proceedings;
- (N)(M) To record and file all bonds and contracts and assume responsibility for the custody and preservation of all papers and documents of the Plan Commission;
- (O)(N) To prepare, publish, and distribute reports, ordinances, and other materials relating to the activities authorized under this Chapter 20.06:;
- (P)(O) To adopt a seal;
- (Q)(P) To certify all official acts of the Plan Commission;
- (R)(Q) To make recommendations to the Common Council or other bodies concerning any other matter within the jurisdiction of the Plan Commission, as authorized by the advisory planning law (Indiana Code 36-7-4: Local Planning and Zoning);
- (S)(R) To approve or delegate the assignment of street numbers to lots and structures and the naming of streets, including renumbering or renaming;
- (T)(S) To authorize a Plat Committee pursuant to Indiana Code 36-7-4-701(e);
- (U)(T) To permit, require, modify, and terminate commitments;
- (\)(U) To hear appeals from final plan decisions by staff; as authorized elsewhere in Indiana Code Title 36; and
- (W)(V) To exercise such other powers and perform such other duties as are allowed by Indiana law in connection with this UDO.

(2) Membership, Term, and Organization

The Plan Commission shall be composed as set forth in Chapter 2.13: (Plan Commission) of the Bloomington Municipal Code in accordance with Indiana statute.

(3) Conflicts

- (A) Pursuant to Indiana Code § 36-7-4-223, a member of the Plan Commission may not participate in a hearing or decision of the Plan Commission concerning a zoning matter in which he or she has a direct or indirect financial interest. The Plan Commission shall enter in its records the fact that its member has such a disqualification. As used in this section, "zoning matter" does not include the preparation or adoption of a Comprehensive Plan.
- (B) A member of the Plan Commission or the Common Council may not directly or personally represent another person in a hearing before the Plan Commission or Common Council concerning a zoning matter.

(d) Board of Zoning Appeals

(1) Jurisdiction and Authority

The Board of Zoning Appeals shall have the following jurisdiction and authority subject to the provisions of this UDO:

(A) To hear and decide upon petitions for development standards variances from this UDO;

(B) To hear and decide upon petitions for use variances from this UDO;

(C)(B) To hear and decide upon petitions for conditional use permits;

(D)(C) To establish or extend time limitations placed upon variances and conditional uses;

- (E)(D) To permit or require commitments under Indiana Code § 36-7-4-921 as a condition of approval of a variance or conditional use;
- (F)(E) To hear and determine appeals from:
 - i. Any order, requirement, decision, or determination made by an administrative office, Hearing Officer, or staff member under this UDO;
 - ii. Any order, requirement, decision, or determination made by an administrative board or other body except the Plan Commission in relation to the enforcement of this UDO;
 - iii. Any order, requirement, decision, or determination made by an administrative board or other body except the Plan Commission in relation to the enforcement of this UDO requiring the procurement of a certificate of zoning compliance or certificate of occupancy.
- (G)(F) Upon reasonable written request, to make its special knowledge and expertise available to any official, department, board, or commission of the city, to aid them in the performance of their respective duties relating to this UDO and its administration; and
- (H)(G) To exercise such other powers and perform such other duties as are allowed by Indiana law in connection with this UDO.

(2) Membership, Term, and Organization

The Board of Zoning Appeals shall be composed as set out in Chapter 2.15: (Advisory Board of Zoning Appeals) of the Bloomington Municipal Code in accordance with Indiana statute.

(3) Meetings and Procedures

- (A) Meetings of the Board of Zoning Appeals shall be conducted in accordance with the rules established by the Board of Zoning Appeals;
- (B) The Board of Zoning Appeals shall adopt rules of procedure, which may not conflict with this UDO, concerning the:
 - i. Filing of appeals;
 - ii. Petition for use variances, development standards variances, and conditional uses;
 - iii. Giving of notice; and
 - iv.—Conduct of hearings; and
 - v.<u>iv.</u> Determination of whether a variance petition is for a use variance or development standards variance.
- (C) The Board of Zoning Appeals may also adopt rules of procedure:
 - i. Governing the creation, form, recording, modification, enforcement, and termination of commitments.
 - ii. Designating those specially affected persons and classes of specially affected persons who are entitled to enforce commitments.
- (D) Rules adopted by the Board of Zoning Appeals shall be printed and be made available to all petitioners and other interested persons.

- (I) Ensure that maintenance is provided within the altered or relocated portion of said watercourse so that the flood-carrying capacity is not diminished;
- (J) Review certified plans and specifications for compliance;
- (K) Verify and record the actual elevation of the lowest floor (including basement) of all new or substantially improved structures, in accordance with Section 20.06.050(d) (Floodplain Development Permit); and
- (L) Verify and record the actual elevation to which any new or substantially improved structures have been floodproofed in accordance with Section 20.06.050(d) (Floodplain Development Permit).

(g) Hearing Officer

(1) Authority

The Hearing Officer, as may be authorized in the Plan Commission rules of procedure, shall have authority to act upon those matters, if any, delegated by the Plan Commission pursuant to Indiana Code 36-7-4-923, which may include to approve or deny a:

- (A) Development standards vVariance from this UDO in accordance with Indiana Code 36-7-4-918.5; and
- (B) Conditional use under the terms of this UDO in accordance with Indiana Code 36-7-4-918.2.
- (C) Use variance from this UDO in accordance with Indiana Code 36-7-4-918.4. The Hearing Officer may consider use variances pursuant to that authority only if all of the following applies to the use variance request:
- (D) The request is for expansion of a use currently existing on the property; and

(E)(B) The request is for a use that is consistent with the Comprehensive Plan.

(2) Procedures

The Hearing Officer shall review and hear petitions pursuant to procedures adopted by the Plan Commission by rule in accordance with Indiana Code 36-7-4-923 and Indiana Code 36-7-4-924. Where feasible and permissible, those procedures shall allow for the consolidation and simultaneous review of approvals connected with petitions relating to the same site.

(3) Appeals

Any interested person may appeal a decision by the Hearing Officer to the Board of Zoning Appeals within five days after the decision is made.

(h) Plat Committee

(1) Authority

The Plat Committee, as may be authorized in the Plan Commission Rules of Procedure, shall have authority to act upon those matters, if any, delegated to it by the Plan Commission, pursuant to Indiana Code 36-7-4-701(e), which may include approval or denial of:

- (A) Primary plats;
- (B) Secondary plats;
- (C) Requests for vacation of plats or parts of plats.

(4) Minor Modification Review Process

(A) Petition Submittal and Handling

A petition for a minor modification shall only be submitted and reviewed concurrently with a petition for a conditional use permit, temporary use permit, site plan review (minor or major), or plat approval (primary or secondary). Each UDO standard in Table 06-2 shall be considered a separate minor modification request as it relates to the approval criteria in Section 20.06.080(a)(5), but multiple modifications may be considered in one minor modification petition.

(B) Review and Decision

- i. Where the concurrently reviewed petition requires review and approval by the planning and transportation staff, the Planning and Transportation Director shall review the petition and shall approve, approve with conditions, or deny the modification based on the criteria in Section 20.06.080(a)(5).
- ii. Where the concurrently reviewed petition requires review and approval by the Plan Commission or Common Council, the commission or council, as applicable, shall review and decide the minor modification petition based on the criteria in Section 20.06.080(a)(5).

(C) Effect of Approval

Approval of a minor modification authorizes only the particular adjustment of standards approved, and only to the subject property of the petition.

(D) Expiration of Minor Modification

A minor modification shall automatically expire if the associated development petition is denied or if approval of the concurrently reviewed petition expires, is revoked, or otherwise deemed invalid.

(5) Minor Modification Approval Criteria

A minor modification may be approved if the decision-making body finds that the modification:

- (A) Will not create a hardship or adverse impacts on adjacent properties unless adequately mitigated;
- (B) Is not necessitated by the petitioner's actions; and
- (C) Is of a technical nature and is required to compensate for an unusual site condition or to protect a sensitive resource, natural feature, or community asset.

(b) Variance

(1) Purpose

The variance procedure provides a mechanism for the City to authorize variances from the development standards or from the use regulations of this UDO when it is demonstrated that such a variance will not be contrary to the public interest or the spirit of this UDO, where, owing to special conditions, literal enforcement of this UDO will result in practical difficulties or unnecessary hardship.

(2) Applicability

(A) Development Standards and Use Variances

- i. The Board of Zoning Appeals or Hearing Officer, in accordance with the procedures established in this UDO, may grant variances from the development standards and use regulations applicable to the zoning district in which the subject property is located.
- ii. It is not within the jurisdiction of the Board of Zoning Appeals or Hearing Officer to grant development standards variances of Chapter 20.05: Subdivision Standards.

(B) Floodplain Variance

- The Board of Zoning Appeals or Hearing Officer, in accordance with the procedures established in this UDO, may grant variances from the standards in Section 20.04.040(d) (Flood Hazard Reduction), only when a new structure is to be located on a lot of one half acre or less in size, contiguous to and surrounded by lots with existing structures constructed below the flood protection grade.
- ii. Variances may be granted for the reconstruction, restoration, repair, or rehabilitation of any structure individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures. Upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as an "historic structure" and the variance is the minimum to preserve the historic character and design of the structure.
- iii. No variance for a residential use within a floodway that requires a permit for construction in a floodway from the Indiana Department of Natural Resources pursuant to the provisions of IC 14-28-1 or a project that is subject to 20.04.040(d)(7)(A) (Drainage Area Upstream of the Site is Greater than One Square Mile), may be granted.

(3) Variance Review Process

Figure 06.05-3 identifies the applicable steps from 20.06.040 (Common Review Procedures) that apply to variance review. Additions or modifications to the common review procedures are noted below.



Figure 06.08-1: Summary of Variance Procedure

2. Affordable Housing Incentive Criteria

In addition to the general approval criteria in subsection (1) above, the Board of Zoning Appeals or Hearing Officer may grant a variance from Section 20.04.070(d)(4) (Neighborhood Transition Standards) for any project that qualifies for the affordable housing incentives established in Section 20.04.110(c) (Affordable Housing) if the petitioner can demonstrate that:

- [a] The neighborhood transition standards substantially reduce or eliminate the building height incentive that would otherwise be allowed through the affordable housing incentive; and.
- [b] The development impact to abutting and adjacent properties is minimized through building placement, design, and massing.

3. Determinate Sidewalk Variance Approval Criteria

While not to be included as separate findings of fact, items to consider when determining the practical difficulties or peculiar conditions associated with a determinate sidewalk variance include, but are not limited to:

- [a] That the topography of the lot or tract together with the topography of the adjacent lots or tract and the nature of the street right-of-way make it impractical for construction of a sidewalk; or
- [b] That the pedestrian traffic reasonably to be anticipated over and along the street adjoining such lot or tract upon which new construction is to be erected is not and will not be such as to require sidewalks to be provided for the safety of pedestrians; or
- [c] The adjacent lot or tracts are at present developed without sidewalks and there is no reasonable expectation of additional sidewalk connections on the block in the near future; or
- [d] The location of the lot or tract is such that a complete pedestrian network is present on the other of the street on the same block; or
- [e] Uniformity of development of the area would best be served by deferring sidewalk construction on the lot or tract until some future date.

ii. Use Variance

Pursuant to Indiana Code 36-7-4-918.4, the Board of Zoning Appeals or the Hearing Officer may grant a variance from use if, after a public hearing, it makes findings of fact in writing, that:

- 1. The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and
- 2. The use and value of the area adjacent to the property included in the use variance will not be affected in a substantially adverse manner; and
- 3. The need for the use variance arises from some condition peculiar to the subject property itself; and
- 4. The strict application of the terms of the Unified Development Ordinance will constitute an unnecessary hardship if they are applied to the subject property; and
- 5. The approval of the use variance does not interfere substantially with the goals and objectives of the Comprehensive Plan.

iii.Floodplain Variance

1 Review Considerations

In reviewing floodplain variance requests, the Board of Zoning Appeals or the Hearing Officer shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and the following:

- [a] The danger of life and property due to flooding or erosion damage.
- [b] The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- [c] The importance of the services provided by the proposed facility to the community.
- [d] The necessity of the facility to a waterfront location, where applicable.
- [e] The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage.
- [f] The compatibility of the proposed use with existing and anticipated development.
- [g] The relationship of the proposed use to the Comprehensive Plan and floodplain management program for that area.
- [h] The safety of access to the property in times of flood for ordinary and emergency vehicles.
- [i] The expected height, velocity, duration, rate of rise, and sediment of transport of the floodwaters at the site.
- [j] The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

2. Review Criteria

The Board of Zoning Appeals or the Hearing Officer may grant a floodplain variance if, after a public hearing, it makes findings of fact in writing, that there is:

- [a] A showing of good and sufficient cause;
- [b] A determination that failure to grant the variance would result in exceptional hardship;
- [c] A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and
- [d] A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances;

iv.iii. Commitments

1. The Zoning Board of Appeals or the Hearing Officer may allow or require the owner of a parcel of real property to make a written and recorded zoning commitment concerning use and/or development of that parcel in connection with approval of a variance pursuant to Section 20.06.040(d)(8) (Commitments).

- 2. Upon approval of a determinate sidewalk variance, the Planning and Transportation Department staff shall prepare a zoning commitment indicating that the determinate sidewalk variance was approved, and that future installation of sidewalk may be required. The petitioner shall record the zoning commitment in the Monroe Office of the Monroe County Recorder before a certificate of zoning compliance is issued.
- 3. If the owner of a parcel of real estate fails to accept a condition imposed, or to make a commitment allowed or required, by the Hearing Officer, then the owner's petition shall be considered withdrawn or, if requested by the owner, shall be transferred to the Board of Zoning Appeals.

(F) Post-Decision Actions and Limitations

i. Effect of Approval

- 1. The granting of a variance from the development standards authorizes the development and establishes the terms of use.
- 2. The granting of a use variance authorizes the use and establishes the terms of use.
- <u>3.2.</u> Variances are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. All required permits shall be obtained before any grading, construction, or use commences.

ii. Signature and Notice

1. Generally

- [a] The findings of fact shall be signed by the chair of the Board of Zoning Appeals or the Hearing Officer.
- [b] The staff shall furnish the petitioner with a copy of the decision of the Board of Zoning Appeals or Hearing Officer.

2. Floodplain Variance

- [a] Any applicant to whom a variance is granted that allows the lowest floor of a structure to be built below the flood protection grade shall be given written notice over the signature of a community official that:
 - i. Specifies the difference between the Flood Protection Grade and the elevation to which the lowest floor is to be built and stating that the cost of the flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.
 - ii. Clarifies the issuance of a variance to construct a structure below the flood protection grade will result in increased premium rates for flood insurance up to amounts as high as 25 dollars for 100 dollars of insurance coverage; and
 - iii. Such construction below the flood protection grade increases risks to life and property.
- [b] The Floodplain Administrator shall maintain a record of all variance actions, including justification for their issuance.

Variance, Use

The approval of a land use other than that prescribed by this UDO, granted pursuant to Indiana Code 36-7-4-918.4.

Vehicle

See "Motor vehicle."

Vehicle Fleet Operations

A central facility for the dispatch, distribution, storage, staging, and loading of vehicles that are owned, leased, or operated for a common purpose, with or without associated offices. Typical uses include, but are not limited to, ambulance service, taxi dispatch, meals-on-wheels dispatch, staging areas for shared vehicle services, and other operations that require frequent arrival and departure of cars or vans such as courier, delivery, and express services, cleaning services, key and lock services, security services, and taxi services. This use does not include a "Transportation Terminal."

Vehicle Fleet Operations, Small

A facility or establishment designed to accommodate up to 25 vehicles.

Vehicle Fleet Operations, Large

A facility or establishment designed to accommodate more than 25 vehicles.

Vehicle Fuel Station

A facility limited to retail sales to the public of gasoline, biodiesel, electricity, ethanol fuel blends, hydrogen, natural gas or other fuels for motor vehicles, as well as motor oil, lubricants, travel aides, and minor automobile accessories. When a primary use of land, accessory use may include convenience food and beverage sales.

Vehicle Impound Storage

A lot or part of a lot used only for the temporary storage of damaged, abandoned or impounded motor vehicles, excluding salvage and sales. This use does not include "Salvage or Scrap Yard," except where separately permitted.

Vehicle Parking Garage

A structure or portion of a structure composed of one or more levels or floors used exclusively for the parking or storage of motor vehicles. A parking structure may be totally below grade (as in an underground parking garage) or either partially or totally above grade, with those levels being either open or enclosed. This use does not include a primary use surface parking lot.

Vehicle Repair, Major

An establishment primarily engaged in vehicle repair, rebuilding, reconditioning, or mechanical servicing of motor vehicle engines, transmissions, frames, including auto body repairs, framework, welding, and major painting. This use does not include "Vehicle Fuel Station or Vehicle Wash"

Vehicle Repair, Minor

An establishment primarily engaged in providing minor motor vehicle repair services such as lubrication, oil and tire changes, engine tune-ups, brake repair, tire replacement, interior and exterior cleaning and polishing, installation of after-market accessories such as tinting, auto alarms, spoilers, sunroofs, headlight covers, and similar items. This definition does not include engine degreasing or major repairs such as vehicle bodywork, painting, or repair of engines or transmissions or "Vehicle Fuel Station or Vehicle Wash"

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 54	
Name of Sponsor(s):	Cm. Sandberg & staff	
Date Submitted:	11/4/2019	
UDO Chapter, Section, and Page		

Chapter & Section	Page #
20.05.050(k)(4) Fire Hydrants	227

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	

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

This amendment is proposed by Cm. Sandberg at the request of staff. The amendrauthority to the Fire Chief to locate fire hydrant locations other than every 600 fe	U

Council Action – [December 03, 2019]:

Motion to adopt Am 54: 7-0 (Chopra, Sturbaum absent) (via consent agenda) ADOPTED

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

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

20.05.50 Subdivision Design Standards

(k) Utilities

(4) Fire Hydrants

Fire hydrants shall be installed along all public streets and shall have a maximum distance between hydrants of 600 feet-, or otherwise approved by the Fire Chief.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 56
Name of Sponsor(s):	Cm. Sandberg & staff
Date Submitted:	11/4/2019

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.06.090(f)(2)(B)(ii) Parking Setback/Impervious Surface Coverage	333

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
-	(e.g., Overview, Goals & Policies, or Programs)	_

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

This amendment is proposed by Cm. Sandberg at the request of staff. The amendment clarifies the use standards for corner lots and the respective setbacks are based on highest classified street.

Council Action – [December 03, 2019]:

Motion to adopt Am 56: 7-0 (Chopra, Sturbaum absent) (via consent agenda) ADOPTED

- 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 public realm.

20.06.090 Nonconformities

(f) Nonconforming Site Features

(2) Limited Compliance

(B) Required Compliance

A lawful nonconforming site or structure that meets or exceeds the thresholds established in paragraph (A) above shall comply with the following standards:

i. Buildings Setbacks and Height

Existing buildings shall not be subject to current setback or height standards and shall remain lawful nonconforming unless completely demolished and replaced, in which case full compliance with this UDO shall be required.

ii. Parking Setback/Impervious Surface Coverage

If a site can be brought closer to compliance with required setbacks or impervious surface coverage standards through the removal of excess parking above the maximum number of permitted spaces, then such setbacks or impervious surface coverage standards shall be met with the removal of paved and gravel covered areas and the addition of vegetation. If all setbacks cannot be achieved through the removal of such paved and gravel covered areas, priority shall be given to the front setback. If a corner lot, then priority for front setbacks shall be given for the side facing the higher classified street.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 57
Name of Sponsor(s):	Cm. Sandberg & staff
Date Submitted:	11/4/2019
UDO Chapter, Section, and Page	

Chapter & Section	Page #
20.07.010 Defined Words	363

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	

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

This amendment is proposed by Cm. Sandberg at the request of staff. The amendment provides a revised definition for Fraternity or Sorority House.	

Council Action – [December 03, 2019]:

Motion to adopt Am 57: 7-0 (Chopra, Sturbaum absent) ADOPTED

- 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 public realm.

20.07.10 Defined Words

Fraternal Organization See "Club or Lodge."

Fraternity or Sorority House

A building or portion of a building used for sleeping accommodations, with or without accessory common rooms and cooking and eating facilities, for groups of unmarried-students where the most students living in the building are enrolled at the same college or university, are active members of the same fraternity or sorority, and the fraternity or sorority has been officially recognized by and maintains active affiliation with the college or university. the Indiana University Bloomington campus and the students living in the building hold themselves to be or are reasonably considered by others in the university community to be members of, or affiliated with, an organization that is generally recognized as a college/university social fraternity or sorority. This use shall also include a building or portion of a building in which individual rooms or apartments are leased to individuals, but occupancy is limited to members of a specific fraternity or sorority, regardless of the ownership of the building, provided that the students living in the building are enrolled at the same college or university or sorority as been officially recognized at the Indiana University Bloomington campus. active members of the same fraternity or sorority, and the fraternity or sorority has been officially recognized by and maintains active affiliation with the college or university.

Freeboard

A factor of safety, usually expressed in feet above the BFE, which is applied for the purposes of floodplain management. It is used to compensate for the many unknown factors that could contribute to flood heights greater than those calculated for the base flood.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 58
Name of Sponsor(s):	Cm. Sandberg & staff
Date Submitted:	11/4/2019
UDO Chapter, Section, and Page	

Chapter & Section	Page #
20.07.010 Defined Words	395

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	

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

This amendment is proposed by Cm. Sandberg at the request of staff. The amendment increases the scope of the definition for "Use, Change In" to include "Any change from a nonresidential use to a multifamily use" and includes language about subheadings.

Council Action – [December 03, 2019]:

Motion to adopt Am 58: 7-0 (Chopra, Sturbaum absent) (via consent agenda) ADOPTED

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.

Chapter 20.07 Definitions

20.07.10 Defined Words

Use, Accessory

An activity that is conducted or located on the same zoning lot as the primary building or use served, except as may be specifically provided elsewhere in this UDO; is clearly and customarily incidental to, subordinate in purpose to, and serving the primary use; and is either in the same ownership as the primary use or is clearly operated and maintained solely for the comfort, convenience, necessity, or benefit of the occupants, employees, customers, or visitors of the primary use.

Use, Change In

Includes, for any portion of a building, structure, or lot:

- (1) Any change from a residential use to a nonresidential use;
- (1)-(2) Any change from a nonresidential use to a multifamily use;
- (2) (3) Any change from one residential land use to another, any increase in the number of dwelling units, and any increase in number of bedrooms for any unit;
- (3) (4) Any establishment of a use on a previously unused site, or the inclusion of a new use in addition to an existing use;
- (4) (5) Any use which requires a conditional use approval;
- (5) (6) Any change from a single-tenant to a multi-tenant site or building;
- (6) (7) Any use that differs from the previous use of a building or land, as determined by subheadings in Table 3-1: Allowed Use Table, or where the new use differs substantially in the amount of required parking, traffic generation, number or frequency of customers/users, hours of operation, or other similar aspects of the use; and
- (7) (8) Any establishment of a new use after a previous use has been abandoned, as defined by this UDO.

Use, Conditional

See "Conditional use."

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 59
Name of Sponsor(s):	Isabel Piedmont-Smith
Date Submitted:	11/4/19

UDO Chapter, Section, and Page

Chapter	Section	Page #
20.04 Development Standards	20.04.30 Environmental (g) Karst Geology	110

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
Chapter 3: Environment	Programs – Water: Assess karst features and	47
	regulations to protect sinkholes and other karst	
	features.	

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

When combining two sinkholes into a compound sinkhole for the purpose of better protecting water quality, connecting from the widest points provides environmental protection for the widest possible area. Not doing so results in the possibility of karst features being infringed upon by development activity. This amendment is intended to install this practice into the UDO.

Council Action - [December 03, 2019]:

Motion to adopt Am 59: 7-0 (Chopra, Sturbaum absent) (via consent agenda) ADOPTED

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

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

20.04.030 Environment

(g) Karst Geology

(3) Compound Karst Features

For the purposes of this subsection, compound karst features shall be defined as any two or more karst features where the last closed contour of the features are located within 100 feet of each other. The outer boundary of the compound karst feature shall be drawn by connecting the last closed contour **at its widest point** of each individual karst feature with a tangential line.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 60
Name of Sponsor(s):	Isabel Piedmont-Smith
Date Submitted:	11/24/19

UDO Chapter, Section, and Page

Chapter	Section	Page #
2	20.02.20 Residential Zoning Districts	<u> </u>
	Table 2-2: RE District Dimensional Standards	6
	Table 2-3: R1 District Dimensional Standards	8
	Table 2-7: RM District Dimensional Standards	16
	Table 2-8: RH District Dimensional Standards	18

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
3	Policy 3.2.1: Continue to limit the amount of impervious surface in new development or public improvement projects and increase green infrastructure to reduce urban runoff into storm drains, creeks, and other watersheds.	46
3	Policy 3.2.2: Increase greenspace and protect environmentally sensitive areas.	46

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

This amendment, brought forward at the request of a Bloomington resident, potentially reduces the length of driveways in some residential zoning districts thus reducing impervious surface coverage and allowing more space for green plantings.

Currently the minimum setback for front-loading garages in several districts is calculated as additional setback from the front of the main building. I argue it's best to set the garage setback independently. 1) For RE zone – the main building setback is 30 ft. If the main reason for the longer garage setback is to allow parking in the driveway, then the additional 10 ft. is really not necessary. If the main reason for the longer garage setback is building-forward design that's already impossible with a 30-ft setback anyway. If the main reason for the longer garage setback is to make sure the garage is not the most prominent feature of the building, then it seems the equal setback of garage and home would be adequate. 2) For R1 zone – the main building setback is 15 ft. However, an existing main building setback may not be in compliance with UDO standards and may actually be longer. Therefore, an additional 10 ft. makes the garage setback wanted to add a garage, the garage setback could still be conforming. For this case, I also specify that the setback of the garage may in not case be less than the setback of the main building. We do not want the garage to be the primary visual feature of the home. 3) For RM and RH zones – Same reasoning as for R1 zone

Council Action – [December 10, 2019]:

Motion to adopt Am 60: 5-2 (Sims, Sandberg) (Chopra, Sturbaum absent) ADOPTED Amendment (indicate text added in **bold** and text to be deleted via strikeout)

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

Table Error! No text of specified style in document.-1: RE District Dimensional **Standards** Lot Dimensions (Minimum, only for lots created after the effective date) Α Lot area 108,900 square feet (2.50 acres) в Lot width 200 feet **Building Setbacks (Minimum)** С Front 30 feet 30 feet or equal to the setback of the primary structure, D Attached front-loading garage or carport whichever is greater 10 feet behind the primary structure's front building wall Е Side 30 feet F Rear 60 feet Other Standards Impervious surface coverage (maximum) 20% G Primary structure height (maximum) 40 feet 30 feet Accessory structure height (maximum)

Table Error! No text of specified style in document.-2: R1 District Dimensional

Lot area	20,000 square feet (0.459 acres) [1]
Lot width	100 feet [1]
Building Setbacks (Minimum)	
Front	15 feet
Attached front-loading garage or ca	arport 25 feet or equal to the setback of the primary structure, whichever is greater. 10 feet behind the primary structure's front building wall
Side	First floor: 8 feet [1] Each story above the ground floor: 10 feet [1]
Rear	25 feet [1]

Table Error! No text of specified style in document.-3: RM District Dimensional **Standards** Lot Dimensions Single-Family, Duplex, (Minimum, only for lots created **Multifamily Dwelling** Triplex, or Fourplex after the effective date) Dwelling Α Lot area 5,000 square feet (0.115 acres) R2 district standards apply в Lot width 50 feet **Building Setbacks (Minimum)** С Front 15 feet 25 feet or equal to the setback of the Attached front-loading garage or primary structure, whichever is greater. 10 feet behind the primary structure's carport R2 district standards apply front building wall D Side 10 feet [1] Е Rear 10 feet [1] **Other Standards**

(M	ot Dimensions linimum, only for lots created ter the effective date)	Multifamily Dwelling	Single-Family, Duplex, Triplex, Fourplex Dwelli
Α	Lot area	5,000 square feet (0.115 acres)	D2 district standards
В	Lot width	50 feet	R2 district standards a
Se	etbacks (Minimum)		
С	Front	15 feet	
	Attached front-loading garage or carport	25 feet or equal to the setback of the primary structure, whichever is greater. 10 feet behind the primary structure's front building wall	R2 district standards a
D	Side	10 feet [1]	
Е	Rear	10 feet [1]	

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

 Amendment Number:
 Am 61

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

 Date Submitted:
 11/24/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.02.20(e)(2) Residential Zoning Districts	14
Table 2-6: R4 District Dimensional Standards	

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
5	Goal 5.3 Housing Supply: Help meet current and projected regional housing needs of all economic and demographic groups by increasing Bloomington's housing supply with infill development, reuse of non-residential developed land, and developments on vacant land if it is at least partially surrounded by existing development.	64
5	Policy 5.3.1: Encourage opportunities for infill and redevelopment acrossBloomington 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. Avoid placing these high density forms in single family neighborhoods.	64

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

This amendment is a version of an amendment request brought forward by the Environmental Commission. The EC requested that the height limit in the new R4 district be increased from 35 feet to 50 feet to allow for 3-story buildings with pitched roofs. After talking with staff, the sponsor decided that 50 feet was too tall. Staff indicated that a 3-story building could be constructed within a 40 foot limit, even with the required pitched roof, so that is what I settled on for this amendment.

My reasoning, and that of the EC, is that we should allow denser housing types such as row houses and town houses in the R4 district. Denser living close to employment, shopping, services, and schools mean fewer vehicle miles traveled and therefore a reduction in greenhouse gas emissions. We have not mapped the R4 district yet, but I assume these areas will be close to the center of the city. When we do map this district, three-story duplexes, triplexes, townhomes, and row houses should be allowed in these areas.

Council Action – [December 10, 2019]:

Motion to adopt Am 61: 6-0 (Volan out of room) (Chopra, Sturbaum absent) ADOPTED

∟ot Dimensions (Minimum, only for lots created after the effective date)						
A Lot area 4,200 square feet (0.096 acres)						
Lot width	35 feet					
uilding Setbacks (Minimum)						
Front	15 feet or the median front setback of abutting residential structures, whichever is less.					
Attached front-loading garage or carport	10 feet behind the primary structure's front building wall					
Side	5 feet					
Rear	25 feet					
ther Standards						
Impervious surface coverage (maximum)	50%					
Primary structure height (maximum)	35 40 feet					
Accessory structure height (maximum)	20 feet					

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 62					
Name of Sponsor(s):	Cm. Sandberg & staff					
Date Submitted:	11/4/2019					
UDO Chapter, Section, and Page						

Chapter & Section	Page #
20.03.020 Table of Allowed Uses	63
20.03.030 Use-Specific Standards	72

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	

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

This amendment is proposed by Cm. Sandberg at the request of staff. The amendment adds an asterisk to the "P" for Fraternity or Sorority in Table 3-1: Allowed Use Table. It also includes a new Use-Specific Standard under 20.03.030(b)(10) for Fraternity or Sorority, and renumbers subsequent sections.

Council Action – [December 10, 2019]:

Motion to adopt Am 62: 7-0 (Chopra, Sturbaum absent) (via consent agenda) ADOPTED

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

 Additional uses may be permitted, prohibited, or require conditional use approval in Downtown Character Overlays pursuant to Section 20.03.060.

 Use

 RE
 R1
 R2
 R3
 R4
 RM
 RM
 MS
 MN
 MM
 ME
 MI
 MD
 MH
 EM
 PO

RESIDENTIAL USES

Household Living																		
Dwelling, single-family (detached)	Ρ	Р	Р	Ρ	Р	P*	P*	Ρ	Ρ	Р	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	С	C*	C*	C*	P*	P*	P*		P*	P*	P*	C*			P*			20.03.030(b)(3)
Dwelling, triplex		C*	C*	C*	P*	Р*	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*	Р	Р		Р	P*	P*	Ρ	P*	С	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*								20.03.030(b)(7)						
Dwelling, mobile home								Р*										20.03.030(b)(8)
Manufactured home park								P*										20.03.030(b)(9)
Group Living																		
Assisted living facility					С	Р	Р			С	Р	Р		Р	Р	Р		
Continuing care retirement facility					С	Ρ	Ρ			С	Ρ	Ρ		Ρ	Ρ	Ρ		
Fraternity or sorority house									P *					P *				20.03.030(b)(10)
Group care home, FHAA small	P*	P*	P*	P*		P*		P*		20.03.030(b)(1 <mark>1</mark> 0)								
Group care facility, FHAA large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		20.03.030(b)(1 <mark>1</mark> 0)
Nursing or convalescent home					С	Р	Р			С	Р	Р	Р	Р	Р	Р		
Opioid rehabilitation home, small	P*	Р*	P*	P*	P*	P*		P*		P*		20.03.030(b)(1 1 0)						
Opioid rehabilitation home, large					P*	P*	P*	Р*	P*	P*	P*	P*	P*	P*	P*	P*		20.03.030(b)(1 <mark>1</mark> 0)
Residential rooming house						P*	P*		Р	P*	Р	Ρ	C*					20.03.030(b)(1 2 0)
Student housing or dormitory						C*	P*		Р	C*	P*	P*		P*	C*			20.03.030(b)(1 3 0)
Supportive housing, small							С			С	С	С		С	С	С		
Supportive housing, large											С	С		С	С	С		

20.03.030 Use-Specific Standards

(b) Residential Uses

- (10) Fraternity or Sorority House
 - (A) If a fraternity or sorority house that has previously been officially recognized by and has maintained active affiliation with a college or university within which the residents are enrolled is no longer recognized by and/or no longer has an active affiliation with that college or university, the owner or operator of the facility may submit a petition to the City to nevertheless be treated as a fraternity or sorority house under this UDO.
 - (B) The process to make the petition referred to in subsection (A), and the process for City review and decision on the petition, shall be pursuant to Section 20.06.080(b) (Variance).
 - (C) The criteria used by the City to make a decision on the application referred to in subsection (A) shall be those listed in 20.06.080(b)(3)(E)(i)(1) (General Approval Criteria) plus the following additional criterion.
 - i. The behavior of the residents of the facility has not caused a nuisance or disturbance to the surrounding community, as evidenced by the fact that:
 - a. No complaint or criminal charge based on resident behavior resulting in injury or death, or a felony has been documented during the previous three years; and
 - b. No more than one complaint or criminal charge regarding the residents' behavior not involving injury or death or a felony has been documented during each of the previous three years, or if more than one such complaint or criminal charge has been filed during any one of the previous three years, the owner or operator of the facility has given the City adequate assurances that similar behavior will not occur at the facility in the future.

Note: This amendment authorizes staff to renumber 20.03.030(10), (11), and (12) to appropriately place and incorporate the newly-added language.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 63
Name of Sponsor(s):	Cm. Rollo
Date Submitted:	November 25, 2019

UDO Chapter, Section, and Page

Chapter/Section	Page #
20.04.020 – Dimensional Standards – (e) Setbacks - Table 4-6 Authorized	100
Exceptions to Setback Requirements	

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
Chapter 5: Housing and Neighborhood Goals & Policies	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 that build a sense of community, civic involvement, and neighborhood pride.	63
	Policy 5.2.5: Encourage diverse architectural designs, from traditional to contemporary, except as restricted in designated historic areas.	63

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

This amendment would amend Table 4-6 (Authorized Exceptions to Setback Requirements) to add a row for Front Entry to allow an exception for a maximum of 6 feet for those kinds of streetside additions which do not exceed one third the width of the main portion of the house.

Bloomington housing stock (formally RS) contains a large number of simple ranch and split level homes which have little-to-no entry sequence. Theses entries open directly into the living room or onto a small stair landing. Over the years, property owners have inquired with a local architect, hoping to add a covered front porch or front entry addition and it has not been possible since there is no provision for any sort of front addition to houses in existing, built-out neighborhoods. This exception would allow homeowners to add a modest entry or front porch addition, improve the utility and experience of their entry and potentially enhance the neighborhood streetscape.

Note: All of Section **(e)** Setbacks is set forth in the amendment to provide context, but just one row has been added to Table 4-6.

Council Action – 10 December 2019: Amend Am 63 by also applying change to RE and R1 Districts (see below in **green** font) 6 - 0 (Volan out of room) (Chopra, Sturbaum absent) Adopt Am 63 as Amended 6 - 0 (Volan out of room) (Chopra, Sturbaum absent) ADOPTED

- over -

20.04.020 – Dimensional Standards – Table 4-6 Authorized Exceptions to Setback Requirements

(e) Setbacks

- (1) Measurement
 - (A) Setbacks referred to in this UDO shall be measured as stated in Chapter 20.07 (Definitions), under the term "setback" and "build-to range."
 - (B) For private streets, setbacks shall be measured from the edge of the curb, easement, or right-ofway, whichever distance is greater.
 - (C) Where existing right-of-way is wider than that proposed on the Transportation Plan, the setback shall be measured from the existing right-of-way.
 - (D) For lots of record with no street frontage, a minimum building setback of 10 feet is required from the property line where access is gained. The minimum front building façade at the build-to range percentage shall be determined by calculating the width of the principal building that is within the build-to range divided by the total width of the lot at the street frontage.

(2) Single-Family Attached and Multifamily Dwellings

- (A) Multifamily dwellings on one lot shall be construed as one structure for purpose of measuring setbacks.
- (B) For purposes of setback calculations for side-by-side single-family attached or multifamily dwellings, only those dwelling units that do not share a common wall with an adjacent unit (end units) need observe the required side setback for the district.

(3) Exceptions to Setback Requirements

- (A) The setback exceptions established in Table 4-6 shall not authorize the encroachment of any development across property lines or into a public right-of-way.
- (B) Every part of a required setback shall be unobstructed from ground level to the sky, except as follows:
 Table 4-6: Authorized Exceptions to Sathack Paguirements

Table 4-6: Authorized Excep DU = dwelling unit	tions to Setback Requirements
Type of Exception	Extent of Exception
Air conditioners (ground)	Up to 5 feet if screened by a fence, wall, or appropriate landscaping.
Air conditioners (window)	Up to 30 inches.
Architectural features	Up to 18 inches.
Awnings, balconies, canopies, patios, steps, and uncovered/open porches	Up to 6 feet.
Bay windows, chimneys, eaves,	Up to 3 feet.
Decks	Up to 6 feet into the side or rear setback provided that no deck is closer than 2 feet to a side property line.
Fire Escapes	Up to 6 feet into side and rear setbacks.
Front Entry	For Zone RE, R1, and R2, an entry or covered front addition a maximum 6 feet deep and with a width not to exceed one third the width of the main portion of the house.
Handicap ramps	Exempt from all setback requirements.
Satellite dishes	Up to 5 feet into the front setback and no closer than one foot to the side and rear property lines.
Detached garages or carports	Where a rear alleyway provides access to a detached garage or carport, the setback from the property line that runs parallel to the alleyway to the detached garage or carport may be reduced to three feet.
Additions to existing structures	For single-family, duplex, and triplex structures, additions to existing structures may use existing side or rear setbacks already established on the lot, provided that the gross floor area of the existing structure is not increased by more than 50 percent. In no case shall the setback be less than 10 feet (rear) or 4 feet (side).

(C) Where this UDO establishes a maximum setback from the front property line, that maximum setback may be increased by up to five feet to accommodate access required by the Americans with Disabilities Act, utility or access easements, or to prevent encroachment of building projections over the public right-of-way.

(4) Through Lots

On a through lot, the Planning and Transportation Director shall determine which lot line shall be deemed the front lot line based on the existing and/or proposed building orientation of surrounding lots. Through lots adjacent to an arterial street shall comply with the standards established in 20.05.050(j)(7)(A)(iii) (Buffer).

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 64
Name of Sponsor(s):	Cm. Rollo
Date Submitted:	11/22/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.110(c)(7)(B) Incentives: Affordable Housing: Payment-In-Lieu	202

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
1	Goal 1.6: Public Engagement	29

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

As every effort should be made to remove barriers to adoption of incentives for anyone – either a developer or individual citizen – these calculations should be included as a part of the UDO and should be as transparent, accessible and understandable as possible. The added language indicates that a timeline should be set for implementation of payment-in-lieu definitions and procedures, and that these procedures should be included. This will increase transparency and reduce negative public perception of the payment-in-lieu mechanism.

Council Action – [December 10, 2019]:

Motion to adopt Am 64: 5-0-1 (Granger) (Volan out of room) (Chopra, Sturbaum absent) ADOPTED

- over -

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

20.04.110 Incentives

(c) Sustainable Development

(7) Payment-In-Lieu

- (B) The provisions of this Section 20.04.0110(c)(7) shall not become effective until the City adopts no later than the effective date of the UDO, by which time administrative procedures for calculating, collecting, accounting for, and spending payments-in-lieu in compliance with all applicable law shall be adopted and publicly available in the Administrative Manual within the Planning and Transportation Department. The procedures used for calculating, collecting, accounting for, and spending shall be reviewed frequently and updated as local housing market conditions change. The calculations may use or be based upon one or more of the following methods:
 - i. Housing and Urban Development (HUD) annual rents based on Area Median Income;
 - ii. Area Median Income (per person, income bracket, etc.);
 - iii. Rental rates per unit or per bedroom;
 - iv. Utility rates allowances per unit;
 - v. Tiered rental rates based on percentages above and/or below AMI; and
 - vi. Payment contribution rates.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 65
Name of Sponsor(s):	Cm. Rollo
Date Submitted:	11/22/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.110(d)(1) Incentives: Sustainable Development	202

Supported by Following Sections of the Comprehensive Plan

Chapte	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
3	Program: Built Environment: Encourage adaptive reuse and	47
	rehabilitation as a viable option to demolition of existing facilities.	

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

This new language recognizes the need for rehabilitation of existing structures toward	
improved sustainability.	

Council Action – [December 10, 2019]:

Motion to adopt Am 65: 7-0 (Chopra, Sturbaum absent) (via consent agenda) ADOPTED

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

20.04.110 Incentives

(d) Sustainable Development

(1) **Purpose**

The Comprehensive Plan recognizes sustainability as a key component of nurturing Bloomington's environmental integrity. The following incentives are intended to encourage the use of sustainable development practices, **rehabilitation**, **and retrofit** in Bloomington beyond the baseline standards required by this UDO.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 66
Name of Sponsor(s):	Cm. Rollo
Date Submitted:	11/22/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.110(d)(2)(A)(iv) Incentives: Sustainable Development: Eligibility: Cool or	203
Vegetated Roof	

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	_
3	Programs: Urban Ecology: "Evaluate regulations for new developments to increase vegetative cover and utilize alternatives such as green roofs in very dense or urban contexts."	48

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

Section 20.04.80 (Landscaping, Buffering, and Fences) emphasizes the use of native plants helps to provide native habitat, which should also be applied to roofs – and additional ecosystem service beyond water retention, heat island mitigation, and insulation.

Council Action – [December 10, 2019]:

Motion to adopt Am 66: 7-0 (Chopra, Sturbaum absent) (via consent agenda) ADOPTED

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

20.04.110 Incentives (d) Sustainable Development

(2) Eligibility

(A) Option 1

iv. Cool or Vegetated Roof

Provide a roof meeting the standards in subsections (1), (2), or (3) below. **Roofs** containing vegetation must follow landscaping guidelines found in Section 20.04.080(c), (d) and (e).

1. Cool Roof

Install a cool roof on at least 70 percent of the total roof surface using roofing materials that have an aged SRI equal to or greater than the values in Table 4-21. If aged SRI is not available, the roofing material shall have an initial SRI equal to or greater than the values in Table 4-21.

Table 4-21: Winimum Solar Reflectance Index (SRI)			
	Slope	Initial SRI	Aged SRI
Low-sloped roof	≤ 2:12	82	64
Steep-sloped roof	> 2:12	39	32

Table 4-21: Minimum Solar Reflectance Index (SRI)

Notes:

2. Vegetated Roof

Install a vegetated roof on at least 70 percent of the total roof surface using native or adapted plant species. Vegetated roofing shall comply with ASTM E2400-06: Standard Guide for Selection, Installation, and Maintenance of Plants for Green Roof Systems.

3. Combination Roof

Install a combination cool roof and vegetated roof, with each portion meeting the applicable standards in subsections 1 and 2 above, and together covering at least 70 percent of the roof surface.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 67
Name of Sponsor(s):	Cm. Rollo
Date Submitted:	11/22/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.110(d)(2)(A)(v) Incentives: Sustainable Development: Eligibility: Solar	204
Energy	

Supported by Following Sections of the Comprehensive Plan

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

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

This amendment makes it clear that on-site solar photovoltaic systems may exceed the minimum requirements for the incentive.	

Council Action – [December 10, 2019]:

Motion to adopt Am 67: 7-0 (Chopra, Sturbaum absent) (via consent agenda) ADOPTED

- over -

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

20.04.110 Incentives (d) Sustainable Development (2) Eligibility (A) Option 1

v. Solar Energy

Install on-site solar photovoltaic system covering an area anywhere on the building or lot equal to **or greater than** 35 percent of the total roof area of all primary buildings, or an area equal to **or greater than** an amount required to provide 40 percent of estimated annual average electricity used in all primary buildings. Other renewable energy devices may be used in place of on-site solar panels so long as evidence of equivalent electricity generation capacity is provided.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 68
Name of Sponsor(s):	Cm. Rollo
Date Submitted:	11/22/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.120(b)(1) Operation and Maintenance: Landscaping	205

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
3	Section 20.04.80 (Landscaping, Buffering, and Fences) emphasizes the	48
	use of native plants helps to provide native habitat, which should also be	
	applied to roofs – and additional ecosystem service beyond water	
	retention, heat island mitigation, and insulation.	

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

This amendment adds plant material on vegetated roofs to the maintenance responsibilities of developers and their successors, and includes vegetated roof infrastructure as an example of applicable landscaping structures.

Council Action – [December 10, 2019]:

Motion to adopt Am 68: 7-0 (Chopra, Sturbaum absent) (via consent agenda) ADOPTED

- over -

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.

(b) I	Landscaping
a	Developers and their successors in interest shall be responsible for the regular maintenance of all landscaping elements in perpetuity. Failure to maintain all landscaping is a violation of this JDO. Specifically:
	(1) All plant material, including plant material on vegetated roofs , shall be maintained alive healthy, and free from disease and pests.
((2) All landscape structures including, but not limited to, vegetated roof infrastructure, raised landscape planters, fences, and walls shall be repaired or replaced periodically to maintain a structurally sound and aesthetic condition.
((3) Ground cover shall be maintained in compliance with Title 6 (Health and Sanitation) of the Bloomington Municipal Code; and
((4) Public sidewalks shall be maintained in compliance with Title 12 (Streets, Sidewalks, and Storm Sewers) of the Bloomington Municipal Code.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 69
Name of Sponsor(s):	Cm. Rollo
Date Submitted:	11/22/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.07.10 Definitions	364

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	

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

Deletes the entry for 'Green Building Worksheet'.

A Green Building Worksheet is not referred to in Section 20.04.110(d) (Sustainable Development) or anywhere else in the UDO. The term should be removed from the definitions section.

Council Action – [December 10, 2019]:

Motion to adopt Am 69: 7-0 (Chopra, Sturbaum absent) (via consent agenda) ADOPTED

- over -

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

20.07.10 Definitions

Green Building Worksheet

A worksheet or form developed by the Planning and Transportation Department that specifies information to be submitted prior to consideration of any subdivision or site plan petition that is utilizing the incentives provided for green or sustainable development practices as specified in the Unified Development Ordinance.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 70 - R
Name of Sponsor(s):	Cm. Piedmont-Smith & staff
Date Submitted:	12/11/2019, revised 12/17/2019

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.020 Table 4-2: Residential District Dimensional Standards	95

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	

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

This amendment is proposed by Cm. Piedmont-Smith at the request of staff. The amendment updates Table 4-2 to reflect changes made by Amendments 60, 61, and 73.
Note: this amendment was revised after being distributed in the Council's Legislative Packet on December 13, 2019 to include changes made by Amendment 73.

Council Action – [December 18, 2019]:

Motion to adopt Am 70-R: 9-0 ADOPTED

Dimen: Stand		RE	R1	R2	R3	R4	RM [1]	RH [1]	RMH	[1]
		Minimum, oi	nly for lots o	created afte	r the effectiv	ve date)			Entire Development	Dwelling Site
	sq. ft.	108,900	20,000 [2]	7,200 [2]	5,000 [2]	4,000	5,000	5,000	43,560	3,000
Lot area	acres	2.50	0.459 [2]	0.165 [2]	0.115 [2]	0.092	0.115	0.115	1.00	0.069
Lot width		200 feet	100 feet [2]	60 feet [2]	50 feet [2]	35 feet	50 feet	50 feet	200 feet	40 feet
Building	Setback	s (Minimum))	·	·		·	·		
Front build	l-to line	None	None	None	15 feet [3]	None	None	None	None	None
Front		30 feet	15 feet	15 feet [3]	None	15 feet [3]	10 feet	10 feet	25 feet	10 feet
Attached f loading ga carport		30 feet [6]	25 feet [6]	25 feet [6]	10 feet be primary stru buildir	cture's front	25 feet [6]	25 feet [6]	None	None
Side		30 feet	First floor: 8 feet Each story above the ground floor: 10 feet [2]	First floor: 8 feet Each story above the ground floor: 10 feet [2] [4]	First floor: 6 feet Each story above the ground floor: 10 feet [2] [4]	5 feet	10 feet [5]	10 feet [5]	20 feet	Primary Structure: 7 feet Accessory Structure: 2 feet
Rear		60 feet	25 feet [2]	25 feet [2]	25 feet [2]	25 feet	15 feet [5]	15 feet [5]	20 feet	
Other Sta	andards									
Front park setback (m		None	None	None	None	None	primary stru	ehind the Icture's front ng wall	None	None
Imperviou: coverage (maximum		20%	40%	40%	45%	50%	60%	65%	None	65%
Landscape (minimum)		None	None	None	None	None	40%	35%	None	None
Primary str height (ma		40 feet	40 feet	40 feet	35 feet	35-40 feet	3 stories, not to exceed 40 feet [2] [5]	5 stories, not to exceed 63 feet [2] [5]	None	20 feet
Accessory height (ma		30 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	None	20 feet

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Notes:

[1] Any single-family, duplex, triplex, or fourplex development shall be subject to the R2 residential lot standards.

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

[3] Or the median front setback of abutting residential structures, whichever is less.

[4] Legally established lots of record that are less than the minimum lot width may reduce the required setback up to 2 feet.

[5] Buildings abutting a property in the RE, R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(4) (Neighborhood Transition Standards)

[6] Or equal to the setback of the primary structure, whichever is greater.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number: Name of Sponsor(s):	Am 71
	Cm. Rollo & staff
Date Submitted:	December 11, 2019

UDO Chapter, Section, and Page

Chapter/Section	Page #
20.04.020 – Dimensional Standards – (e) Setbacks - Table 4-6 Authorized	100
Exceptions to Setback Requirements	

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	

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

This amendment is proposed by Cm. Rollo at the request of staff. The amendment updates Table 4-6 to use defined terms rather than the language originally proposed by Amendment 63. The changes made by Amendment 63 are highlighted in **red** below, whereas the change made by this Amendment [#] is highlighted in **green** below.

Council Action - [December 18, 2019]:

Motion to adopt Am 71: 8-0 (Chopra out of room) (via consent agenda) ADOPTED

- over -

DU = dwelling unit				
Type of Exception	Extent of Exception			
Air conditioners (ground)	Up to 5 feet if screened by a fence, wall, or appropriate landscaping.			
Air conditioners (window)	Up to 30 inches.			
Architectural features	Up to 18 inches.			
Awnings, balconies, canopies, patios, steps, and uncovered/open porches	Up to 6 feet.			
Bay windows, chimneys, eaves,	Up to 3 feet.			
Decks	Up to 6 feet into the side or rear setback provided that no deck is closer than 2 feet to a side property line.			
Fire Escapes	Up to 6 feet into side and rear setbacks.			
Front Entry	For Zone RE, R1, and R2, an entry or covered front addition a maximum 6 feet deep and with a width not to exceed one third the width of the main portion of the house primary facade of the structure.			
Handicap ramps	Exempt from all setback requirements.			
Satellite dishes	Up to 5 feet into the front setback and no closer than one foot to the side and rear property lines.			
Detached garages or carports	Where a rear alleyway provides access to a detached garage or carport, the setback from the property line that runs parallel to the alleyway to the detached garage or carport may be reduced to three feet.			
Additions to existing structures	For single-family, duplex, and triplex structures, additions to existing structures may use existing side or rear setbacks already established on the lot, provided that the gross floor area of the existing structure is not increased by more than 50 percent. In no case shall the setback be less than 10 feet (rear) or 4 feet (side).			

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 72
Name of Sponsor(s):	Cm. Piedmont-Smith
Date Submitted:	12/11/2019

UDO Chapter, Section, and Page

20.04.070(d)(2)(E) Roofs

Chapter & Section Page # 154

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
3	Policy 3.2.1: Continue to limit the amount of impervious surface in new	46
	development or public improvement projects and increase green	
	infrastructure to reduce urban runoff into storm drains, creeks, and	
	other watersheds.	
3	Policy 3.2.2: Increase greenspace and protect environmentally sensitive	46
	areas.	

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

This amendment, brought forward at the request of a few Bloomington architects, allows flat roofs in residential zoning districts for primary structures which have a minimum size. The minimum size requirement is to avoid having mobile homes in these zoning districts, as mobile homes should be placed in the RMH district. Flat roofs make it possible to have both innovative design and to install green roof cover. Green roofs decrease stormwater runoff and thus their greater allowance in the city serves to meet policies 3.2.1 and 3.2.2 of the Comp Plan. Policy 5.2.6 of the Comp Plan indicates that both traditional and contemporary architecture are desirable in residential neighborhoods. Many contemporary architectural designs for residential housing include flat roofs. A building with a flat roof does not necessarily violate the "consistent built character" and "prevailing pattern of development, building distribution, and scale" of a residential neighborhood.

Council Action - [December 18, 2019]:

Motion to adopt Am 72: 9-0 ADOPTED

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

20.04.070 Site and Building Design

(d) Building Design

- (2) Residential
 - (E) Roofs
 - i. For attached and detached single-family dwellings, duplex, triplex, and fourplex, and multifamily dwelling units that have sloped roofs, the roof shall have sloped roofs consisting consist of shingles, shakes, tile, standing-seam metal, or V-grain metal. Additions to attached or detached single-family dwelling units may use flat roofs (less than a 3:12 roof pitch).
 - ii. Multifamily structures may use a flat roof with a parapet or a sloped roof consisting of the materials listed in 20.04.070(d)(2)(E)i above. Primary structures larger than 1,000 square feet of gross floor area may use a flat roof (less than 3:12 roof pitch) with a parapet and shall comply with any applicable Use Specific Standards in 20.03.030.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in vellow.*

Am 73
Isabel Piedmont-Smith
12/16/2019

UDO Chapter, Section, and Page

Section	Page #
20.02.20 Residential Zoning Districts Table 2-4: R2 District Dimensional Standards	10

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
3	Policy 3.2.1: Continue to limit the amount of impervious surface in new development or public improvement projects and increase green infrastructure to reduce urban runoff into storm drains, creeks, and other watersheds.	46
3	Policy 3.2.2: Increase greenspace and protect environmentally sensitive areas.	46

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

This is an addendum to Am. 60. Sponsor made a mistake and submitted the wrong version of Am. 60 for approval Dec. 10. The version she meant to submit included changes in the R2 district.

This amendment correction, brought forward at the request the same Bloomington resident who proposed Am. 60, potentially reduces the length of driveways in the R2 zoning district thus reducing impervious surface coverage and allowing more space for green plantings.

Currently the minimum setback for front-loading garages in several districts is calculated as additional setback from the front of the main building. I argue it's best to set the garage setback independently. We already did so in the RE, R1, RM, and RH districts via Am. 60 on Dec. 10

For the R2 zone, the same argument may be made as for the R1 zone. The main building setback is 15 ft. However, an existing main building setback may not be in compliance with UDO standards and may actually be longer. For example, in at least 1 neighborhood the driveways are 30 ft. long by covenant. An additional 10 ft. added to the driveway length thus makes the garage setback longer than necessary. Therefore it makes sense to allow the driveway setback to be less, as long as the garage is not closer to the street than the main structure. That way, if someone on a lot with a nonconforming front building setback wanted to add a garage, the garage setback could still be conforming.

Council Action – [December 18, 2019]:

Motion to adopt Am 73: 9-0 ADOPTED

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.

ALot area7,200 square feet (0.165 acres)[1]BLot width60 feet [1] B Front15 feet or the median front setback of abutting resid whichever is less.DAttached front-loading garage or carport10 feet behind the primary structure's front building equal to the setback of the primary structure, whichESideFirst Floor: 8 feet Each story above the ground floor; 10 feet [1] [2]	ential structures
Building Setbacks (Minimum) C Front Attached front-loading garage or carport E Side	ential structures
CFront15 feet or the median front setback of abutting reside whichever is less.DAttached front-loading garage or carport10 feet behind the primary structure's front building equal to the setback of the primary structure, which First Floor: 8 feet	ential structures
 Front whichever is less. Attached front-loading garage or carport Attached front-loading garage or carport First Floor: 8 feet 	lential structures
Attached front-loading garage or carport equal to the setback of the primary structure, which E Side	
E Side	
Each story above the ground floor: 10 feet [1] [2]	
F Rear 25 feet [1]	
Other Standards	
Impervious surface coverage (maximum) 40%	
G Primary structure height (maximum) 40 feet	
Accessory structure height (maximum) 20 feet	
Notes:	

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 74
Name of Sponsor(s):	Isabel Piedmont-Smith & staff
Date Submitted:	12/18/2019

UDO Chapter, Section, and Page

Section	Page #
20.02.050(b) Qualifying Standards	51

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	

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

This amendment is sponsored by Cm. Piedmont-Smith at the request of staff. It adds a reference to the affordable housing section of the code for clarification.
Note – this amendment revises section 20.02.050, which was previously amended by Amendment 08 adopted by the Council on November 19, 2019.

Council Action - [December 18, 2019]:

Motion to adopt Am 74: 9-0 ADOPTED

20.02.050 Planned Unit Development (PUD) District

(b) Qualifying Standards

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

- (1) The proposed PUD zoning district includes a minimum of five acres of land;
- (2) The land included in the proposed PUD zoning district is not within the Mixed-Use Downtown (MD) zoning district;
- (3) Where residential dwelling units are proposed, a minimum of 15 percent of the total dwelling units must be permanently income-limited through a deed restriction to households earning less than 120 percent of the HUD AMI for Monroe County, Indiana- and the development will be subject to the applicable standards set forth in Section 20.04.110(c) (Affordable Housing);
- (4) The proposed PUD could not be developed using conventional zone districts or standards established in this UDO;
- (5) The land included in the proposed PUD is under single ownership or control. Single control of property under multiple ownership may be considered when the petition includes enforceable agreements, covenants, or commitments that run to the benefit of the City and that the City may require to be recorded if the PUD is approved; and
- (6) The proposed PUD zoning district embraces the following highly-valued design features:
 - (A) Protection of specific natural, environmental, or scenic resources or green spaces; and/or(B) Retaining natural landforms throughout the development.
- (7) The proposed PUD zoning district embraces several highly-valued design features, as determined by the Planning and Transportation Director, including but not limited to:
 - (A) No block perimeter greater than 1,400 feet in the development;
 - (B) Centralized gathering and recreation spaces of an appropriate size for the entire development, or designed to serve an area larger than the entire development;
 - (C) Internally and externally connected park, trail, and open space system;
 - (D) Low Impact Development design features throughout the development;
 - (E) Solar orientation of building forms and other passive energy-efficient design strategies throughout the development, and/or
 - (F) Community-level renewable energy production.

ORDINANCE 19-24

TO REPEAL AND REPLACE TITLE 20 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED, "UNIFIED DEVELOPMENT ORDINANCE"

ATTACHMENT C

PART 3 – OTHER AMENDMENTS WHICH APPEARED ON AN AGENDA BUT WERE EITHER NOT INTRODUCED, WITHDRAWN, OR DEFEATED

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (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	63
Residential Uses	
20.03.030(b)(3)(A)	68
20.03.030(b)(4)(A)	69

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
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 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. 	65
5	 Programs: Neighborhood Character and Quality of Life 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. 	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 – [November 14, 2019]:

NOT INTRODUCED by Sponsor

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	R3 R4		4 RM		RH RMH	MS	MN	MM	MC ME		МІ			EM	РО			
RESIDENTIAL USES																			
Household Living						_													
Dwelling, single-family (detached)	Р	Р	Р	Ρ	Ρ	P*	P*	Ρ	Ρ	Ρ	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	⊖P	<mark>∈</mark> P*	<mark>∈</mark> P*	<mark>∈</mark> P*	P*	Р*	P*		P*	P*	P*	<mark>∈</mark> P*			P*				20.03.030(b)(3)
Dwelling, triplex		<mark>∈</mark> P*	⊖P*	<mark>∈</mark> P*	P*	P*	P*		P*	P*	P*	<mark>∈</mark> P*			P*				20.03.030(b)(4)
Dwelling, fourplex					⊖P*	P*	P*		P*	P*	P*	P*			P*				20.03.030(b)(4)
Dwelling, multifamily					C*	Р	Ρ		Р	P*	P*	Р	P*	С	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

- → 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.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (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 Pa	ge

Page #
69
69-70

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
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 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. 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 	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 Actions – [November 13th]:

#1 – Motion to Amend Am 03 by adding "two bedrooms" after the words "no more than" in (3)(C)(iv) and 4(C)(iii) – *see red font below*

Unanimous Consent ADOPTED

#2 - Motion to Adopt Am-03 as Amended

4 (Chopra, Piedmont-Smith, Volan & Sims – 5 (Granger, Rollo, Ruff, Sandberg & Sturbaum) DEFEATED

IPS – Am 16 – Bedroom counts in plexes

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.

(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 pri street.
	 ii. The front elevation building width of the duplex dwelling structure shall not exceed 40 fee iii. The following design elements of the duplex dwelling shall be similar in general shape, and design to, with the majority of existing single-family or duplex structures on the s block face on which it is located:
	1. Roof pitch;
	 Front porch width and depth; 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 two bedrooms per unit six four tota v. Each individual dwelling unit shall have separate utility meters.
4) Dwe	lling, Triplex and Fourplex
·	
·	lling, Triplex and Fourplex
·	lling, Triplex and Fourplex Design i. The front elevation building width of the triplex or fourplex dwelling structure shall not exe
·	 Iling, Triplex and Fourplex Design The front elevation building width of the triplex or fourplex dwelling structure shall not exercise 40 feet. The following design elements of the triplex or fourplex dwelling shall be similar in ger size, shape, and design with the majority of existing structures on the same block face on w it is located: Roof pitch; Front porch width and depth; Front building setback; and
·	 Iling, Triplex and Fourplex Design The front elevation building width of the triplex or fourplex dwelling structure shall not exerved to feet. The following design elements of the triplex or fourplex dwelling shall be similar in gerr size, shape, and design with the majority of existing structures on the same block face on wit is located: Roof pitch; Front porch width and depth; Front building setback; and Vehicle parking access (i.e., front-, side-, or rear-access garage or parking area).
·	 Iling, Triplex and Fourplex Design The front elevation building width of the triplex or fourplex dwelling structure shall not exercise 40 feet. The following design elements of the triplex or fourplex dwelling shall be similar in ger size, shape, and design with the majority of existing structures on the same block face on w it is located: Roof pitch; Front porch width and depth; Front building setback; and

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 04
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	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
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 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. 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 	65

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 out-of-town developers converting single-family homes to "plexes" that will then be rented to rowdy, transient students which will make the neighborhood a less desirable place for families to live. The amendment does this by requiring that each unit of a multi-unit building described in this section be sold as a separate condominium.

Council Action - [November 7, 2019]:

Sponsor chose not to release the amendment

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.

(4) Dwelling, Duplex

(B) Occupancy

- i. Occupancy of each dwelling unit in a duplex dwelling is subject to the definition of "Family" in Chapter 20.07: Definitions
- ii. Each dwelling unit must meet the definition of a condominium, to be sold as a single living unit.

(5) Dwelling, Triplex and Fourplex

(B) Occupancy

- i. Occupancy of each dwelling unit in a triplex and fourplex dwelling is subject to the definition of "Family" in Chapter 20.07: Definitions
- ii. Each dwelling unit must meet the definition of a condominium, to be sold as a single living unit.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (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
LIDO 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	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
5	Policy 5.1.3: Encourage a wide range of housing types to	63
	provide a more diverse mix of housing opportunities and	
	household income levels, preferably within neighborhoods	
	and multi-family housing developments.	

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 – [November 19, 2019]:

Motion to withdraw Am 09: 8-0 (Chopra absent)

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.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 23
Name of Sponsor(s):	Cm. Piedmont-Smith
Date Submitted:	11/3/19, revised 11/12/19
UDO Chapter, Section, and Page	

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

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

Council Action – [November 19, 2019]:

NOT INTRODUCED by Sponsor

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

20.04.30 Environmental

(f) Riparian Buffers

(9) Riparian Maintenance

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 24 - R	
Name of Sponsor(s):	Cm. Piedmont-Smith	
Date Submitted:	11/3/19 (amended 11/19/2019)	
UDO Chapter, Section, and Pa	ge	
Chapter & Section		P

 Chapter & Section
 Page #

 20.04.040(d) Flood Hazard Reduction
 116

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

NOT INTRODUCED by Sponsor

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

20.04.040 Floodplain

(d) Flood Hazard Reduction

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

(1) Permitted Uses Permitted Land Disturbance Activities

(A) Floodway

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

- i. Pasturage; Sidewalks and multiuse trails
- ii. Forestry; New and replacement utilities
- iii. Wildlife areas; New and replacement storm or sanitary sewers
- iv. Nature preserves;
- v. Riparian buffers;
- vi. Storm sewers;
- vii. New and replacement utility pipelines; and
- viii. Parks and recreational open space.

(B) Floodway Fringe

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

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

(2) Conditional Uses

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

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

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

Also note: This amendment was revised at the request of the amendment sponsor and Planning staff after being distributed in the Council's weekly Legislative Packet on November 15, 2019. The revision adds permitted uses back into 20.04.040(d)(1) to permit the following within floodways under certain circumstances: i) sidewalks and multiuse trails; ii) new and replacement utilities; and iii) new and replacement storm or sanitary sewers.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 26
Name of Sponsor(s):	Cm. Sturbaum
Date Submitted:	11/3/19

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 26: 3 (Sturbaum, Sandberg, Sims)-5 (Chopra absent) FAILED

20.04.060

(d) Minimum Vehicle Parking Requirement

(1) **Applicability**

(A) Generally

Each development or land use subject to this section pursuant to Section Error! Reference source not found. shall provide at least the minimum number of vehicle parking spaces required for each land use listed in Table Error! No text of specified style in document.-1: Minimum Vehicle Parking Requirements.

(B) **MD District**

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

Table Error! No text of specified style in document.-1: Minimum Vehicle Parking RequirementsDU = dwelling unit

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

NOTES:

[1] See Section Error! Reference source not found. (Error! Reference source not found.) for alternative standards.

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 27	
Name of Sponsor(s):	Cm. Volan	
Date Submitted:	10/31/2019, revised 11/15/2019	
UDO Chapter, Section, and Page		

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 19, 2019]:

Motion to adopt Am 27: 4 (Ruff, Piedmont-Smith, Volan, Granger)-4 (Rollo, Sims, Sturbaum, Sandberg) (Chopra absent) FAILED

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

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

- over

20.04.060 Parking and Loading

(c) Parking Calculations

(1) Generally

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

(2) Unlisted Uses

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

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

(d) Minimum Vehicle Parking Requirements

Delete 20.04.060(d) in entirety.

(g) Adjustments to Minimum Parking Requirements

Delete 20.04.060(g) in entirety.

(n) Use of Parking Areas

(1) Exclusive Use

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

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 30
Name of Sponsor(s):	Cm. Sturbaum
Date Submitted:	11/3/19

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

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

Synopsis and Legislative Intent

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

Council Action – [November 19, 2019]:

Motion to adopt Am 30: 1 (Sturbaum)-7 (Chopra absent) FAILED

20.04.070 (e) Projects Abutting to Historic Buildings

(e) Projects Abutting to Historic Buildings

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

(1) Building Height Stepdowns

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

(2) Alignment with Setbacks

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

(3) Alignment with Belt Courses

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

(4) Belt Courses

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 36	
Name of Sponsor(s):	Cm. Piedmont-Smith	
Date Submitted:	11/3/19, revised 11/12/19	
UDO Chapter, Section, and Page		

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [November 20, 2019]:

NOT INTRODUCED by Sponsor

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

20.05.040 Easements

(e) Standards for Specific Easement Types

(3) Drainage Easement

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

(9) Conservancy Easement

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 38 (PC Am 09 - Revised)
Name of Sponsor(s):	Chris Sturbaum
Date Submitted:	11/3/19

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #							
	(e.g., Overview, Goals & Policies, or Programs)								
5	Neighborhoods "The City's Demolition Delay ordinanceguidelines.	62							

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

Synopsis and Legislative Intent

Council Action - [November 20, 2019]:

Motion to adopt Am 38: 2 (Sturbaum, Sandberg) – 6 – 1 (Volan) FAILED

20.06.050 (c) Demolition Delay Permit

(1) Purpose

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

>>>

20.06.050 (c)

(3)

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

(ii) Waiting Period

(2) Early Terminations of Waiting Period

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

(a) The Historic Preservation Commission votes affirmatively not to recommend local historic designation to the Common Council; or

(b) The Historic Preservation Commission votes on a motion to recommend local designation and the motion fails; or

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

(d) The Common Council disapproves a recommended local historic designation of the subject property.

Ordinance 19-24: To Repeal and Replace Title 20 (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" Please complete all fields indicated in yellow.

Amendment Number:	Am 39
Name of Sponsor(s):	Cm. Piedmont-Smith
Date Submitted:	11/3/19, revised 11/12/19
LIDO Chapter Section and De	~~

UDO Chapter, Section, and Page **Chapter & Section** Page # 20.07.10 Defined Words 390

Supported by Following Sections of the Comprehensive Plan

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

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

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

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

Council Action - [November 20, 2019]:

Motion to adopt Am 39: 2 (Sturbaum, Sandberg)-6-1 (Volan) FAILED

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

20.07.010 Defined Words

Stream, Intermittent

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

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

Stream, Perennial

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

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 40
Name of Sponsor(s):	Chris Sturbaum
Date Submitted:	11/3/19

UDO Chapter, Section, and PageChapter/ SectionPage #20.02.20(c) Table 2-4: R2 District Dimensional Standards1020.04.20(c) Table 4-2 Residential District Dimensional Standards95

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
Objectives	#5 Housing and Neighborhoods: Objective: Enhance quality of place for Neighborhoods and Development	16

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

This amendment reduces the maximum height of R2 buildings from 40 feet to 35 feet. Virtually all R2 buildings are presently two story houses at most. The proposed 40' max would allow three story (or even short four story buildings, which would radically change the quality and character of R2 neighborhoods. Reducing the max height to 35' would still permit a two story duplex and triplex structure.

Council Action – [December 03, 2019]:

Motion to adopt Am 40: 2 (Rollo, Sturbaum)-6 (Chopra absent) FAILED

- over -

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

20.02.20 Zoning Districts (c) R2: Residential Medium Lot

(2) Dimensional Standards

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

Table 2-4: R2 District Dimensional Standards Lot Dimensions (Minimum, only for lots created after the effective date) Α Lot area 7,200 square feet (0.165 acres)[1] В Lot width 60 feet [1] **Building Setbacks (Minimum)** 15 feet or the median front setback of abutting residential structures, С Front whichever is less. Attached front-loading garage or D 10 feet behind the primary structure's front building wall carport First Floor: 8 feet E Side Each story above the ground floor: 10 feet [1] [2] F Rear 25 feet [1] Other Standards Impervious surface coverage 40% (maximum) Primary structure height G 40 feet 35 feet (maximum) Accessory structure height 20 feet (maximum)

Notes:

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

[2] Legally established lots of record that are less than the minimum lot width may reduce the required setback up to 2 feet.

20.04.20 Dimensional Standards (c) General Dimensional Standards

Table 4-2: Residential District Dimensional Standards												
sq. ft. = so			ISTRICT DIR	iensional	Standard	S						
Dimens Standa		RE	R1	R2	R3	R4	RH [1]	RMH [1]				
		Minimum, o	nly for lots o	created after	the effectiv	ve date)			Entire Development	Dwelling Site		
			20,000 [2]	7,200 [2]	5,000 [2]	4,000	5,000	5,000	43,560	3,000		
Lot area acres 2.50 0.459 [2]		0.165 [2]	0.115 [2]	0.092	0.115	0.115	1.00	0.069				
Lot width		200 feet	100 feet [2]	60 feet [2]	50 feet [2]	35 feet	50 feet	50 feet	200 feet	40 feet		
Building Setbacks (Minimum)												
Front build	I-to line	None	None	None	15 feet [3]	None	None	None	None	None		
Front		30 feet	15 feet	15 feet [3]	None	15 feet [3]	10 feet	10 feet	25 feet	10 feet		
Attached fr loading ga carport			10 feet	behind the pr	imary structure	e's front buildi	ng wall		None	None		
Side		30 feet	First floor: 8 feet Each story above the ground floor: 10 feet [2]	First floor: 8 feet Each story above the ground floor: 10 feet [2] [4]	First floor: 6 feet Each story above the ground floor: 10 feet [2] [4]	5 feet	5 feet 10 feet [5]		20 feet	Primary Structure: 7 feet Accessory Structure: 2 feet		
Rear		60 feet	25 feet [2]	25 feet [2]	25 feet [2]	25 feet	15 feet [5]	15 feet [5]	20 feet			
Other Sta	andards											
Front parki setback (m	-	None	None	None	None	None	20 feet b primary stru buildir	cture's front	None	None		
Impervious coverage (maximum)		20%	40%	40%	45%	50%	60%	65%	None	65%		
Landscape (minimum)		None	None	None	None	None	40%	35%	None	None		
	mary structure 40 feet 40 feet		4 0 feet 35 feet	35 feet	35 feet	3 stories, not to exceed 40 feet [2] [5]	5 stories, not to exceed 63 feet [2] [5]	None	20 feet			
Accessory : height (ma		30 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	None	20 feet		

Notes:

[1] Any single-family, duplex, triplex, or fourplex development shall be subject to the R2 residential lot standards.

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

[3] Or the median front setback of abutting residential structures, whichever is less.

[4] Legally established lots of record that are less than the minimum lot width may reduce the required setback up to 2 feet.

[5] Buildings abutting a property in the RE, R1, R2, R3, or R4 zoning district shall comply with the standards in Section 20.04.070(d)(4) (Neighborhood Transition Standards).

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 42
Name of Sponsor(s):	Chris Sturbaum
Date Submitted:	11/3/19

UDO Chapter, Section, and Page

Chapter/Section	Page #
20.03.20 Table 3-1: Allowed Use Table	63

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
Objective 05 Vision Statement	<u>"Enhance Quality of Place for Neighborhoods and</u> Development" "Ensure all development activity makes a positive and lasting community contribution."	16 14

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

This amendment would change the approval of fourplexes, multifamily dwellings and live/work dwellings in a Residential Multifamily (RM) district from a permitted to a conditional use. The Residential Multifamily (RM) zone still contains many single family homes and single family forms that have become multifamily. The higher density forms that are fine in Residential High-Density Multifamily (RH) could have negative consequences in the RM zones. Conditional use still allows their use but the application will have a chance of being more context sensitive with a public process that the conditional use provides.

Council Action – [December 03, 2019]:

Motion to adopt Am 42: 1 (Sturbaum)-7 (Chopra absent) FAILED

- over -

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

Table 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				Resi	dent	ial			Mixed-Use									on- lential	Use-Specific Standards
	RE	R1	R2	R3	R4	RM	RH	RMH	MS	MN	мм	мс	ME	МІ	MD	мн	EM	РО	
RESIDENTIAL USES																			
Household Living					_				_										
Dwelling, single-family (detached)	Ρ	Ρ	Ρ	Ρ	Ρ	P*	P*	Ρ	Ρ	Ρ	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	С	C*	C*	C*	P*	P*	P*		P*	P*	P*	C*			P*				20.03.030(b)(3)
Dwelling, triplex		C*	C*	C*	P*	P*	P*		P*	P*	P*	C*			P*				20.03.030(b)(4)
Dwelling, fourplex					C*	<u>Р*</u> С*	P*		P*	P*	P*	P*			P*				20.03.030(b)(4)
Dwelling, multifamily					C*	₽ C*	Ρ		Ρ	P*	P*	Ρ	P*	С	P*				20.03.030(b)(5)
Dwelling, live/work					C*	<u>₽*</u> C*	P*			P*	P*	P*			Р*				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)
Group Living																			
Assisted living facility					С	Р	Р			С	Р	Р		Р	Р	Р			
Continuing care retirement facility					С	Ρ	Ρ			С	Р	Р		Ρ	Ρ	Ρ			
Fraternity or sorority house									Р					Р					
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					С	Р	Р			С	Р	Р	Р	Р	Р	Р			
Opioid rehabilitation home, small	Р*	P*	P*	P*	P*	P*	P*	P*	P*	Ρ*	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*		Р	P*	Р	Ρ	C*						20.03.030(b)(11)
Student housing or dormitory						C*	P*		Р	C*	P*	P*		P*	C*				20.03.030(b)(12)
Supportive housing, small							С			С	С	С		С	С	С			
Supportive housing, large											С	С		С	С	С			
PUBLIC, INSTITUTIONAL,	AND		/IC (JSE	S														
Community and Cultural Fac	ilities	S																	
Art gallery, museum, or library		-			<i>C</i> *	С	C			Р	Р	Р		Р	Р				20.03.030(c)(1)

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendme	nt Number:	Am 45	
Name of S	ponsor(s):	Steve Volan	
Date Subm	nitted:	10/31/2019 (amended 11/25/2019)	
UDO Chap	oter, Section, and Pa	ge	
Chapter &	& Section		Page #
20.04.060)(e) Maximum Vehi	cle Parking Requirement	135-140
20.04.060	<mark>)(h) Adjustments to</mark>	Maximum Parking Requirements	142
Supported	by Following Section	ons of the Comprehensive Plan	
Chapter	Section	·	Page #
-	(e.g., Overview, Go	oals & Policies, or Programs)	_
6	require sufficient vacant or under-u	Sustainability - Policy 6.1.3: In land use decisions, density through infill, redevelopment, and reuse of tilized parcels to support multimodal transportation	74
	and discourage up	han shrawl	

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

Goal 6.4 Prioritize Non-Automotive Modes

This amendment is sponsored by Cm. Volan and adjusts provisions related to maximum parking requirements. The amendment replaces the term "requirement" with the terms "allowance" or "limit" to better reflect that the maximum parking standards contained 20.04.060(e) are the maximum allowed amounts of parking for the listed land uses. It replaces many of the specific maximum parking allowances with a standardized default parking allowance, with different default parking allowance for residential and nonresidential uses. The amendment adds a default parking allowance chart, which reduces the default parking allowances for residential and nonresidential uses after the effective date of the UDO. The purpose of this amendment is to promote density, reduce the amount of land dedicated to surface parking, and to encourage non-automotive modes of transportation.

Council Action – [December 03, 2019]:

6

Motion to withdraw Am 45: 8-0 (Chopra absent)

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

- over -

75

20.04.060 Parking and Loading

(e) Maximum Vehicle Parking Requirement Allowance

In no case shall any land use or development subject to this Section 20.40.30 **20.04.060** provide more than the maximum number of vehicle parking spaces required allowed for each land use listed in Table 4-10: Maximum Vehicle Parking Requirements Allowances.

(1) Default Parking Allowance - Residential

The default parking allowance for residential uses subject to the default parking allowance chart in 20.04.060(e)(3). This allowance applies to residential uses, unless a different allowance is specified in Table 4-10 for that particular residential use.

(2) Default Parking Allowance - Nonresidential

The default parking allowance for nonresidential uses subject to the default parking allowance chart in 20.04.060(e)(3). The term "nonresidential uses" includes the following uses: public, institutional, and civic uses; commercial uses; employment uses; utilities and communication; accessory uses; and temporary uses. This allowance applies to nonresidential uses, unless a different allowance is specified in Table 4-10 for that particular nonresidential use.

(3) Default Parking Allowance Chart

The default parking allowances for residential and nonresidential uses will be reduced each year after [Effective Date] pursuant to the following schedule. If the number of spaces allowed pursuant to the default parking allowance chart results in a fractional number of spaces allowed, then the parking allowance will be rounded up to the nearest whole number of spaces.

YEAR	DEFAULT ALLOWANCE - RESIDENTIAL	DEFAULT ALLOWANCE - NONRESIDENTIAL
2020	.50 spaces per bedroom	2.00 spaces per 1,000 sq. ft. GFA
2021	.49 spaces per bedroom	1.97 spaces per 1,000 sq. ft. GFA
2022	.48 spaces per bedroom	1.94 spaces per 1,000 sq. ft. GFA
2023	.47 spaces per bedroom	1.91 spaces per 1,000 sq. ft. GFA
2024	.46 spaces per bedroom	1.88 spaces per 1,000 sq. ft. GFA
2025	.45 spaces per bedroom	1.85 spaces per 1,000 sq. ft. GFA
2026	.44 spaces per bedroom	1.82 spaces per 1,000 sq. ft. GFA
2027	.43 spaces per bedroom	1.79 spaces per 1,000 sq. ft. GFA
2028	.42 spaces per bedroom	1.76 spaces per 1,000 sq. ft. GFA
2029	.41 spaces per bedroom	1.73 spaces per 1,000 sq. ft. GFA
2030	.40 spaces per bedroom	1.70 spaces per 1,000 sq. ft. GFA
2031	.39 spaces per bedroom	1.67 spaces per 1,000 sq. ft. GFA
2032	.38 spaces per bedroom	1.64 spaces per 1,000 sq. ft. GFA
2033	.37 spaces per bedroom	1.61 spaces per 1,000 sq. ft. GFA
2034	.36 spaces per bedroom	1.58 spaces per 1,000 sq. ft. GFA
2035	.35 spaces per bedroom	1.55 spaces per 1,000 sq. ft. GFA
2036	.34 spaces per bedroom	1.52 spaces per 1,000 sq. ft. GFA
2037	.33 spaces per bedroom	1.49 spaces per 1,000 sq. ft. GFA
2038	.32 spaces per bedroom	1.46 spaces per 1,000 sq. ft. GFA
2039	.31 spaces per bedroom	1.43 spaces per 1,000 sq. ft. GFA
2040 and after	.30 spaces per bedroom	1.40 spaces per 1,000 sq. ft. GFA

DEFAULT PARKING ALLOWANCE CHART

DU = dwelling unit sq. ft. = square feet Use	Maximum Vehicle Parking Requirement Allowance
RESIDENTIAL USES	
Household Living	
Dwelling, single-family (detached)	
Dwelling, single-family (attached)	No requirement limit
Dwelling, duplex	
Dwelling, triplex	2 1 space₅ per DU
Dwelling, fourplex	
	125 percent of the required minimum, or 1.25 spaces per bedroom,
Dwelling, multifamily	whichever is less. Default Allowance - Residential
Dwelling, live/work	1 space per DU
Dwelling, cottage development	2 spaces per DU
Dwelling, mobile home	2 spaces per DU
Manufactured home park	2 spaces per DU, plus 1 visitor space per 2 DUs
Group Living	
Assisted living facility	1 space per 6 infirmary or nursing home beds;
Continuing care retirement facility	plus 1 space per 3 rooming units; plus 1 space per 3 DUs
Fraternity or sorority house	0.8 spaces per bed Default Allowance - Residential
Group care home, FHAA small	
Group care facility, FHAA large	
Nursing or convalescent home	4 .25 space s per 4 persons bed design capacity
Opioid rehabilitation home, small	
Dpioid rehabilitation home, large	
Residential rooming house	2 spaces; plus 1 space per guest room
Student housing or dormitory	0.75 0.25 spaces per bedroom
Supportive housing, small	
Supportive housing, large	No requirement limit
PUBLIC, INSTITUTIONAL, AND CIVIC	USES
	USES
Community and Cultural Facilities	
Community and Cultural Facilities Art gallery, museum, or library	1 space per 500 sq. ft. GFA Default Allowance - Nonresidential
Community and Cultural Facilities Art gallery, museum, or library	1 space per 500 sq. ft. GFA Default Allowance - Nonresidential No requirement limit
Community and Cultural Facilities Art gallery, museum, or library Cemetery or mausoleum	1 space per 500 sq. ft. GFA Default Allowance - Nonresidential No requirement limit
Community and Cultural Facilities Art gallery, museum, or library Cemetery or mausoleum Club or lodge	1 space per 500 sq. ft. GFA Default Allowance - Nonresidential No requirement limit 1 space per 4 seats in main assembly area, or 1 space per 200 sq. ft
Community and Cultural Facilities Art gallery, museum, or library Cemetery or mausoleum Club or lodge	1 space per 500 sq. ft. GFA Default Allowance - Nonresidential No requirement limit 1 space per 4 seats in main assembly area, or 1 space per 200 sq. ft GFA Default Allowance - Nonresidential, whichever is greater No requirement Default Allowance - Nonresidential No requirement Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential
Community and Cultural Facilities Art gallery, museum, or library Cemetery or mausoleum Club or lodge Community center	1 space per 500 sq. ft. GFA Default Allowance - Nonresidential No requirement limit 1 space per 4 seats in main assembly area, or 1 space per 200 sq. ft GFA Default Allowance - Nonresidential, whichever is greater No requirement Default Allowance - Nonresidential No requirement Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential
Community and Cultural Facilities Art gallery, museum, or library Cemetery or mausoleum Club or lodge Community center Conference or convention center	1 space per 500 sq. ft. GFA Default Allowance - Nonresidential No requirement limit 1 space per 4 seats in main assembly area, or 1 space per 200 sq. ft GFA Default Allowance - Nonresidential, whichever is greater No requirement Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 0 space per 500 sq. ft. GFA Default Allowance - Nonresidential 0 space per 500 sq. ft. GFA Default Allowance - Nonresidential 0 space per 500 sq. ft. GFA Default Allowance - Nonresidential 0 space per space per 500 sq. ft. GFA Default Allowance - Nonresidential 0 space per space
Community and Cultural Facilities Art gallery, museum, or library Cemetery or mausoleum Club or lodge Community center Conference or convention center Crematory	1 space per 500 sq. ft. GFA Default Allowance - Nonresidential No requirement limit 1 space per 4 seats in main assembly area, or 1 space per 200 sq. ft GFA Default Allowance - Nonresidential, whichever is greater No requirement Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential No requirement Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential for surface parking No requirement limit for structured parking 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Community and Cultural Facilities Art gallery, museum, or library Cemetery or mausoleum Club or lodge Community center Conference or convention center Crematory Day-care center, adult or child	1 space per 500 sq. ft. GFA Default Allowance - Nonresidential No requirement limit 1 space per 4 seats in main assembly area, or 1 space per 200 sq. ft GFA Default Allowance - Nonresidential, whichever is greater No requirement Default Allowance - Nonresidential No requirement Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Community and Cultural Facilities Art gallery, museum, or library Cemetery or mausoleum Club or lodge Community center Conference or convention center Crematory Day-care center, adult or child Government service facility	1 space per 500 sq. ft. GFA Default Allowance - Nonresidential No requirement limit 1 space per 4 seats in main assembly area, or 1 space per 200 sq. ft GFA Default Allowance - Nonresidential, whichever is greater No requirement Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential <t< td=""></t<>
Community and Cultural Facilities Art gallery, museum, or library Cemetery or mausoleum Club or lodge Community center Conference or convention center Crematory Day-care center, adult or child Government service facility ail or detention facility	1 space per 500 sq. ft. GFA Default Allowance - Nonresidential No requirement limit 1 space per 4 seats in main assembly area, or 1 space per 200 sq. ft GFA Default Allowance - Nonresidential, whichever is greater No requirement Default Allowance - Nonresidential, whichever is greater No requirement Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential No requirement limit No requirement limit No requirement limit No requirement limit
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Community and Cultural Facilities Art gallery, museum, or library Cemetery or mausoleum Club or lodge Community center Conference or convention center Crematory Day-care center, adult or child Government service facility Jail or detention facility Meeting, banquet, or event facility Mortuary	1 space per 500 sq. ft. GFA Default Allowance - Nonresidential No requirement limit 1 space per 4 seats in main assembly area, or 1 space per 200 sq. ft GFA Default Allowance - Nonresidential, whichever is greater No requirement Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential No requirement limit 1 space per 250 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 250 sq. ft. GFA Default Allowance - Nonresidential
Community and Cultural Facilities Art gallery, museum, or library Cemetery or mausoleum Club or lodge Community center Conference or convention center Crematory Day-care center, adult or child Government service facility lail or detention facility Meeting, banquet, or event facility Mortuary Park	1 space per 500 sq. ft. GFA Default Allowance - Nonresidential No requirement limit 1 space per 4 seats in main assembly area, or 1 space per 200 sq. ft GFA Default Allowance - Nonresidential, whichever is greater No requirement Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential for surface parking No requirement limit for structured parking 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential No requirement limit 1 space per 250 sq. ft. GFA Default Allowance - Nonresidential 1 space per 250 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
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Community and Cultural Facilities Art gallery, museum, or library Cemetery or mausoleum Club or lodge Community center Conference or convention center Crematory Day-care center, adult or child Government service facility Jail or detention facility Meeting, banquet, or event facility Mortuary Park Place of worship Police, fire, or rescue station Urban agriculture, noncommercial Educational Facilities School, college or university School, public or private	1space per 500 sq. ft. GFA Default Allowance - Nonresidential No requirement limit 1 space per 4 seats in main assembly area, or 1-space per 200 sq. ft GFA Default Allowance - Nonresidential, whichever is greater No requirement Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential for surface parking No requirement limit for structured parking 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 250 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 4 seats in main assembly area, or 1-space per 200 sq. ft GFA Default Allowance - Nonresidential, whichever is greater No requirement limit 1 space per 4 seats in main assembly area, or 1-space per 200 sq. ft GFA Default Allowance - Nonresidential , whichever is greater No requirement limit No requ
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Community and Cultural Facilities Art gallery, museum, or library Cemetery or mausoleum Club or lodge Community center Conference or convention center Crematory Day-care center, adult or child Government service facility Jail or detention facility Meeting, banquet, or event facility Mortuary Park Place of worship Police, fire, or rescue station Urban agriculture, noncommercial Educational Facilities School, college or university School, public or private School, trade or business Healthcare Facilities Hospital	1-space per 500 sq. ft. GFA Default Allowance - Nonresidential No requirement limit 1 space per 4 seats in main assembly area, or 1-space per 200 sq. ft GFA Default Allowance - Nonresidential, whichever is greater No requirement Default Allowance - Nonresidential 1-space per 500 sq. ft. GFA Default Allowance - Nonresidential 1-space per 500 sq. ft. GFA Default Allowance - Nonresidential 1-space per 300 sq. ft. GFA Default Allowance - Nonresidential 1-space per 300 sq. ft. GFA Default Allowance - Nonresidential 1-space per 300 sq. ft. GFA Default Allowance - Nonresidential 1-space per 300 sq. ft. GFA Default Allowance - Nonresidential 1-space per 300 sq. ft. GFA Default Allowance - Nonresidential No requirement limit No requirement limit 1-space per 250 sq. ft. GFA Default Allowance - Nonresidential 1-space per 300 sq. ft. GFA Default Allowance - Nonresidential 1-space per 300 sq. ft. GFA Default Allowance - Nonresidential 1-space per 300 sq. ft. GFA Default Allowance - Nonresidential 1-space per 200 sq. ft GFA 1-space per 4 seats in main assembly area, or 1-space per 200 sq. ft GFA Default Allowance - Nonresidential, whichever

gricultural and Animal Uses	
Kennel	No requirement Default Allowance - Nonresidential
Orchard or tree farm, commercial	No requirement limit
Pet grooming	No requirement Default Allowance - Nonresidential
Plant nursery or greenhouse, commercial	Nonresidential
Veterinarian clinic	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Entertainment and Recreation	
Amenity center	No requirement Default Allowance - Nonresidential
Country club	No requirement Default Allowance - Nonresidential
	Bowling alley: 3 spaces per lane
Recreation, indoor	Theater: 1 space per 4 seats in assembly areas All other: 1 space per 250 sq. ft. GFA Default Allowance -
	All other: I space per 250 sq. ft. GFA Default Allowance - Nonresidential
	Golf course: 2 spaces per golf hole
	Mini golf course: 1 space per golf hole
Recreation, outdoor	Golf driving range: 1 space per tee box All other: 4 2.0 space s per 400 1,000 sq. ft. of site area used for
	All other: + 2.0 space s per 400 1,000 sq. ft. of site area used for recreation
Sexually oriented business	1-space per 200 sq. ft. GFA Default Allowance - Nonresidential
Stadium	No requirement limit
Food, Beverage, and Lodging	
Bar or Dance club	1 space per 250 sq. ft. GFA Default Allowance - Nonresidential
Bed and breakfast	1 space per guest bedroom
	Indoor tasting/seating area: 1 space per 100 sq. ft. GFA;
Brewpub, distillery, or winery	Outdoor tasting/seating area: 1 space per 200 sq. ft. of Default
Hotel or motel	Allowance - Nonresidential
	1 space per guest room Indoor seating area: 1 space per 100 sg. ft. GFA;
Restaurant	Outdoor seating area: 1 space per 200 sq. ft. of Default Allowance Nonresidential
Office, Business, and Professional Service	ls
Artist studio or workshop	No maximum limit
Check cashing	1 space per 250 sq. ft. GFA Default Allowance - Nonresidential
Financial institution	1-space per 250 sq. ft. GFA Default Allowance - Nonresidential
Fitness center, small	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Fitness center, large	1 space per 400 sq. ft. GFA Default Allowance - Nonresidential
Ottica	
Office	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Personal service, small	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Personal service, small Personal service, large	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Personal service, small Personal service, large Tattoo or piercing parlor	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Personal service, small Personal service, large	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Personal service, small Personal service, large Tattoo or piercing parlor Retail Sales	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential
Personal service, small Personal service, large Tattoo or piercing parlor Retail Sales Building supply store Grocery or supermarket	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 200 sq. ft. GFA Default Allowance - Nonresidential
Personal service, small Personal service, large Tattoo or piercing parlor	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 200 sq. ft. GFA Default Allowance - Nonresidential 1 space per 200 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Personal service, small Personal service, large Tattoo or piercing parlor Retail Sales Building supply store Grocery or supermarket Liquor or tobacco sales Pawn shop	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 200 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
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Personal service, small Personal service, large Tattoo or piercing parlor Retail Sales Building supply store Grocery or supermarket Liquor or tobacco sales Pawn shop Retail sales, small Retail sales, medium Retail sales, large Retail sales, big box Vehicles and Equipment Equipment sales or rental Transportation terminal Vehicle fleet operations, small	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 500 sq. ft. GFA Default Allowance - Nonresidential 1 space per 200 sq. ft. GFA Default Allowance - Nonresidential 1 space per 200 sq. ft. GFA Default Allowance - Nonresidential 1 space per 200 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 250 sq. ft. GFA Default Allowance - Nonresidential 1 space per 250 sq. ft. GFA Default Allowance - Nonresidential 1 space per 250 sq. ft. GFA Default Allowance - Nonresidential 1 space per 250 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per 300 sq. ft. GFA Default Allowance - Nonresidential 1 space per service bay No requirement limit No requirement limit

Vehicle repair, major Vehicle repair, minor	4 2.0 space s per 350 1,000 sq. ft. of indoor sales/leasing/ office area
Vehicle sales or rental	plus 1 space per service bay
Vehicle wash	No requirement limit
EMPLOYMENT USES	
Manufacturing and Processing	
Commercial Laundry	No requirement limit
Food production or processing	No requirement limit
Manufacturing, artisan	No requirement limit
Manufacturing, light	No requirement limit
Manufacturing, heavy	No requirement limit
Salvage or scrap yard	No requirement limit
Storage, Distribution, or Warehousing	
Bottled gas storage or distribution	No requirement limit
Contractor's yard	No requirement limit
Distribution, warehouse, or wholesale facility	No requirement limit
Storage, outdoor	No requirement limit
Storage, self-service	4 2.0 space s per 350 1,000 GFA of indoor sales/leasing/office space
Resource and Extraction	
Gravel, cement, or sand production	No requirement limit
Quarry	No requirement limit
Stone processing	No requirement limit
UTILITIES AND COMMUNICATION	
Communication facility	No requirement limit
Solar collector, ground- or building-mounted	No requirement limit
Utility substation and transmission facility	No requirement limit
Wind energy system, large	No requirement limit
Wind energy system, small	No requirement limit
ACCESSORY USES	
Chicken flock	No requirement limit
Crops and pasturage	No requirement limit
Detached garage	No requirement limit
Drive-through	No requirement limit
Dwelling, accessory unit	No requirement limit
Electric vehicle charging facility	No requirement limit
Greenhouse, noncommercial	No requirement limit
Home occupation	No requirement limit
Outdoor retail and display	No requirement limit
Outdoor trash and recyclables receptacles	No requirement limit
Recycling drop-off, self-serve	No requirement limit
Swimming pool	No requirement limit
TEMPORARY USES	
Book buyback	No requirement limit
Construction support activities	No requirement limit
Farm produce sales	No requirement limit
Real estate sales or model home	No requirement limit
Seasonal sales	No requirement limit
Special event	No requirement limit

(h) Adjustments to Maximum Parking Requirements Allowance

No use shall provide vehicle parking spaces in an amount exceeding the maximum established in Table 4-10: Maximum Vehicle Parking Requirements Allowances, unless approved by the City Planning and Transportation Department based on the following:

- (1) The proposed development has unique or unusual characteristics that typically do not apply to comparable developments, uses, or combinations of uses, such as high sales volume per floor area or low parking turnover, that create a parking demand that exceeds the maximum ratio;
- (2) The petitioner submits a parking demand study demonstrating that anticipated off-street vehicle parking demand for the proposed development, use, or combination of uses will be more than that calculated from Table 4-10: Maximum Vehicle Parking Requirements Allowances, and the City Planning and Transportation Department determines that the information and assumptions used in the study are reasonable and that the study accurately reflects maximum reasonably anticipated off-street vehicle parking demand for the proposed development, use, or combination of uses; and
- (3) Any parking provided above the maximum required in Table 4-10: Maximum Vehicle Parking Requirements Allowances is constructed in a parking structure or with approved pervious surfaces.

Note: This amendment authorizes staff to update any citations outside of 20.04.060 that reference amended sections or tables within 20.04.060 as a result of this amendment.

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in vellow.*

Amendment Number:	Am 51
Name of Sponsor(s):	Chris Sturbaum
Date Submitted:	11/3/19

UDO Chapter, Section, and Page

Chapter/Section	Page #
20.04.080 Landscaping, Buffering, and Fences (n) Fences and Walls	158

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
5	2013 Vision Statement: " Meet basic needs and ensure self- sufficiency or all residents."	63

Synopsis and Legislative Intent (brief description of amendment

In two recent cases, a fence that was requested along an arterial street was turned down and the rules would have placed the fence ten feet in from the property line. This put the fence in the yard in such a way as to make it impractical or give up a large area of the usable yard. In a second recent case, a fence was to be up against the sidewalk, as is common in the core neighborhoods. The owner wanted six feet to keep his large dog safely inside the yard. These rules prevented both desired outcomes without a clear public good resulting from the decision. This amendment allows fences along the frontage of the secondary front building wall in R3 districts to be built to the property line, except where there is an easement which prohibits the fence and no permission has been granted by the easement holder and except where located in the vision clearance triangle. In addition, the maximum height of these fences is eight feet.

Council Action – [December 03, 2019]:

Motion to adopt Am 51: 4 (Volan, Sturbaum, Ruff, Sandberg)-4 (Piedmont-Smith, Granger, Rollo, Sims) (Chopra absent) FAILED

Amendment

20.04.080 Landscape, Buffering, and Fences

(n) Fences and Walls

(2) Fence and Wall Location

- (A) Fences and walls shall be permitted up to the property line.
- (B) No fence or wall shall be located within a public or private easement unless written permission from the easement holder has been granted.

(3) Fence and Wall Height

(A) Interior Lots

- i. Behind the front building wall of the primary structure, fences and walls shall not exceed a combined height of eight feet. *Note: this text does not reflect changes made with the adoption of Am 33 as Amended on November 20th. These changes allowed for fences as high as 12 feet (with "open construction" for portions over 5 feet in height) if intended for the purpose of protecting food gardens.*
- ii. Forward of the front building wall of the primary structure, fences and walls shall not exceed four feet in height.

(B) Corner Lots

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

- i. Fences and walls along the front setback of the front building wall shall comply with Section 20.01.010(a)(1)(A).
- ii. **Except as provided in (B) iv, F** fences and walls along the lot frontage of the secondary front building wall, shall not exceed four feet **in height** forward of the build to line or the building setback line, whichever applies.
- iii. Behind the build to line or front building setback line, on the secondary front building wall, fences and walls shall not exceed eight feet in height [added by Am 33: "unless for purposes of growing food, in which case the fence height may be up to twelve feet. The portion of the fence that exceeds five feet in height shall, by use of voids and solids via latticework or other similar techniques, be of open construction. This portion of the fence shall be constructed of materials widely accepted in the fence industry for garden protection."]
- iv. In the R3 district, fences and walls along the lot frontage of the secondary front building wall shall comply with 20.04.080(n)(2) (Fence and Wall Location) and and those fences and walls located forward of the build to or front building set back line, whichever applies, shall not exceed eight feet in height.
- vi The portion of fences up to and between the build to line/building setback line and the Fences and walls along the lot frontage of the secondary front building wall that exceed five feet in height, shall, by use of voids and solids via latticework or other similar techniques, be of open construction. This portion of the fence shall be constructed of materials widely accepted in the fence industry for permanent opentopped fencing.
- iv. Any determinations as to the secondary front building wall shall be decided by the City Planning and Transportation Department.

(C) Through Lots

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

- i. Fences and walls along the front setback of the front building wall shall comply with Section 20.01.010(a)(1)(A).
- ii. Fences and walls greater than four feet in height, along the lot frontage of the secondary front building wall, when adjacent to a neighborhood street or secondary collector street, shall meet the building setback.

- iii. Fences and walls greater than four feet in height, along the lot frontage of the secondary front building wall, when adjacent to a primary collector street or arterial street, shall be set back at least 10 feet from the property line.
- iv. The portion of fences up to and between the build to line/building setback line and the secondary front building wall that exceed five feet in height, shall, by use of voids and solids via latticework or other similar techniques, be of open construction. This portion of the fence shall be constructed of materials widely accepted in the fence industry for permanent open-topped fencing.
- v. Where no primary structure exists on the parcel, fences and walls shall not exceed four feet in height.

For Reference Only

(2) Fence and Wall Design

(A) **Prohibitions**

Except in the EM zone district, the following shall be prohibited from use as a component of a fence or wall:

- i. Barbed wire;
- ii. Security wire;
- iii. Sharpened top spikes;
- iv. Electrified wires; and
- v. Other similar elements or materials.

(B) Orientation

Fences and walls shall present the nonstructural face outward towards adjacent parcels and any adjacent public right-of-way.

(C) Vision Clearance

Fences and walls shall meet all vision clearance standards in Section **Error! Reference source not found.** (Error! Reference source not found.).

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 53
Name of Sponsor(s):	Chris Sturbaum
Date Submitted:	11/3/19

UDO Chapter, Section, and Page

Chapter/Section	Page #
20.04.120 Operation and Maintenance	205

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
Objectives	11) "Ensure that all land development activity makes a positive and lasting community contribution"	16

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

Presently there is no mention of noisy machinery, but protecting neighbors from noise is just as important as protecting neighbors from unsightliness, especially because noise is a health issue and not only an aesthetic issue.

Council Action – [December 03, 2019]:

Motion to withdraw Am 09: 8-0 (Chopra absent)

- over -

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

20.04.120 Operation and Maintenance

(e) Noise

All activities shall comply with Chapter 14.09 (Noise Controls) of the Bloomington Municipal Code regarding permissible levels of noise and shall be conducted so as to avoid the creation of any noise that would create a public nuisance interfering with the use and enjoyment of adjacent properties. Any amplified sound equipment shall be mounted so as to direct sound inward from property boundaries, rather than outward towards property boundaries. Amplified sounds at a level higher than 65 decibels (the level of normal conversation) shall not be allowed to cross lot lines unless an approval has been issued for that purpose in connection with a special event. **The operation of machinery such as HVAC equipment, ventilation and, generators, and engines that service buildings and other structures are subject to, and to the extent required by, Chapter 14.09, shall comply with its provisions.**

AMENDMENT FORM

<u>Ordinance 19-24</u>: To Repeal and Replace <u>Title 20</u> (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance" *Please complete all fields indicated in yellow.*

Amendment Number:	Am 55
Name of Sponsor(s):	Chris Sturbaum
Date Submitted:	11/3/19

UDO Chapter, Section, and Page

Chapter/Section	Page #
20.06.30 Summary Table of Review Procedures – Table 6-1	237
20.06.50(b)(3) Conditional Use Permit Review Process	262

Supported by Following Sections of the Comprehensive Plan

Chapter	Section	Page #
	(e.g., Overview, Goals & Policies, or Programs)	
Vision Statement	Fortify our strong commitment to equity, acceptance,	14
	openness and public engagement.	

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

"Conditional Use" could represent an important change to a neighborhood. This amendment requires a neighborhood meeting as part of the process. This will ensure greater transparency and a more predictable procedural outcome.

Council Action – [December 03, 2019]:

NOT INTRODUCED by Sponsor

- over -

20.06.30 Summary Table of Review Procedures

Table 6-1 lists the development petitions authorized by this UDO, whether public notice is required, whether presubmittal activities are required, and the role of City review and decision-making bodies.

Table 6-1: Summary Table of Review Procedures														
R = Review and Recommendation D = Decision A = Appeal * = Public Hearing Required														
			Public Notice			Pre-Submittal Activities			Review	and De	ecision-	Makin	ig Bodi	es
Procedure	UDO Section	Published	Mailed	Posted	Pre-Submittal Meeting	DRC Meeting	Neighborhood Meeting	Staff	Plan Commission	Plat Committee	Board of Zoning Appeals	Common Council	Hearing Officer	Historic Preservation Commission
Development Permits and Procedures														
Site Plan Review, Minor	20.06.050(a)				✓			D	А					
Site Plan Review, Major	20.06.050(a)	✓	\checkmark	✓	✓	✓	✓	R	D*					
Conditional Use Permit	20.06.050(b)	✓	✓	✓	✓		✓	R			А		D*	
Demolition Delay Permit	20.06.050(c)			✓	✓			R						D
Floodplain Development Permit	20.06.050(d)							D						
Grading Permit	20.06.050(d)							D						
Certificate of Zoning Compliance	20.06.050(f)							D						
Certificate of Occupancy	20.06.050(g)							D						
Certificate of Final Acceptance	20.06.050(h)							D						
Certificate of Nonconforming Use	20.06.050(i)							D						
Sign Permit	20.06.050(j)							D						
Temporary Use Permit	20.06.050(k)							D						
Easements	20.06.050(l)						Se	e 20.06.0	050(l) (Eas	ements)				
Subdivision Procedur	res													
Primary Plat	20.06.060(b)	✓	\checkmark	✓	✓	✓		R	D*/A	D*				
Secondary Plat	20.06.060(c)					✓		R	D/A	D				
Vacating Plat	20.06.060(d)	✓	✓	✓	✓	✓		R	D*/A	D*				
Plan/Ordinance Amen	dments													
Comprehensive Plan Amendment	20.06.070(a)	~	~	~				R	R*			D*		
Zoning Map Amendment	20.06.070(b)	~	~	~	~	✓	~	R	R*			D*		
Rezoning to Planned Unit Development (PUD)	20.06.070(c)	~	~	~	~	~	~	R	R*			D*		
Zoning Text Amendment	20.06.070(d)	~	~	~	~			R	R*			D*		

20.06.050 Development Permits and Procedures (b) Conditional Use Permit (3) Conditional Use Permit Review Process

- (A) **Pre-Submittal Activities**
 - i. A pre-submittal meeting shall be held in accordance with Section 20.06.040(b)(1) (Pre-Submittal Meeting).
 - ii. A pre-submittal neighborhood meeting shall be held in accordance with Section 20.06.040(b)(3) (Pre-Submittal Neighborhood Meeting).
 - iii. ii. Petitions subject to review and decision by the Hearing Officer shall not require a development review committee meeting or a pre-submittal neighborhood meeting.
 - iv. iii. For petitions subject to review and decision by the zoning board of appeals, a development review committee meeting and pre-submittal neighborhood meeting may be required by the Planning and Transportation Director, in accordance with Section 20.06.040(b)(2) (Development Review Committee (DRC) Meeting) and Section 20.06.040(b)(3) (Pre-Submittal Neighborhood Meeting).

BLOOMINGTON PLAN COMMISSION STAFF REPORT Location: 1550 N. Arlington Park Drive

CASE #: PUD-36-19 DATE: January 13, 2020

PETITIONER:	Trinitas Development 201 Main Street, Suite 1000, Lafayette IN
CONSULTANTS:	Bynum Fanyo Associates 528 N Walnut Street, Bloomington

REQUEST: The petitioner is requesting approval of a Preliminary Plan Amendment and District Ordinance and Rezone of Business Park (BP) and Residential Single Family (RS) to a Planned Unit Development.

BACKGROUND :	
Area:	40.75 acres
Current Zoning:	Business Park/Residential Single Family/Planned Unit
	Development
GPP Designation:	Neighborhood Residential
Existing Land Use:	Undeveloped
Proposed Land Use:	Dwelling, Multi-Family/Single Family Residential
Surrounding Uses:	North – Dwelling, Single-Family
	West – State Road 37 / Interstate 69
	East – Dwelling, Single-Family
	South – Office / Industrial Use

CHANGES SINCE FIRST HEARING: At the first hearing on December 9, the Plan Commission expressed support for the project, however there were several items of concern that were also expressed. The Plan Commission expressed concern regarding the view of the multi-family building from Interstate 69, the closeness of the building to the property line in that area, possible areas of pedestrian improvements along Arlington Road, overall traffic management for the project, and wanted to hear the petitioner's responses to the items highlighted in the Environmental Commission memo.

Since the first hearing, the petition has increased the proposed buffer from Interstate 69 from 25' to 50', submitted renderings of the multi-family building as viewed from Interstate 69, written a response to the areas of concern outlined in the Environmental Commission memo, and revised their district ordinance to refine and clarify some of the proposed standards.

There were several comments made by the Plan Commission regarding the desire to increase pedestrian facilities along the Arlington Road corridor. The petitioner has evaluated options along this corridor and concluded that due to a lack of right-of-way along this corridor, several properties that have topography challenges, a lack of other facilities to connect to in the area, and cost factors associated with installing a sidewalk under those conditions, it is not feasible to install sidewalks along Arlington Road. The lack of right-of-way to work within is a major hindrance to the installation of sidewalks along that area because the cost of acquiring right-of-way from all of the properties is very substantial.

Drive. The property is north of offices and industrial development and a multifamily development that maintain frontage on 17th Street and is bounded by single family lots to the north and east and State Road 37/Interstate 69 to the west. The western portion of the property is zoned Business Park, while the eastern portion is zoned Planned Unit Development (PUD) and Residential Single Family (RS).

The petitioner proposes to amend the existing District Ordinance and PUD Preliminary Plan in order to allow for the BP and RS portions of the site to be added to the PUD and to amend the list of uses for the PUD to allow for multi-family and single family residences. This site was previously petitioned for a similar rezoning petition in 2018 under PUD-13-18, however that petition was ultimately denied by the Common Council. The petitioner has made several overall changes to the petition and is coming forward with a new proposal.

The proposed petition currently features 387 units and 825 bedrooms with a mix of 45 single family lots, 162 townhouses, 113 units of multi-family student rentals, and 112 cottage (duplex) units. The petitioner proposes 125 on-street parking spaces, 82 spaces in the garage, and 251 surface parking spaces for a total of 458 parking spaces. The proposed parking ratio for the number of on-site parking spaces per bedroom is 0.40 spaces, if the on-street spaces are included then there are 0.56 parking spaces per bedrooms. The petition includes a possible bedroom count of 109 one-bedroom units, 163 two-bedroom units, 70 three-bedroom units, and 45 four-bedroom units. Approximately 13.89 acres of preservation will also be set aside in a conservation easement. Access to the site will come from two connections to 17th Street to the south and a connection to Arlington Drive to the east.

The current petition involves 4 areas of development and land uses-

<u>Area A</u>- This area will be developed with single family residences consisting of 45 lots on 7.61 acres. The lots are approximately 40'x120' and are being proposed to be given to the City for affordable housing. The area must be graded with all roads and infrastructure installed before acceptance by the City. The lots have been designed in a grid-like pattern and a majority of them will utilize alley access along the rear of the lots. A 50' wide buffer and conservation area has been shown along the east sides of Area C between this PUD and the adjacent residential houses. All lots will front on a public street. This area will be governed by the standards of the new R4 district and will allow for R4 uses which include attached single family and plexes in order to give the most flexibility toward possible development. The Department recommends that this area be included in Phase 1 to insure that it is built and has included a condition of approval to the effect.

<u>Area B</u>- This area will be developed with 162 townhomes on 7.11 acres. The proposed density utilizing DUEs will be 13 units per acre. This area is proposed to feature 70 one-bedroom units, 70 two-bedroom units, 16 three-bedroom units, and 6 four-bedroom units. There will be 96 private parking spaces for the 255 bedrooms in this area, which equals 0.37 parking spaces per bedroom. There is an intermittent stream with associated riparian buffer that runs through part of this property as well as several wetlands that are being set-aside in conservation easements. There are 3 road crossings through the riparian buffer areas, however these are allowed. There will not be any disturbance in the required wetland conservation areas. These units are being set-up with individual utility connections so that they can be sold separately in the future. These buildings will be two to three-stories in height.

Area C- This area will be developed with 113 units on 13.54 acres. The proposed density

utilizing DUEs will be approximately 8 units per acre. This area will be developed with one building, approximately 65' tall, and will be used for student housing. This area is immediately adjacent to the State Road 37/Interstate 69 highway. There are proposed to be 12 one-bedroom units, 57 two-bedroom units, 41 three-bedroom units, and 3 four-bedroom units. There will be 98 parking spaces within the building for the 261 bedrooms, which equals 0.37 parking spaces per bedroom.

<u>Area D</u>- This area will be developed with 112 duplex units on 11.13 acres. The proposed density utilizing DUEs will be 9.75 units per acre. There are proposed to be 26 one-bedroom units, 38 two-bedroom units, 12 three-bedroom units, and 36 four-bedroom units. These units will all front on a public street with on-street parking spaces along the front. The main parking areas have been designed to be located in the rear of the structures. There will be 168 on-site parking spaces for the 309 bedrooms which equals 0.54 parking spaces per bedroom, there will also be 102 on-street parking spaces in this phase. These buildings will be one and two-stories in height. A portion of this area has an intermittent stream and wetland that have been shown to be placed in a conservation easement. This area also has an electric line that runs along the east side of the area with a 100' wide easement.

COMPREHENSIVE PLAN: This property is designated as *Neighborhood Residential*. The Comprehensive Plan notes the following about the intent of the *Neighborhood Residential* area and its redevelopment:

- The Neighborhood Residential district is primarily composed of residential land uses with densities ranging from 2 units per acer to 15 units per acre.
 - All of the proposed uses within this development are residential.
 - The proposed density within this development is within the range outlined in the Comprehensive Plan.
- Single family residential development is the dominant land use activity
 - This petition features a range of housing types, including single family lots to be used as attached or detached single family units.
- Natural or landscaped front, side, and rear yards
 - The current design provides for roughly 3-4 feet between each unit and the sidewalk in front of the unit. The configuration of the units does not allow for many usable front, side, or rear yards on the lots.
- Buildings are no more than three, but most often two stories or less.
 - The buildings within this development (except for the building in Area C) will be no more than three stories in height, and will mostly be two-stories.
- Sensitive habitats and unsuitable areas for development should be protected and restricted from high-intensity human activities
 - All environmentally sensitive areas will be set aside in the required conservation areas. This petition also includes setting aside 13.89 acres of land that will be in a conservation easement. This equals almost 35% of the entire property that will not be developed. The area being set aside is also the area that was not disturbed with previous grading on the site and is the highest quality in regards to tree species and soil. While there are 3 roads shown through riparian buffer areas, these are limited and are permitted disturbances within the UDO.
- Public streets, sidewalks, and other facilities provide good access to other uses within the district, to area parks and schools, and to adjacent districts
 - The petitioner proposes a series of public streets on the site to connect the site to

surrounding roadways. The main connection utilizes existing right-of-way to extend to 17th Street and connects east to Arlington Road. There will be an internal multi-purpose path that will run throughout this development and extend to 17th Street. The petitioner is setting aside a large amount of the overall property (that will serve as open space for the residents). While there is not a central park feature or specific amenity center, the open space area is proposed to serve that function and will be accessible to the residents as passive recreation space.

- The wide range of architectural styles is a characteristic that should be maintained for this district
 - The petitioner is proposing anti-monotony standards for this petition that require a diversity in rooflines, overall building footprint, building color, exterior materials, and setbacks. The Department feels that specific finishing materials should be outlined as well as a minimum to insure high quality buildings.
- Public streets, sidewalks, and other facilities provide access and mobility which in some cases meets the "20-minute neighborhood" metric: Some destinations are accessible within a 20-minute walk
 - Again, pedestrian connections are provided, but there are not many existing facilities in the immediate area and no public facilities, such as parks or small commercial nodes, are provided in the project.
 - Using 'Complete Street' guidance to achieve a well-connected, active transportation network is a priority and has been included in their petitioner statement.
- Buildings face the primary street with a range of small to large front yards in relation to the building setback from the street
 - The front yard spaces for the duplex units are small and are 3-4 feet from the back of the sidewalk, while the townhome portion has a somewhat larger setback and more open spaces surrounding the units.
- Higher density developments (greater than four units per acre) provide on-site parking in the side or backyard areas
 - The parking area for the higher density student building will be provided in the interior of the building. The parking areas for the other portions of the site have been located in the rear of the structures as much as possible, but some of the parking lot locations are necessitated by the existing utility easement. In addition, on-street parking spaces are also provided to supplement the on-site spaces.
- On-site parking is not the dominant site design feature, and on-street parking is available on at least one side of the street
 - On-street parking is provided in most of the proposed rights-of-way and surface parking lots have been placed in the rear of the units to the extent possible.
- Sidewalks and front yard landscaping further establish a more traditional residential context
 - Sidewalks are included, but front yards are minimal along the duplex units. The areas around the townhomes on Area B feature larger front yards. The reduced front yards for some of the multi-family components are mitigated by the large amount of overall area that is being set aside. The single family lots will be developed with a 15' front yard setback to provide the front yard and open space envisioned in the Comprehensive Plan.
- New and redevelopment activity for this district is mostly limited to remodeling existing or constructing new single-family residences
 - This is a unique location that offers a large scale development opportunity, but has several unique constraints including being immediately adjacent to Interstate 69, as

well as environmental constraints and a large electric line easement that spans the site. The petition involves a range of housing types, including single family lots.

- Optimize street, bicycle, and pedestrian connectivity to adjacent neighborhoods and other 20-minute walking destinations.
 - This petition features an interior multi-use path that will run throughout the site and connect to 17th Street to the south and Arlington Road to the east. Recently installed sidewalks along 17th Street also help promote pedestrian connectivity through this area this development connects to that infrastructure.
- Create neighborhood focal points, gateways, and centers. These could include such elements as a pocket park, formal square with landscaping, or a neighborhood-serving land use. These should convey a welcoming and open-to-the-general-public environment
 - A clubhouse is provided for use of the apartment residents, as in a typical large apartment complex. No specific public amenities, as listed above, are provided. However, as mentioned the proposed 13.89 acres that are being set aside in a contiguous area do provide a large area for passive recreation and internal pathways and multi-use path.
- Ensure that appropriate linkages to neighborhood destinations are provided
 - Vehicular and pedestrian linkages are included, but again, there are not many neighborhood destinations in this area, and the opportunity to create one with this development has been missed.
- Large development should develop a traditional street grid with short blocks to reduce the need for circuitous trips
 - The single family component to this features the traditional street grid with alleys in the rear. The location of existing environmental features within Area B for the townhome development makes it difficult to incorporate a traditional grid in that area. The duplex units within Area D utilize a more traditional design with on-street parking spaces in front of the units and linear streets. Parking for Area D is provided within a portion of the electric line easement that could not otherwise be utilized and makes traditional design difficult as well.
- Support incentive programs that increase owner occupancy and affordability (including approaches promoting both permanent affordability and home ownership for all income levels).
 - The petitioner is proposing to give to the City the 45 lots within this development that are outlined for single family residences. This area would be graded and all supporting infrastructure including roads, utilities, sidewalks, and street trees installed before acceptance. These lots could then be used to assist in meeting the affordable housing needs of our community.

The development of this large Neighborhood Residential property lacking public frontage should incorporate a street grid with traditionally-designed residential properties and neighborhood and public amenities, as called for in the Comprehensive Plan. Traditional neighborhood development, as it relates to lot design, is the predominant development pattern envisioned within the Neighborhood Residential area and should be accomplished to the maximum extent possible. While 100% compliance with the Comprehensive Plan guidance is not always feasible. Area A is designed to meet those Comprehensive Plan goals, while Areas B through D are more environmentally restricted and complicate a traditional design, but are designed to meet these requirements as much as possible.

PRELMINARY PLAN/DISTRICT ORDINANCE:

Residential Density: The proposed residential density for the site ranges from 4 units/acre to 13 units/acre. This density is within the suggested *Neighborhood Residential* density limits of 2 to 15 units per acre. However, a continuing area of concern is the density and design proposed for this site relative to surrounding single family uses. The single family residences within the PUD have been placed adjacent to the surrounding single family residences to help mitigate compatibility concerns.

Development Standards: Occupancy within the multi-family buildings has been specifically limited in the district ordinance. For 1 and 2 bedroom units, the occupancy is limited to 3 unrelated adults per unit and in the 3 and 4 bedroom units, occupancy is limited to 5 unrelated adults per unit. Each area of development has referenced the specific zoning district standard with some modifications. All zoning district development standards referenced will be those of the recently approved Unified Development Ordinance. A minimum number of design options for the proposed duplex units within Area D must be submitted with the final plan approval.

Parking and Surrounding Roads: A total of 333 on-site parking spaces are proposed in a series of parking lots, garage spaces, and drive aisles on the property plus 125 on-street parking spaces. The number of on-site parking spaces equals 0.40 parking spaces per bedroom (0.56 spaces per bedroom factoring in the on-street spaces).

Access: There are two proposed vehicular and pedestrian accesses roughly 335 feet apart on 17th Street. The western access connects to 17th Street through an existing platted right-of-way, while the eastern access utilizes an access easement through the property to the south. There is an additional vehicular and pedestrian access proposed through an existing parcel to Arlington Road to the east of the site. The petitioner has submitted a traffic study that the Department has reviewed. The petitioner's submitted information indicates that a turning lane into the property is warranted along 17th Street, however the Department is still evaluating this aspect. The City is in the process of widening 17th Street and the inclusion of an additional turning lane could have detrimental impacts to the corridor. This will be evaluated more in-depth with the final plan approval and no approval for the design of 17th Street is given with this approval.

Sidewalks are planned on the internal public rights-of-way and a multi-use path is included to connect the project to 17th Street.

Bicycle Parking: The development has 825 proposed bedrooms. The petitioner has committed to providing one bicycle parking space for every 4 bedrooms. This equals a total of 207 bicycle parking spaces provided. Of those, half must be covered (104 spaces) and one-quarter (52 spaces) must be long-term spaces.

Architecture/Materials: The petitioner updated the allowable building materials for the different areas to state that fiber cement siding is the permitted exterior finishing material, however the Department would like for this list to be expanded to also allow brick, limestone, and other masonry products. The district ordinance outlines that the structures within this development shall be of a contemporary design. They have proposed anti-monotony standards that are outlined in their district ordinance. The Department would suggest adding an additional standard that all buildings in Area B and D are required to have pitched roofs. In addition, the Department suggests adding brick, limestone, masonry, and other similar materials to the list of permitted finishing

materials in addition to the fiber cement board that is listed. Specific design elevations will be approved with the final development plan petition, but it is essential to outline the standards in the district ordinance.

Streetscape: The project has little frontage along the adjacent public streets, but is proposing that all internal streets be public. The internal proposed roads contain parallel, on-street parking and sidewalks. While some of the internal streets show a sidewalk on both sides, some street cross sections do not show a tree plot. This must be corrected prior to the final plan approval. All public streets must have a minimum 5' wide concrete sidewalk and minimum 5' wide tree plot with street trees not more than 40' from center, this has been included as a condition of approval. The petitioner will be following the Transportation Plan and Complete Streets design guidelines for the new internal public roads. It should also be noted that the proposed intersection of the entrance on Arlington Road is less than the required 120' separation requirement from 20th Street to the north, however no adverse impacts are anticipated with this reduction to 100'. The internal road adjacent to the single family residences is also less than 15 degrees of perpendicular at the intersection, however given the expected low volume along this road no adverse impact is expected.

Alternative Transportation: A Bloomington Transit bus line runs along 17th Street, but has no direct access to the site. The transit facility is approximately 400 feet from the western portion of the petition site and 1000 feet from the eastern portion of the petition site. Someone walking from the northeast portion of the petition site would need to walk about half a mile to get to the bus stop. The petitioner has met with Bloomington Transit to discuss a Bloomington Transit operated shuttle for this development in lieu of a private shuttle. The petitioner would be entering into an agreement with Bloomington Transit to provide a bus transit service open to the public, rather than operating their own shuttle. The details of that agreement are outlined in their petitioner statement.

Environmental Considerations: There appear to be multiple environmental constraints on the site, including streams and steep slopes, and potential sinkholes and wetlands. The petitioner met on-site with the Senior Environmental Planner and members of the Environmental Commission to identify areas of sensitivity on-site that need to be preserved. The design was created in order to protect the sensitive areas on the northern portion of the site. All portions of the site that have intermittent streams present or wetlands will be set aside in conservation easements. While there will be 3 stream crossings in Area B, those are allowed by the UDO. No deviations from any of the UDO environmental preservation standards are proposed or are approved with this petition. The petitioner has increased the proposed buffer along the west side of the project area along Interstate 69 from 25' to a 50' buffer, there are two small areas adjacent to the basketball court and a portion of the multi-family building that show a 25' buffer. In addition, a 50' wide buffer and conservation easement has been shown along the east side of the single family lots.

Housing Diversity: The petitioner is proposing to dedicate to the City the 45 single family lots within this development. The petitioner would bear the cost of installing all infrastructure (streets, utilities, sidewalk, street trees) and grading of the lots prior to dedication to the City. This would need to be required with the first phase of this development and has been included as a condition of approval.

Sustainability Features: With this petition there would be electric vehicle charging stations installed within Areas B, C, and D for at least 2% of the on-site parking spaces (or 8 spaces) that are plug-in ready. These spaces are also being proposed to be covered with solar arrays to be used

for the electric charging stations. The petition will also provide on-site recycling for all tenants. The petitioner has outlined several other sustainability features in their district ordinance.

ENVIRONMENTAL COMMISSION RECOMMENDATIONS: The Bloomington Environmental Commission (EC) made 7 recommendations concerning this development, which are listed below:

1.) The Petitioner shall remove the clauses in the District Ordinance that allow all surfaces constructed of masonry pavers to be considered pervious surface.

STAFF RESPONSE: The Department does not have a strong opinion on this aspect and will defer to the Plan Commission on this recommendation.

2.) The Petitioner shall change the title "Natural Preserved Areas" on the Plans to "Conservancy Easement" so it is understood by everyone what can and cannot be done inside CEs based on UDO regulations.

STAFF RESPONSE: The Department agrees with this request.

3.) The Petitioner shall install a permanent fence and required signage along the boundary of the CE that is adjacent to I-69 before any grading begins to protect the CE both during construction and after.

STAFF RESPONSE: The Department agrees with this request.

4.) The Petitioner shall submit to the Planning and Transportation Department a Maintenance Plan that requires invasive plant species removal, the frequency, and method of removal.

STAFF RESPONSE: The Department agrees with this request and the plan shall be submitted with the final plan approval.

5.) The Petitioner shall not include the Duke Energy Utility Easement acreage as Conservation Easement in the acreage calculations, given it cannot be maintained as a Conservation Easement.

STAFF RESPONSE: The Department agrees with this request.

6.) The District Ordinance shall specifically allow clothes lines to be installed in Area A.

STAFF RESPONSE: The Department agrees with this request.

7.) The Petitioner shall describe the work plan for construction along the I-69 buffer that will protect the buffer from encroachment.

STAFF RESPONSE: The Department agrees with this request and this will be reviewed with the final plan approval.

CONCLUSION: The petitioner has designed this petition to accomplish the goals outlined in the Comprehensive Plan for the Neighborhood Residential designation. The site is unique in that it lacks any significant public street frontage and is bordered by a single family residential

neighborhood to the east and north, multi-family residences and offices to the south, several environmental constraints, and an Interstate to the west. This petition has attempted to be sensitive to the neighboring existing uses, while addressing diverse housing concerns, and providing public benefit. The Department and the Comprehensive Plan both contend that the design should include gridded streets with traditionally-designed detached units for the majority of the site, which this petition attempts to accomplish.

The petitioner has made strides to improve the petition from the previous 2018 petition by incorporating public roads that create areas of some gridding in Area A and increasing environmental protections throughout. One public benefit provided by this project is much needed single family housing lots available for affordable or workforce housing development. Traditional neighborhood development, as it relates to lot design, is the predominant development pattern of the surrounding Neighborhood Residential to the east and is expected in this area. A continuing shortfall with this petition is a lack of a mixed-use aspect and no public amenities beyond vehicular and pedestrian connections through the site.

RECOMMENDATION: The Planning and Transportation Department recommends that the Plan Commission forward this petition to the Common Council with a favorable recommendation and the following conditions:

- 1. The District Ordinance shall be amended to allow for brick, limestone, and other masonry products as allowable exterior finish material.
- 2. The single family lots must be fully graded, with all infrastructure (utilities, sidewalks, street trees) installed prior to acceptance by the City. Area A must be developed during the first phase of development.
- 3. All internal public roads shall have a minimum 5' wide tree plot and minimum 5' wide concrete sidewalk.
- 4. The Petitioner shall change the title "Natural Preserved Areas" on the Plans to "Conservancy Easement" so it is understood by everyone what can and cannot be done inside CEs based on UDO regulations.
- 5. The Petitioner shall install a permanent fence and required signage along the boundary of the CE that is adjacent to I-69 before any grading begins to protect the CE both during construction and after.
- 6. With the final plan approval, the Petitioner shall submit to the Planning and Transportation Department a Maintenance Plan that requires invasive plant species removal, the frequency, and method of removal.
- 7.

MEMORANDUM



TO:Eric Greulich, Senior Zoning PlannerFROM:Craig Shonkwiler, Transportation and Traffic EngineerDATE:January 9, 2020RE:Traffic Impact Study, December 2019Proposed Housing Development17th Street and Arlington Road

The following comments are provided from a review of the above referenced study:

Page 33, Figure 1 - Site Plan(Page 4)

Item of concern: East Access Entrance intersection with first interior north-south street.

Comment: Per City Code Section 20.07.160 - SR-01 (c) (8), all intersections of two streets shall be within fifteen degrees of perpendicular as measured at the street centerlines. The intersection of concern appears to not be within fifteen degrees of perpendicular.

Page 33, Site Plan, second paragraph

Item of concern: The East Access Roadway is located approximately 100 feet south of the 20th Street/Arlington Road intersection.

Comment: Per City Code Section 20.07.160 - SR-01 (c) (8), neighborhood street intersections with center line offsets of less than one hundred twenty-five feet shall not be permitted.

Page 34, Expected Trips

Item of concern: Exclusive use of ITE data.

Comment: Reference is made elsewhere in the submittal to a transit line being established for use by future residents of the development. A reduction in site generated vehicle trips is allowed to account for transit use in lieu of vehicle use to and from the proposed site.

Page 38 & 39, Auxiliary Lanes Recommendations

Items of concern: EB Left-turn Lane at the West Entrance Roadway, EB Left-turn Lane at Arlington Park Drive, NB Left-turn Lane at East Access Roadway.

Comment: Recognition is given to left-turn lanes being warranted at the three access points to the development. However, city staff recommends that further analysis be performed to determine if left-turn lanes need to be installed to provide safe ingress into the proposed site or if other alternative safe solutions could be pursued.

Possible alternative solutions to left turn lanes on 17th Street are the combining of two access points to a single access point at the N Crescent Road/17th St intersection or limiting access to the west entrance to right-in/right-out and installing the left turn lane only at Arlington Park Drive.

The concern with back to back turn lanes on 17th Street is the significant reconstruction of 17th Street that would need to occur to install the turn lanes and the widening of 17th Street. 17th Street is being reconstructed at this location and a raised crosswalk will be installed between Lismore Drive and Arlington Park Drive to help pedestrians safely cross the street. Installation of left turn lanes will negate the benefit of the raised crosswalk and require the relocation of a major power line and reconstruction of a new retaining wall on the north side of 17th Street.

The concerns with impacts caused by the left turn lanes to the built environment of 17th Street should not be construed to mean the left turn lanes should not be installed but rather that further analysis should be performed to determine the best way to allow the proposed site traffic to enter and exit the proposed development.

Page 39 & 40, Level of Service – Roadway Intersections for Study Horizon Year 2021 17th Street/West Entrance Driveway (Southbound Left) 17th Street/Arlington Park Drive (Southbound Left) Arlington Road/East Entrance Driveway (Eastbound Left)

Item of concern: Approach delay on access points to 17th Street and Arlington Road.

Comment: The calculated delays for the approaches at the three access points is fairly high at about forty-five to fifty seconds of delay. This high level of delay is noted but not required to be mitigated by infrastructure improvements. High levels of delay could result in side street drivers taking risks to find acceptable gaps to enter 17th Street and Arlington Road traffic streams.



MEMORANDUM

Date:January 13, 2020To:Bloomington Plan CommissionFrom:Bloomington Environmental CommissionSubject:PUD-13-18: Chandler's Glen, second hearing
Trinitas Development, west side
1550 N. Arlington Park Drive

The purpose of this memo is to convey the environmental concerns and recommendations of the Environmental Commission (EC) with the hope that action will be taken to protect and enhance the environment-enriching attributes of this property. The EC reviewed the petition and inspected the property and offers the following comments and requests for your consideration, and recommendations that it believes should be incorporated.

The EC appreciates the Petitioner addressing all of the questions and recommendations from its December memo. There were many. The EC also applauds the petitioner for the changes made throughout the planning of this project for the benefit the local ecosystem, no matter how small. However, there are a few issues remaining. Below, you will find comments or notes in red print on the issues from the December memo, based on the responses provided by Trinitas.

EC CONCERNS OF ENVIRONMENTAL SIGNIFICANCE:

1.) IMPERVIOUS SURFACE COVERAGE

The District Ordinance (DO) states that the site is 39.29 acres in total with 13.89 acres as green space and 25.4 acres as impervious surface. That equates to 64.6% of the total site covered with impervious surface.

The previous November DO (not the revised one dated December 30, 2019) stated the above numbers. Two things have happened since then. #1. The Petitioner added 0.73 acres of protected land along I 69 and behind the single family housing (13.89 A [64.6%] vs. 14.62 A [62.79%] = 0.73 acres more). #2. The EC comments from above did not include all the pervious surface within the development; only the conservation easement area, which was not clear at the time.

Now the stated total, adding both the conservation easement and the regular pervious surface within the development, equals 68% pervious and 32% impervious. However, the Petitioner did not, as suggested

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by the EC, remove the Utility Easement acreage from the Conservation Easement acreage calculations.

Second point in this section. The new DO specifically states that pavers may count toward pervious surface coverage in Areas A, B, C, & D.) The EC is opposed to this, and so are others because treating pavers as pervious was removed from the updated Unified Development Ordinance (UDO). Even though counting pavers as pervious may be allowed now, it won't be in a couple of months when the UDO update is adopted, and should not be allowed in this DO.

The four Site Areas are using design standards from four different zoning districts, except where the DO says otherwise. Area A will use design standards from the Residential Urban (R4) district, Area B from Residential Multifamily (RM), Area C from Residential High-Density (RH), and Area D from Residential Multifamily (RM). According to the DO, Areas A and C will have less impervious surface coverage than the maximum allowed under UDO regulations, and Areas B and D will be over their UDO-allowed maximum amount.

An RC district is allowed 45% impervious surface and Area A is planned for 27%. An RH district is allowed 50% impervious surface and Area C is planned for 27%. An RM district is allowed 40% impervious and Area B is planned for 46%. An RM district is allowed 40% and Area D is planned for 61%.

Some Site Areas are over their impervious surface coverage maximum and some are under. However according to the DO the entire site comes out to be 65% impervious surface coverage, and the EC believes that is too much.

The literature is filled with scientific evidence that proves that except for extreme reduction of carbonequivalent emissions, planting more trees is the action we can take to best fight the Earth's imminent climate emergency. Reducing the amount of pervious surface coverage in PUDs is, in the EC's view, a very bad idea because it reduces the area available for trees, and we have argued against such a reduction for years. Now that the scientific data that prove the benefits of wooded areas are mainstream, the EC believes the Plan Commission would be negligent to allow reducing pervious surface coverage beyond what our regulations would allow if this development was not a PUD, which is a minimum anyway.

The EC believes that any PUD should not reduce the environmental protection requirements to less than the Unified Development Ordinance (UDO) standards. These standards went through a public process and were vetted by the citizenry and voted on by our lawmakers. Therefore, the EC recommends that the Petitioner preserve at least the minimum UDO-required pervious surface acreage as is required in the UDO for a non-PUD.

2.) THE BLOOMINGTON HABITAT CONNECTIVITY PLAN, NOVEMBER 2017

The EC's Bloomington Habitat Connectivity Plan (BHCP) is meant to guide protection and development of plant and animal habitats in a connected pseudo-circle around downtown Bloomington. This circle will connect three main areas of existing high quality habitat; Griffy Lake, Clear Creek, and Jackson Creek. Even after the Petitioner reduced the size of the development from the original plan, this revised rendition of the proposal still does not follow the BHCP completely. The EC recommends that the Petitioner preserve and enhance all the contiguous areas of high quality wooded areas and the riparian buffers, at least as much as UDO standards require.

The Petitioner did expand the width of the buffer along I 69 from 30 ft. to 50 ft. in the places where



construction is not proposed. They also created a 50 ft. buffer behind the houses in section A. Therefore, there is slightly more connected habitat providing something closer to the Bloomington Habitat Connectivity Plan than before.

3.) TREE AND FOREST HABITAT PRESERVATION

The EC inspected the site and found that it is primarily wooded with most of the area being dominated by mixed-age native hardwoods. There is relatively young, successional growth along the interior road and near stream channels that includes walnut, ash, boxelder, cottonwood, sycamore, cedar, sumac, and redbud trees. The vegetation under the power lines has recently been cut.

A large area along the north end and along the west side supports a higher-quality forest with older trees, less early-succession growth, and a diverse native understory. Some of the tree species found include cottonwood, sycamore, tuliptree, shagbark hickory, red oak, white oak, and black cherry. The forest floor within this area is blanketed with a native understory that lacks the abundant invasive species found in the younger successional growth where the site has been previously cleared. This understory includes mayapple, rue anemone, trout lily (both yellow and white), spring beauty, toad shade trillium, Solomon's seal, toothwort, bloodroot, wild geranium, wild strawberry, plantain, and more. These wooded areas are high quality in the context of what is left within the City's boundaries, and should be preserved.

The proposed impervious surface coverage will result in substantial loss of forest wildlife habitat and forest ecosystem services within the City. Consequently, to best serve the City's environmental integrity, more space should be set aside as conservation easement. 0.73 acres more was added.

4.) HIGHWAY BUFFER WIDTH

The EC believes that the proposed 30 feet of buffer between the highway and the development is not wide enough for habitat connectivity, noise and air pollution protection, and visual impacts, and should be at least 50 feet wide.

The Petitioner showed this partially done on the Plan. It will now be 50 ft. in some places, but they plan to keep 300 ft. of the buffer at only 30 ft. wide to accommodate the 4-story building and the basketball court in Area C.

This 50/30 foot Conservation Easement needs to have a permanent fence and required signage installed before grading begins. A parking lot in Area D; the Area C, 4-story apt/amenity building; an Area D, 3-story duplex; duplex patios; and the basketball court are shown literally touching the CE on Plan. It is not possible to actually build these without encroaching into the CE, considering footers, equipment, and other construction-related activities. The DO needs to state that the CE will be protected both during construction and afterwards. Please describe how the CE will be protected from construction activity in light of a Site Plan that doesn't allow for protection.

5.) INVASIVE SPECIES

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The invasive species, primarily bush honeysuckle, should be removed from the site, with follow up maintenance as needed. This is especially important to perform in the Conservation Easements. The Petitioner committed to this in the latest DO. They also committed to a maintenance plan that would "assure its removal", but they have not yet submitted that.

6.) LOW IMPACT DEVELOPMENT

This PUD should contain the requisite controls to protect environmental quality as these parcels develop by ensuring adequate BMPs that are at least as effective as those found in the UDO. Therefore, the EC recommends that the plan be crafted to include state-of-the-art Low Impact Development (LID) best practices.

There are now 3 bio retention sites in area B and one in Area D, plus a large detention basin in Area C. There will also be some parking lot areas with bio filtration strips at the edges to capture sheet flow for infiltration.

Low Impact Development is an integrated, holistic strategy for stormwater management, and thus is especially important at this site because of its size and topography. The premise of LID is to manage rainfall at the source using decentralized small-scale controls that will infiltrate, filter, store, evaporate, and detain runoff close to the sources.

Examples of the types of LID practices that could be used are listed below.

- 1. Floodwater storage that can manage runoff timing
- 2. Multiple small biofiltration basins and trenches
- 3. Vegetated roofs
- 4. Pervious pavement
- 5. Well-planned native landscaping
- 6. Avoidance of curbs and gutters, to allow sheet flow

The District Ordinance currently allows only one post-construction detention basin. Current LID BMPs indicate that multiple smaller basins are more effective. Therefore, the EC believes that the District Ordinance should not allow only one post-construction detention basin, as written now, and because this is a proposed PUD, this change could be specified.

7.) GREEN BUILDING

The EC recommends that commitments be made in the District Ordinance for incorporating environmentally sustainable green building and site design features in the design for all the buildings, not just the amenity building.

Nothing that is considered "green building" has been added.

8.) NATIVE PLANTS

The District Ordinance states that native plants will be used in the landscape plan. Please commit to using all native species with the possible exception of the street trees. Native plants exemplify Indiana's natural heritage and benefit native birds and insects, particularly pollinators. For additional suggestions, please see the EC's Natural Landscaping materials at

www.bloomington.in.gov/beqi/greeninfrastructure/htm under 'Resources' in the left column. We also recommend an excellent guide to midwest sources of native plants at:

http://www.inpaws.org/landscaping.html. Native plants provide food and habitat for birds, butterflies and other beneficial insects, promoting biodiversity in the city. Furthermore, native plants do not



require chemical fertilizers or pesticides and are water efficient once established.

The Landscape Plan shows 284 Street Trees, of only four species. Three species are not native and the fourth is a species that the Urban Forester has previously discouraged as Street Trees because of its overabundance. The Petitioner should change the Street trees to offer more diversity of native trees. There is no other landscaping shown at this time.

The Petitioner committed to change the DO to include only native plants.

9.) ALLOW CLOTHESLINES

Clotheslines reduce energy consumption. The Covenants, Conditions, and Restrictions for all of the neighborhood, homeowner, or condominium associations should not restrict the use of clothes lines in yards. This should be clearly stated in the District Ordinance. Not yet. The Petitioner is still looking into it. No commitment.

10.) STATE AND FEDERAL PERMITS

If any disturbance to any waterways or wetlands is anticipated, the Petitioner should obtain the necessary state permits from the Indiana Department of Environmental Management or the federal Army Corps of Engineers before any city permits are granted. Agreed in DO

11.) ADDITIONAL QUESTIONS TO BE ADDRESSED BY PETITIOER

A. Will the Amenity Building be open for everyone in all four Site Areas? Not yet. The Petitioner is still looking into it.

B. What happens if Site Area C and D are constructed, and the Petitioner halts work? Now committing to include the infrastructure and plat of area A, with connection to Arlington Road in Phase one.

C. The District Ordinance states the strip of proposed preserved wooded area along the western edge is 50 ft. wide, while the plan shows it at 30 ft. wide. How wide is it planned to be? It will now be 50 ft. in some places, but they plan to keep 300 ft. only 30 ft. wide to accommodate the building and basketball court in Area C.

D. What impact will the 50 ft. Duke Energy power easement traversing the site have on the Conservation Easement? The easement swath needs to be removed from the total acreage calculation for the Conservation Easement.

The Petitioner response is that the Utility Easement will be landscaped according to Duke's rules, will hold a parking lot, and will be usable for non-structured recreational purposes. However, the majority of the Utility Easement is located within the Conservation Easement. Duke Energy's policy is to keep vegetation cut within their easements, and non-structured recreational activity will presumably require mowing. Therefore, the Utility Easement should not be counted into the Conservation Easement acreage because it will not be maintained as a Conservation Easement.

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www.bloomington.in.gov environment@bloomington.in.gov E. What is the status on the agreement with Bloomington Transit regarding a new bus route to serve this site?

Explained

F. Considering the District Ordinance states the Project will be designed and built with the pedestrian in mind and encouraging residents to rely less heavily on personal automobiles, is it possible to expand the bus service agreement to include weekends, rather than only Monday through Friday?

Trinitas committed to doing this in the DO, which states "Trinitas is planning to provide shuttle service for residents during the late evening, Monday through Friday (after 10 pm) and on weekends."

G. In the District Ordinance, page 6, under parking requirements, it is stated that the number of parking spaces (excluding the single-family area) is .56 spaces per bedroom. However on page 4, the number of parking spaces do not calculate as that. At 825 beds, the number of parking spaces would be 462, not 458. Please explain the discrepancy.The Petitioner simply said there would be 458 parking spaces.

H. The District Ordinance states there will be 8 vehicle charging stations, yet the plan shows 12. How many charging stations are proposed?The DO now states there will be 12.

I. The District Ordinance states there will be 3 stations to collect recyclables, yet the plan shows only two. Where is the third station proposed? Now shown

J. The plan shows one station for trash and recycling in areas C and D combined. Is this the only location for residents to take their materials until the site is handed over to the city? Explained and shown

K. Explain the energy savings expected to be realized by installing Energy Star appliances. Also please commit to installing Energy Star appliances throughout all rental units, not just the clubhouse.

The Petitioner states Energy Star-qualified appliances use about 10-50% less energy and water than standard models. No commitments for the other buildings have been made.

L. Please detail what products are planned to be used that are low volatile organic compounds (VOCs), and include how much lower the VOCs are expected to be compared to products that are not classified as low VOC.

Trinitas is still looking into this, so they have not yet provided an answer.

M. Please indicate how you plan to document to the city's satisfaction the purchase of regional building materials.

Explained in DO

N. Why is the Petitioner limiting the Duke Energy consulting program to the amenities building? Please include all buildings.

Explained in DO



City of Bloomington Bloomington Environmental Commission

EC RECOMMENDATIONS:

1.) The Petitioner shall remove the clauses in the District Ordinance that allow all surfaces constructed of masonry pavers to be considered pervious surface.

2.) The Petitioner shall change the title "Natural Preserved Areas" on the Plans to "Conservancy Easement" so it is understood by everyone what can and cannot be done inside CEs based on UDO regulations.

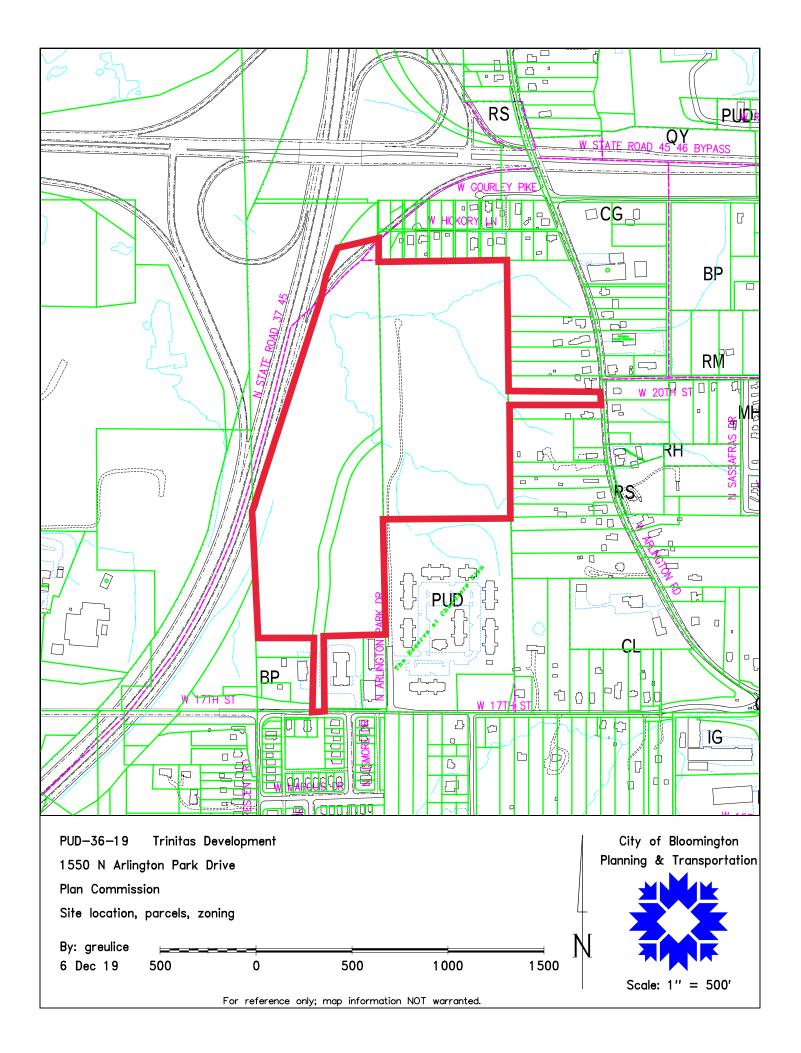
3.) The Petitioner shall install a permanent fence and required signage along the boundary of the CE that is adjacent to I 69 before any grading begins to protect the CE both during construction and after.

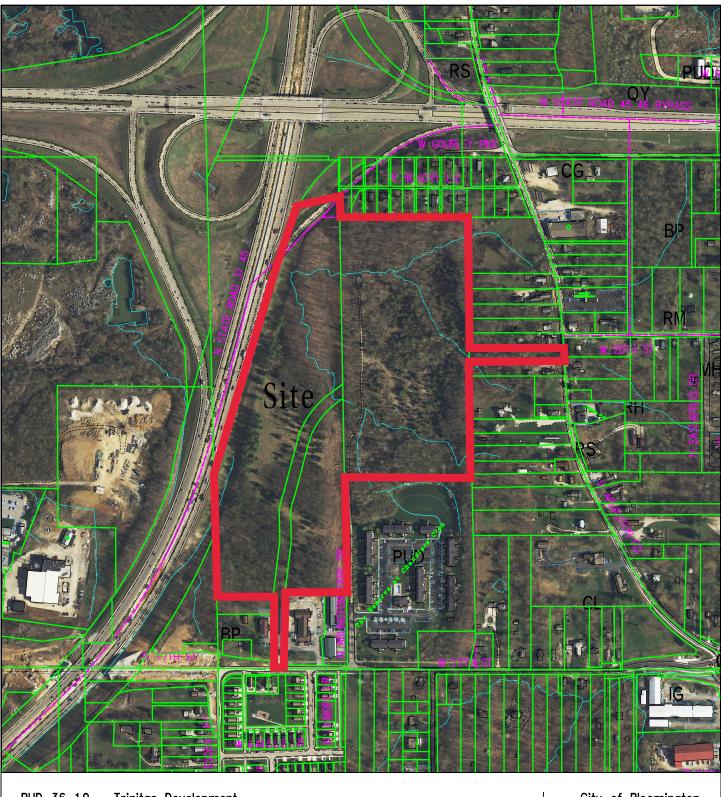
4.) The Petitioner shall submit to the Planning and Transportation Department a Maintenance Plan that requires invasive plant species removal, the frequency, and method of removal.

5.) The Petitioner shall not include the Duke Energy Utility Easement acreage as Conservation Easement in the acreage calculations, given it cannot be maintained as a Conservation Easement.

6.) The District Ordinance shall specifically allow clothes lines to be installed in Area A.

7.) The Petitioner shall describe the work plan for construction along the I 69 buffer that will protect the buffer from encroachment.





PUD-36-19	Trinitas	Development				City of Bloomington
1550 N. Arlin	ngton Park	Drive				Planning & Transportation
Plan Commiss	sion					
2016 Aerial I	Photograph	I			4	
By: greulice					N	
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						Scale: 1'' = 500'
		For reference or	ly; map informatior	n NOT warranted.		



December 30, 2019

Doris Sims Director, Housing and Neighborhood Development City of Bloomington 401 N Morton Street, Suite 130 Bloomington, IN 47404

Dear Ms. Sims:

On behalf of Trinitas Development LLC ("Trinitas"), I would like to take the opportunity to thank Housing and Neighborhood Development ("HAND") for their ongoing assistance in identifying potential workforce housing solutions in conjunction with Trinitas' proposed development located at W. 17th Street and Arlington Road.

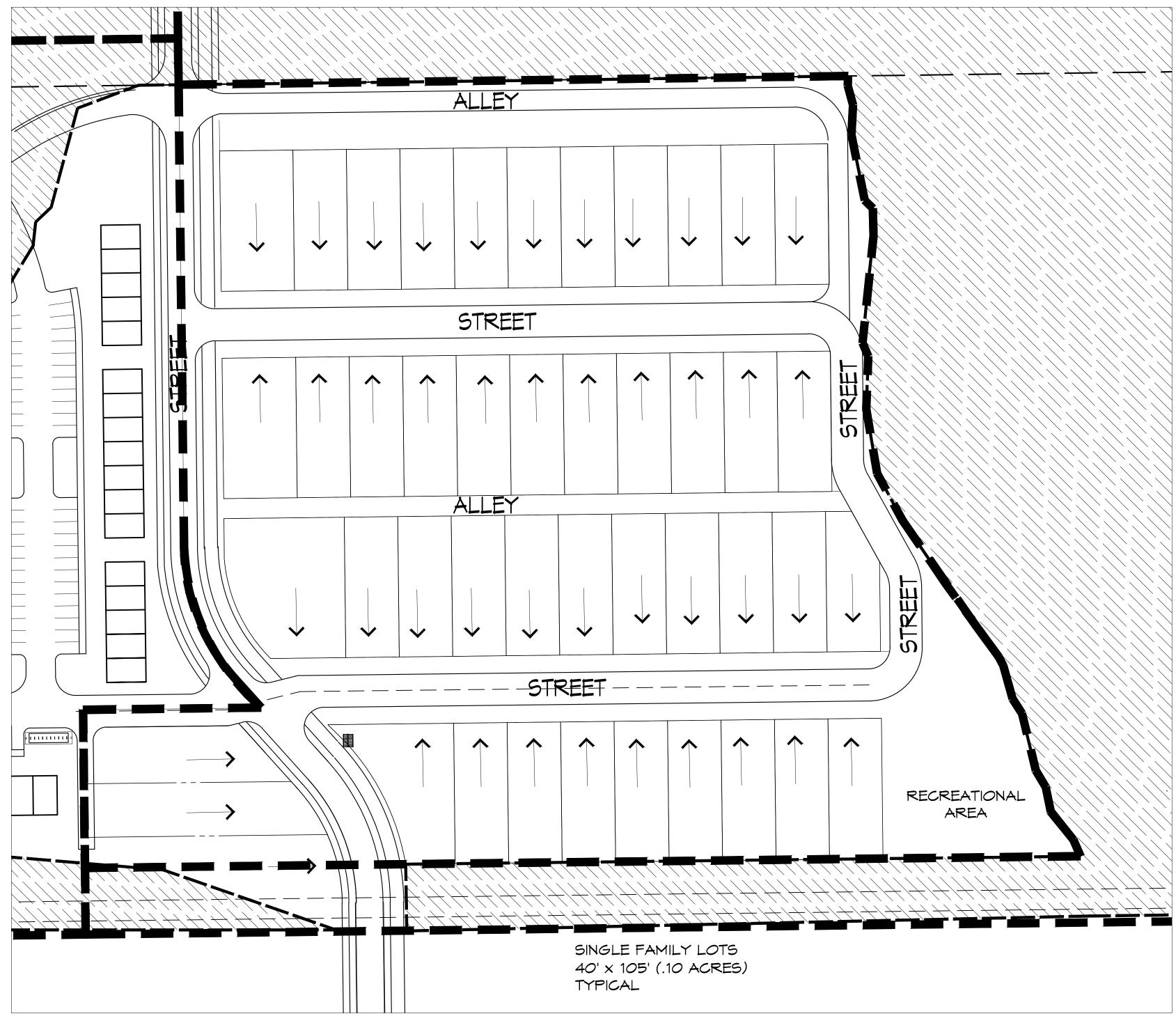
As part of our PUD, Trinitas is proposing to convey, or will cause to be conveyed, 45 build-ready single family lots on approximately 7.61 acres to the City of Bloomington for the development of workforce housing as shown in Area A on the attached exhibit. This area is proposed to be zoned R4 with allowed impermeable surface coverage of up to 40%. All sitework, roadways, and utilities associated with the development of these lots will be complete prior to conveyance. The lots are anticipated to be complete as part of Phase 1. Based on preliminary estimates, the overall value to the City of Bloomington of these lots is estimated at \$2,919,683.

We look forward to continuing to work with HAND on this development. If you need any additional information at this time, please contact me at <u>khansen@trinitas.ventures</u>.

Sincerely,

Kimberly L. Hansen

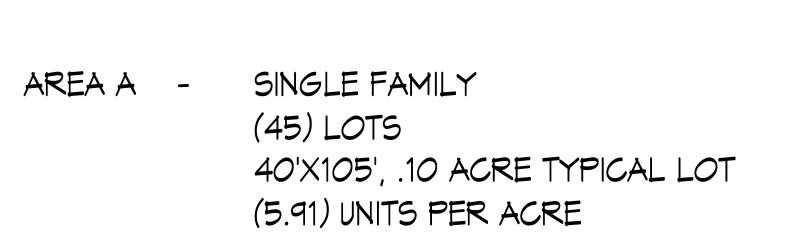
Kimberly L. Hansen Manager, Design & Development Trinitas Ventures

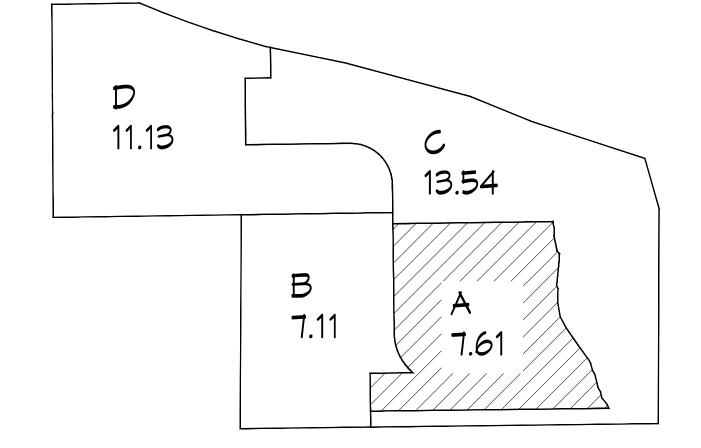


STUDIO M ARCHITECTURE AND PLANNING PROJECT NUMBER - 19014 DECEMBER 30, 2019

WEST 17TH STREET BLOOMINGTON, INDIANA

PROJECT BREAKDOWN	
COTTAGES -	106.75 UNITS (32.5%)
TOWNHOMES -	116.25 UNITS (35.4%)
HIGHER DENSITY -	105.5 UNITS (32.1%)
TOTAL APARTMENTS -	328.5 DUE UNITS (100%)







Corporate HQ 201 Main Street, Suite 1000 Lafayette, IN 47901

Indianapolis Office 6300 Cornell Avenue Indianapolis, IN 46220

December 30, 2019

Terri Porter Director, Planning & Transportation City of Bloomington 401 N. Morton Street Bloomington, IN 47404

RE: Trinitas Planned Unit Development Resubmittal, "W. 17th Street."

Dear Ms. Porter,

Trinitas Ventures is pleased to submit the enclosed, revised Planned Unit Development (PUD) application for the subject project. We appreciate the feedback provided by Planning Staff, Plan Commission members, and the Environmental Commission thus far. We have taken this feedback and implemented changes to our PUD application to address concerns and requests for additional information. Enclosed in this submittal, you will find the following:

- A revised PUD narrative 0
- Responses to Environmental Commission Review
- 0 Revised site plan drawings
- Access road design for 17th Street and Arlington Road
- Additional proposed Bloomington Transit route information •
- An updated Traffic Impact Study 0
- An additional rendering from I-69 0

We respectfully request to be placed on the January 13, 2020 agenda for the City of Bloomington Plan Commission for additional consideration of our rezone (PUD) petition.

Thank you and we look forward to continuing to work with Staff, the Administration, Plan Commission and City Council on this project.

Sincerely,

Kimberly Hansen

Kimberly Hansen

cc: Eric Greulich Jeff Fanyo

DISTRICT ORDINANCE W. 17th Street A Planned Unit Development Trinitas Development LLC December 30, 2019



*images in document are representative, not final

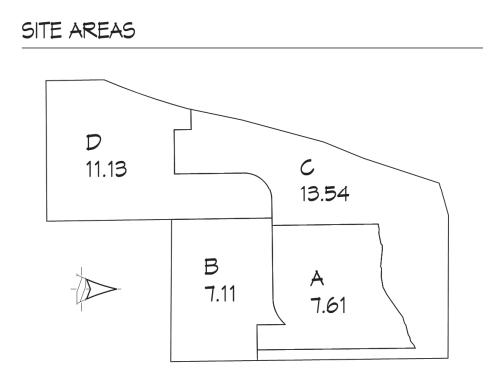
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W. 17th Street

Planned Unit Development

The W. 17th Street Project (the "Project") is a proposed development on the northwest side of Bloomington, just east of Interstate 69, north of 17th Street, west of Arlington Road and located within the Crescent Bend Neighborhood. This proposed residential development will include a mixture of residential units including apartments, townhomes, duplexes and single-family homes. The site consists of 39.29 acres of land with an overall proposed density of 9.85 units per acre. The plan includes approximately 14.62 acres of green space intended to protect existing environmental features. There is one planned entrance off Arlington Road and two points of access off 17th Street. Currently, the property is zoned PUD and Business Park. A portion of the property was a part of a now expired PUD that included an affordable housing development along 17th Street. This former PUD established one point of access off 17th Street. Another portion of the property is currently zoned Business Park and has been developed over several years with smaller commercial buildings along 17th Street. This provides a second point of access off 17th Street.



The proposed development incorporates new urbanist design principles and draws on the existing UDO and Comprehensive Plan to set standards for the development. The desire for complete streets, a variety of housing types, a modified gridded street pattern and meaningful open space have been major drivers for design of the Project. The site layout focuses on preserving existing environmental features such as trees and sloped areas and, most importantly, existing waterways. As environmental features were identified the design resulted in four (4) primary areas of development:

- A. <u>Area A (Single-Family Lots)</u> The lots outlined in the northeastern portion of the site are purposefully designed with owner-occupied single-family homes in mind. Trinitas is proposing to convey 45 finished (buildable) lots to the City so that the City may decide how best to deliver homes that address Bloomington's workforce housing needs. All infrastructure, including utilities, will be completed by Trinitas prior to conveyance of the lots to the City.
- B. <u>Area B (Townhomes)</u> Townhomes are designated in the southeast section of the property. These townhomes will be for rent units located immediately south of the single-family area.
- C. <u>Area C (4-story Multi-family and Amenity Building)</u> This area consists of one to two 4-story buildings that will feature for rent apartment units. This building(s) will also incorporate a Clubhouse featuring a business center, collaboration areas, fitness rooms, and provide other indoor and outdoor amenity space for residents. Another feature of this building(s) will be a small retail space thought to house coffee, tea and an assortment of snacks available to the public.
- D. <u>Area D (Cottages)</u> Cottages, also referred to as duplexes, will be located in the southwest portion of the site and will be for rent units.

Trinitas anticipates completing the Project over a 24-month period once construction begins. The preliminary schedule shows Area C, Area D, along with the infrastructure and platting of Area A, and the connection to Arlington Road being completed as the first phase of construction.

Overall, Trinitas believes the Project will substantially improve the aesthetic and economic value of the area and add to the compact urban form within the urban service boundary of the City of Bloomington. The recently adopted Growth Policy Plan calls for neighborhood residential—qualifying densities ranging from 2-15 units per acre. The proposed density for the W. 17th Street Project is 9.85 units per acre on average across all areas of the development.

Overall Site Features

Project Data: Gross Acreage – 39.29 Total Units (Areas B-D) - 387 Total Beds (Area B-D) – 825 1 Bedrooms – 109 2 Bedrooms – 326 3 Bedrooms – 210 4 Bedrooms - 180 Parking Spaces (Area B-D) – 458 Single-Family Lots (Area A) – 45

Land Use and Development Standards

The Project proposes four (4) areas of residential development as shown on the site plan in Exhibit A. Each of these areas has specific development standards identified from the Bloomington Unified Development Ordinance (UDO). When a standard is not specifically identified in this document, the referenced UDO District, is intended to govern.

Open Space and Environmental Conservation

The site plan incorporates 14.62 acres of undeveloped land. This land, accounting for 37% of the total site area, will remain as dedicated open space or within a Conservation Easement for the benefit of the City of Bloomington. The majority of this area is on the northern and northwestern portions of the site, however, there are undisturbed buffers that extend along the entire western boundary with "fingers" of undisturbed area in and through the central portion of the site.

A limited tree survey was completed focusing on a 50-foot wide strip within the proposed open space easement on the western property boundary. Based on results from this survey, a 30'-50' buffer to protect existing trees has been established along the majority of I-69 frontage.

Please note the existence of a 100-foot Duke Energy power easement located in the center of the site and traverses the entire property from north to south.

Access and Roadways

There will be two (2) entrances to the site located off W. 17th Street and one entrance accessible from/to Arlington Road. Information regarding the two (2) W. 17th Street access points is listed below.

<u>W. 17th Street Eastern Access</u> via N. Arlington Park Drive: A 50' roadway and utility easement was recorded with the Arlington Park (Glick Arlington Park LLC as owner), Phase I plat. This plat is recorded in plat cabinet C envelope 196 (see note 4). Trinitas is in discussions with Glick asking Glick to dedicate this Easement land to the City as public right-of-way.

<u>W. 17th Street Western Access</u> via 60-foot Roadway and Utility Easement: Parcel 1, Tract 1 of the Morris subdivision shows Morris owns a 60' wide strip of land from 17th street to the remainder of the property which has a Roadway and Utility Easement overlay. Since this Easement is to the benefit of the Morris tract, upon purchasing the land (Summer 2020) Trinitas will 1.) vacate the Easement, then 2.) dedicate this land to the City as public right-of-way via the platting process.

Roadways throughout the site are intended to be public where feasible and are designed to meet City standards. These roadways will be dedicated to the City at time of plat recordation.

A multi-use path is designed along the entire length of the main roadway running through the site connecting Arlington Road to W. 17th Street.

Transportation

Trinitas has received a proposal from Bloomington Transit ("BT") to create a new bus route that would serve the proposed development. Trinitas intends to enter into an agreement with BT to provide bus transit

services for the Project In lieu of operating its own, private shuttle service for daily weekday transportation to and from various points within the City. Trinitas' residents will have the non-exclusive right to access and ride the service at no charge using a means of identification for free passage which shall be mutually agreed upon by BT and Trinitas.

The BT proposal for a new bus route includes a schedule to operate on a 40-minute frequency, Monday-Friday, on a year-round basis from approximately 7:00 am to 10:00 pm and will include multiple stops in the Downtown and IU Campus areas. Any agreement between Trinitas and BT is thought to include a 3-year base term for service. Additional terms are outlined in an email from Lew May to Jeff Kanable dated October 16, 2019 and is included in Exhibit B, Supportive Information. Final terms will be agreed upon approximately 12months in advance of completion of the Project and are subject to approval by the BT Board of Directors and Trinitas Executive Committee.

Trinitas is planning to provide shuttle service for residents during the late evening, Monday through Friday (after 10 pm) and on weekends.

Pedestrian Access

The Project will be designed and built with the pedestrian in mind, encouraging residents to rely less heavily on personal automobiles. This is accomplished through a mix of well-connected multi-use paths and sidewalks throughout the site. A 10-foot multi-use path will run parallel to the main roadway from Arlington Road to W. 17th Street. Sidewalks allow pedestrians to easily walk throughout the site, to the bus stop, to the Clubhouse and amenity area or even to the recreational area and open spaces. Walking is just one (1) alternate transportation option residents of the Project will enjoy. Bicycle, scooter and other means of transportation also exist as a result of the interconnectivity of sidewalks and paths throughout the Project.

Trinitas explored the feasibility of adding a sidewalk along Arlington Road, however, Right-of-Way does not currently exist and topography and drainage ditches pose significant challenges to the implementation of this sidewalk. A sidewalk stub is currently provided should future Right-of-Way be established.

Occupancy

Occupancy shall be governed by

Occupancy for all other Areas shall be:

- 1. 1 and 2-bedroom unit occupancy is limited to 3 unrelated adult persons.
- 2. 3 and 4-bedroom unit occupancy is limited to 5 unrelated adult persons.

Parking requirements

Parking for the overall development, excluding the single-family lots in Area A, is .56 spaces on a per bedroom basis. A 15' parking setback for the perimeter of the overall PUD area is provided. A breakdown of parking is shown below:

Public parking spaces: 125

Surface parking spaces: 251

Garage spaces: 82

Bicycle parking shall be provided based on one space per four bedrooms. This parking will be dispersed throughout the Project.

Sustainability Initiatives

The following sustainability/green initiatives will be implemented in designated areas of the development.

- 1. The parking for units within Areas B-D shall have a minimum of 2% or 8 spaces that are plug-in ready for electrical vehicle charging stations. Trinitas is currently planning for 12 total spaces to be covered with solar arrays on the roof of those structures. The intent is for solar power to generate the electricity to the electric vehicle charging stations. There will be wayfinding signage directing residents of their location.
- 2. Designated areas accessible to waste haulers and building occupants for the collection and storage of recyclable materials have been positioned in three separate areas of the site and are noted on the site plan.
- 3. To reduce water usage on-site, we will eliminate all irrigation and utilize native plantings.
- 4. The use of natural light in the clubhouse will be incorporated into the design to reduce interior light pollution.
- 5. Lighting controls and occupancy sensors within designated areas of the clubhouse will be utilized to reduce energy consumption.
- 6. Energy efficiency will be realized through the installation of energy star appliances throughout all buildings.
- 7. Water usage will be controlled throughout the clubhouse utilizing low flow plumbing fixtures.
- 8. Stormwater treatment and detention throughout the site will incorporate bio-filtration strips at the edge of some parking areas for stormwater to sheet flow off and into these areas for immediate treatment.
- 9. Utilization of low volatile organic compounds will be utilized during construction of the clubhouse, including items such as: paint, adhesives, sealants, flooring and insulation.
- 10. The development will purchase a minimum of 10% regional building materials (by cost) that are sourced and manufactured within 500 miles of the site.
- 11. The 4-story Multi-Family and Amenity Building will comply with Energy Standard for Buildings ASHRAE 90.1-2007.
- 12. The building envelope for the clubhouse will incorporate the following:
 - Window = 0.40 U Factor non-metal, 0.50 U Factor metal, 0.40 SHGC
 - Roof insulation value = R20
 - Wall Insulation value = R13 wood framed wall
- 13. Each ventilation system in the clubhouse that supplies outdoor air to occupied spaces will have particle filters or air cleaning devices that have a minimum efficiency reporting value (MERV) of 13 or higher, in accordance with ASHRAE Standards 52.2-2007.
- 14. Smoking will be prohibited in all public areas within the community during all times including but not limited to the clubhouse, fitness areas, pool area, courtyard area, and sports courts.
- 15. Trinitas will participate in consulting program offered by Duke Energy to identify efficiencies in design to maximize energy savings for four story building in Area C.
- 16. On site recycling.
- 17. Invasive species will be removed from conservancy areas.

- 18. High quality woods on the northern portion of the property will be protected in a conservancy easement, as well as, a 30'-50' easement along the majority of I-69 frontage.
- 19. Trinitas continues to explore the feasibility of implementing solar to portions of the 4-story building roof deck.

Services (including mechanical, utility and trash services)

Utility services boxes, telecommunication devices, cables, vents, flues, chillers, fans, trash receptacles, dumpsters and service bays located on private property shall be screened from view from the public street. No dumpsters will be located within the front setback area of any public street.

Sign Standards

One freestanding sign is proposed near one of the two entrances on 17th Street and one freestanding sign is proposed near the entrance on Arlington Road. Each of these signs has a maximum square footage of 36 square feet per side and a maximum height of six feet.

For the multifamily building in Area C, 200 total square feet of permanent wall signage is proposed.

Site Drainage Standards

All drainage standards shall be in accordance with the City of Bloomington Utility standards and engineering practices however, the following design considerations may be incorporated into the entire Project site for the BMP plan including stormwater retention/detention and stormwater quality:

- 1. The drainage area (contributing or effective) of the entire Project site is allowed to be served by one post-construction BMP or can be split into many throughout the site.
- 2. The maximum treatable ponding depth for stormwater quality areas may be up to 4 feet.

Architecture

Proposed structures are intended to reflect a contemporary residential development. Each of the areas as defined herein are intended to have flexibility and predictability in product type while also consisting of an overall theme that weave together each of the Areas A-D. Representative images can be found within this document. More specific detail pertaining to each Area A-D can also be found within this document.

Structures in Areas A, B and D are intended to be one to three stories in height with front porches and rear patios. Area C proposes a four-story apartment building(s) over a parking garage. Exterior construction across each of the Areas will include high quality siding with some additional architectural accents such as shake and/or board and batten in addition to residential windows and doors.

The Project will follow the anti-monotony standards as specified herein. The community will be adequately landscaped with native plantings and buffer yard landscaping. Planting emphasis will be placed on the east and west property lines. Each dwelling unit shall feature landscaping which will consist of native plantings, shrubbery and perennials. Final landscape plans will be provided with each final Area plan and will be consistent with the UDO as adopted on the date the preliminary plan is approved.

Lot Standards and Uses

Area	Description	Acreage Units		DUE
А	Single-family lots	7.61	45	N/A
В	Townhomes	7.11	162	92.75
С	Multi-family apartments	13.54	113	105.5
D	Duplexes or townhomes	11.13	112	108.5
Total		39.29	387	328.5

Anti-monotony Code

The following variations will be used to break up the monotony in the design such that no two structures sitting side by side are identical in at least 2 aspects as listed below at the time of building permit. Examples of proposed colors and exterior materials are found within the body of this document.

- A. Difference in roofline.
- B. Difference in overall building footprint.
- C. Difference in building color.
- D. Difference in exterior materials.
- E. Setback

Easements

Easements shall be per UDO standards.



Area A

Area A is a single family residential platted lot subdivision designed to the standards of the Residential Urban (R4) District of the Unified Development Ordinance of the City of Bloomington. This area is approximately 7.61 acres and is intended to include approximately 45 single family lots, which can be developed and owned individually. Specific standards with respect to lot size, lot coverage and elements of design (building materials and setbacks) are those of the R4 District unless specified below. The finished lots in Area A are intended to be conveyed to the City of Bloomington for the purposes of providing workforce housing. Allowable uses in this area include single family, attached single family, and plexes.

Impervious Surface Coverage: 3.04 acres (40%)

*permeable pavers may be used toward meeting impervious surface coverage requirements

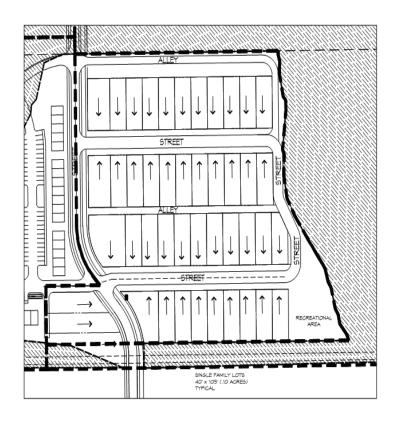
Setbacks from outer property lines: 15'

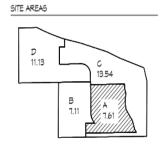
Individual Lot Setbacks:

Front yard - 10'

Side yard – 5'

Rear yard – 5'





AREA A - SINGLE FAMILY (45) LOTS 40X105', .10 ACRE TYPICAL LOT (5.91) UNITS PER ACRE

Area B

Area B is a townhome residential area. This area could be single family lots, paired homes, townhomes, zero lot line homes or condominiums as set forth in the standards of the Residential Multifamily (RM) of the Unified Development Ordinance. This area is approximately 7.11 acres and is intended to include approximately 162 townhome dwelling units, which could be individually owned in the future, but are currently planned as rental units. Specific standards with respect to lot size, lot coverage and elements of design (building materials and setbacks) are those of the RM District unless specified below.

Impervious Surface Coverage: 2.63 acres (40%)

*permeable pavers may be used toward meeting impervious surface coverage requirements

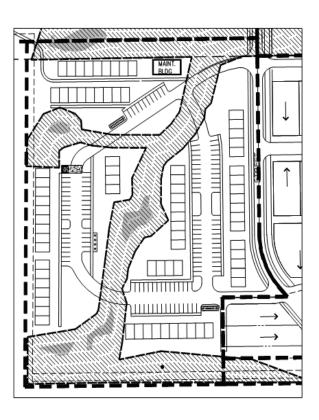
Density: 162 units, 22.78/acre

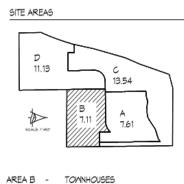
Setback from outer property line - 15'

Permitted Uses – Single family detached, single family attached, rowhouses, townhomes (no more than 16 units in a building)

Building Materials: Fiber cement horizontal lap siding, fiber cement vertical board and batten, asphalt roof shingles, vinyl windows

*Dwelling Unit Equivalents are calculated using the following breakdown: 4 bedroom unit (1.5 units), 3 bedroom unit (1.0 unit), 2 bedroom unit with <950 sq ft (.66 of a unit), 1 bedroom unit with <700 sq ft (.25 of a unit)







AREA B UNIT MIX -

1 BED	70	43.2%
2 BED	70	43.2%
3 BED	16	9.9%
4 BED	6	3.7%
TOTAL	162	100%

Area C

Area C is a multi-family residential area which could include limited commercial on the first floor. This area can be apartment or condominiums as set forth in the standards for Residential High-Density (RH) District of the Unified Development Ordinance. Allowable use will include up to 113 dwelling units and up to 1,700 square feet of commercial space allowing for coffee/tea sales, food/snack sales and other retail sales. This Area will allow for up to 65-feet in building height. Other specific standards with respect to lot size, lot coverage and elements of design (building materials and setbacks) are those of the RH District unless specified below. This area is approximately 13.54 acres.

Impervious Surface Coverage: 1.56 acres (12%)

*permeable pavers may be used toward meeting impervious surface coverage requirements

Density: 113 units, 8.35/acre

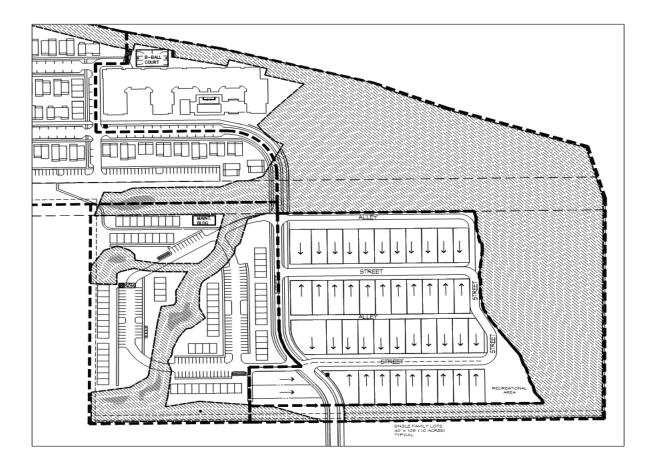
Setback from outer property line - 15'

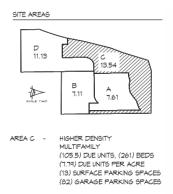
Permitted Uses – Multifamily dwellings and the following commercial uses: antique sales, apparel and shoe sales, art gallery, artists studio, arts/craft/hobby store, barber/beauty shop, bicycle sales/service, bookstore, brewpub, business/professional office, community center, computer sales, convenience store (without gas), copy center, day care center, drugstore, fitness/training studio, florist, garden shop, gift shop/boutique, government office, grocery store/supermarket, hardware store, health spa, jewelry shop, library, medical clinic, museum, music/media sales, musical instrument sales, pet grooming, pet store, photography studio, police/fire/rescue station, recreation center, restaurant, restaurant (limited service), retail (low intensity), school, shoe repair, social services, sporting goods sales, veterinary clinic, video rental

Building Materials: Fiber cement horizontal lap siding, fiber cement vertical board and batten, asphalt roof shingles, vinyl and storefront windows

*Dwelling Unit Equivalents are calculated using the following breakdown: 4 bedroom unit (1.5 units), 3 bedroom unit (1.0 unit), 2 bedroom unit with <950 sq ft (.66 of a unit), 1 bedroom unit with <700 sq ft (.25 of a unit)

Area C Site Plan and Unit Breakdown included on next page.





AREA C UNIT MIX -

1 BED	12	10.6%
2 BED	57	50.4%
3 BED	41	36.3%
4 BED	з	2.7%
TOTAL	113	100%

Area D

Area D is a cottage or duplex residential area. This area could be apartments or condominiums (1-6 units per building) as set forth in the standards of the Residential Multifamily (RM) District of the Unified Development Ordinance of the City of Bloomington. This area is approximately 11.13 acres and is intended to include approximately 112 dwelling units which could be under single or individually ownership but are currently planned as rental units. Specific standards with respect to lot size, lot coverage and elements of design (building materials and setbacks) are those of the RM District unless specified below.

Impervious Surface Coverage: 5.44 acres (49%)

*permeable pavers may be used toward meeting impervious surface coverage requirements

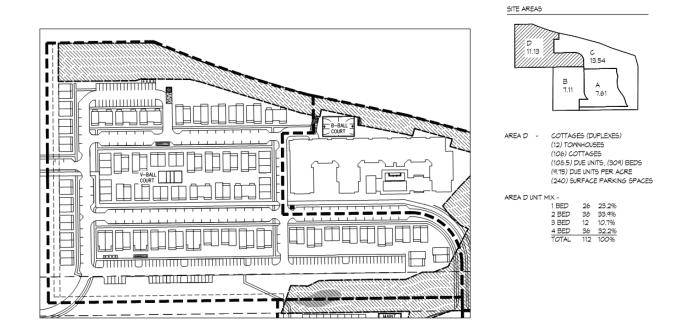
Density: 112 units, 10.06/acre

Setback from outer property line - 15'

Permitted Uses – Single family attached dwelling

Building Materials: Fiber cement horizontal lap siding, fiber cement vertical board and batten, asphalt roof shingles, vinyl windows

*Dwelling Unit Equivalents are calculated using the following breakdown: 4 bedroom unit (1.5 units), 3 bedroom unit (1.0 unit), 2 bedroom unit with <950 sq ft (.66 of a unit), 1 bedroom unit with <700 sq ft (.25 of a unit)



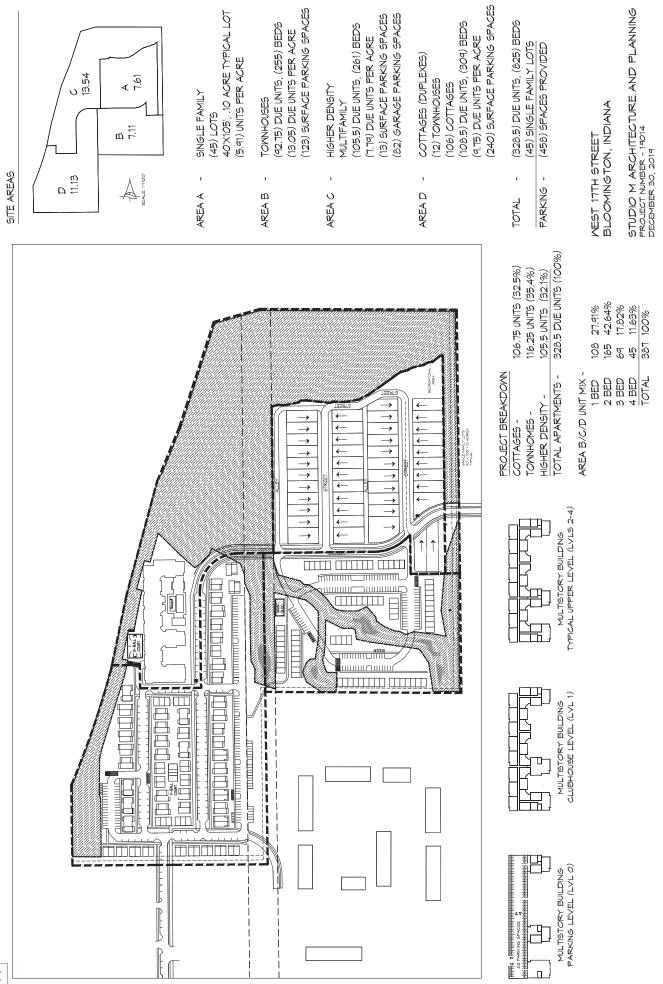
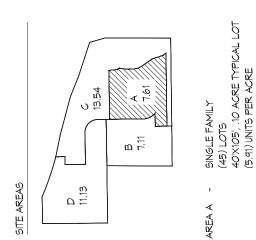
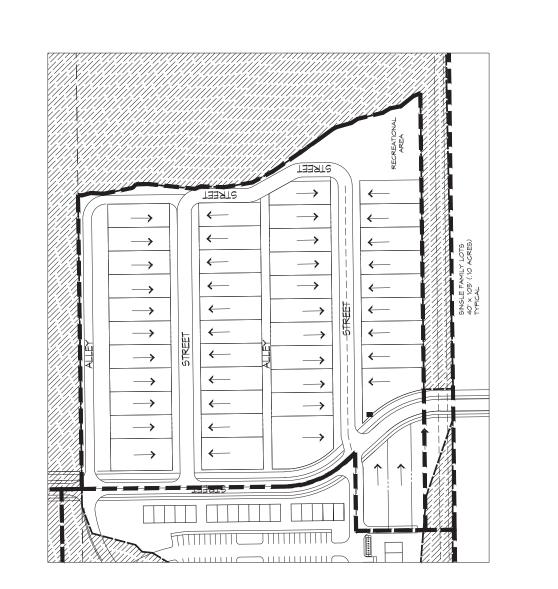


Exhibit A



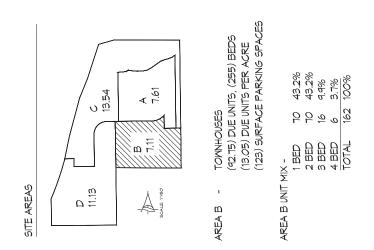


PROJECT BREAKDOWN	
COTTAGES -	106.75 UNITS (32.5%)
TOWNHOMES -	116.25 UNITS (35.4%)
HIGHER DENSITY -	105.5 UNITS (32.1%)
TOTAL APARTMENTS -	328.5 DUE UNITS (100%)
WEST 17TH STREET	

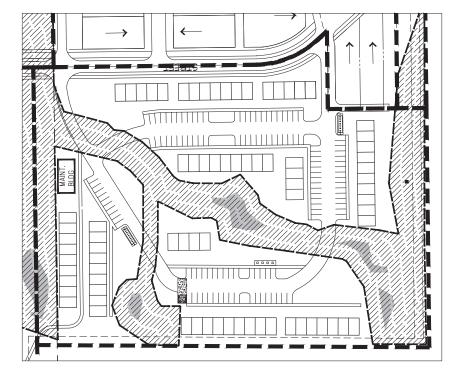
WEST 11TH STREET BLOOMINGTON, INDIANA

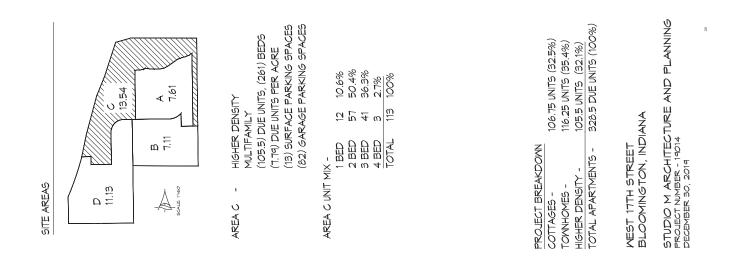
STUDIO M ARCHITECTURE AND PLANNING PROJECT NUMBER - 19014 DECEMBER 30, 2019

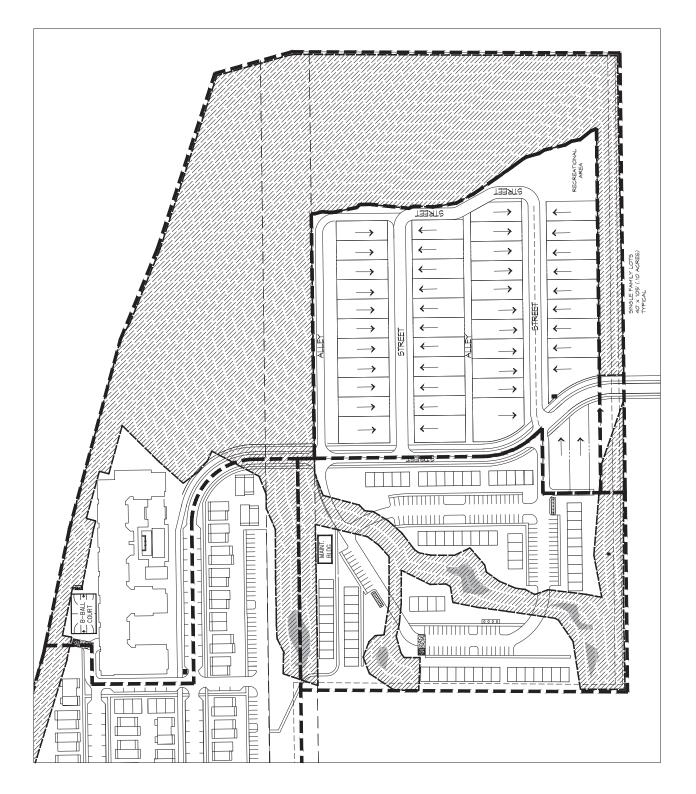
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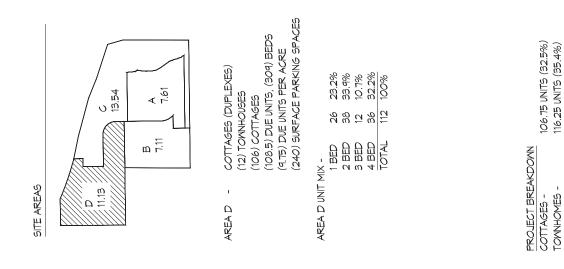


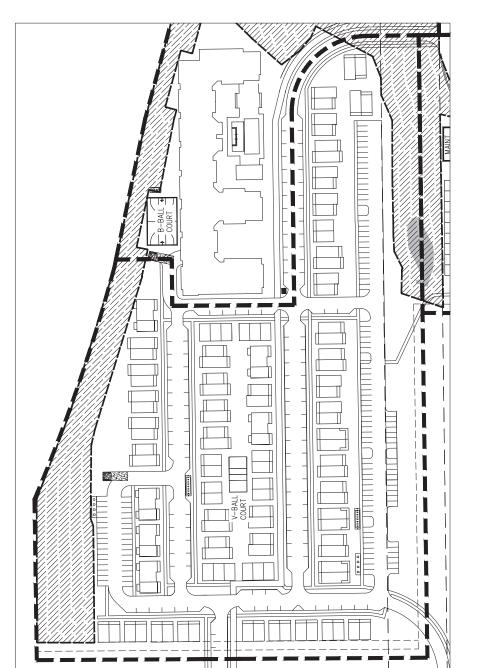
STUDIO M ARCHITECTURE AND PLANNING PROJECT NUMBER - 19014 DECEMBER 30, 2019











TOWNHOMES -	116.25 UNITS (35.4%)
HIGHER DENSITY -	105.5 UNITS (32.1%)
TOTAL APARTMENTS -	328.5 DUE UNITS (100%)
WEST 17TH STREET	

MEST 11TH STREET BLOOMINGTON, INDIANA

STUDIO M ARCHITECTURE AND PLANNING PROJECT NUMBER - 19014 DECEMBER 30, 2019

Trinitas Development ("Petitioner") Response to:

Bloomington Environmental Commission (EC) Memorandum dated December 9, 2019

Re: PUD-13-18: W. 17th Street, Trinitas Development, west side, 1550 N. Arlington Park Drive

EC CONCERNS OF ENVIRONMENTAL SIGNIFICANCE:

 IMPERVIOUS SURFACE COVERAGE: The EC states that, "Some Site Areas are over (Areas B and D) their impervious surface coverage maximum and some are under (Areas A and C). However, according to the DO the entire site comes out to be 64.6% impervious surface coverage and the EC believes that is too much."

Trinitas Response: The total impervious surface area for the entire site equals 32%, leaving 68% of the site pervious (includes protected open/green space). Since the 12-9-19 PC hearing, the Petitioner has revised the site plan to include additional protected open/green space (i.e., pervious surface) by increasing the width along I-69 to 50', with the exception of two (2) locations identified on the site plan. Trinitas has also added a 50' protected green strip along the east edge of Area A. This has increased the overall protected area (open/green space) to 14.62 acres.

The revised impervious surface areas in areas A, B, C and D as shown on our petitioner documents as follows:

- a.) <u>Area A</u> consist of 7.61 acres. The underlying zone is R-4 allowing 40% impervious area. Final impervious surface area will be determined by the City and individual homeowners.
- b.) Area B consist of 7.11 acres. The underlying zone is RM allowing 40% impervious area. The proposed impervious surface area is 36%.
- c.) Area C consist of 13.54 acres. The underlying zone is RH allowing 50% impervious area. The proposed impervious surface area is 12%.
- d.) <u>Area D</u> consist of 11.13 areas. The proposed underlying zone is RM allowing 40% impervious surface area. The proposed impervious surface area is 49%. Petitioner is asking for an exception in this Area since the overall site impervious area is very low.
- 2.) **BLOOMINGTON HABITAT CONNETIVITY PLAN:** The EC recommends that the Petitioner preserve and enhance all the contiguous areas of high-quality wooded areas and the riparian buffers, at least as much as the UDO standards require.

Trinitas Response: The proposed plan does preserve the areas of high-quality wooded areas which are located in the northern portion of the property extending west then south to the southwest corner of the property. This is a significant contiguous area and will be placed in a protective conservancy/open space easements As requested, Trinitas did expand the 30-foot buffer along I-69 to 50-feet, with exception of two (2) 150-foot sections to accommodate the building and ball court as shown on the Area C site plan. Also, the revised petition created a 50-foot wide buffer along the east edge of Area A.

Furthermore, the environmental study conducted by Red Wing Environmental located three (3) intermittent streams and 5 low quality wetland areas. The intermittent streams and wetlands are in the previously mentioned future conservancy easements. The 5 wetland areas have also been protected in accordance with the UDO setback requirements.

3.) TREE AND FOREST HABITAT PRESERVATION: The EC recommends more space should be set aside as conservation easement.

Trinitas Response: As stated in the Trinitas responses above, 14.62 acres of the site is protected by the proposed conservancy easements equaling 37.19% of the site. This is in addition to a dedicated recreation area in Area A and the open/green space provided in areas B, C and D. Over the entire project site, 68% will be pervious.

4.) HIGHWAY BEFFER WIDTH: The EC believes the 30-feet of buffer along I-69 is not wide enough for habitat connectivity.

Trinitas Response: See Trinitas Response to #2 above.

5.) INVASIVE SPECIES: The EC recommends removal of invasive plant species.

Trinitas Response: The invasive species will be removed from the site and a maintenance plan adopted to assure its removal.

6.) LOW IMPACT DEVELOPMENT: The EC recommends that the development plan include state-ofthe-art Low Impact Development (LID) best practices.

Trinitas Response: Small scale bio retention areas have been added to Area B and Area D to facilitate water quality and retention on a localized basis. There a total of 4 facilities in Area B and three facilities in Area D.

7.) GREEN BUILDING: The EC recommends that a commitment is made for incorporating environmentally sustainable green building and site design features.

<u>Trinitas Response</u>: A number of sustainable building initiatives have been included in the PUD narrative under Sustainability Initiatives.

8.) NATIVE PLANTS: The EC recommends the Petitioner change the street trees to offer more diversity of native trees.

<u>Trinitas Response</u>: The district ordinance will be amended to specify only native species. The street tree species will be amended during final plan approval and use only species approved by the Urban Forester.

9.) ALLOW CLOTHES LINES

<u>Trinitas Response</u>: Trinitas will continue to explore utilizing clotheslines onsite with our internal Property Management team.

10.)STATE AND FEDERAL PERMITS

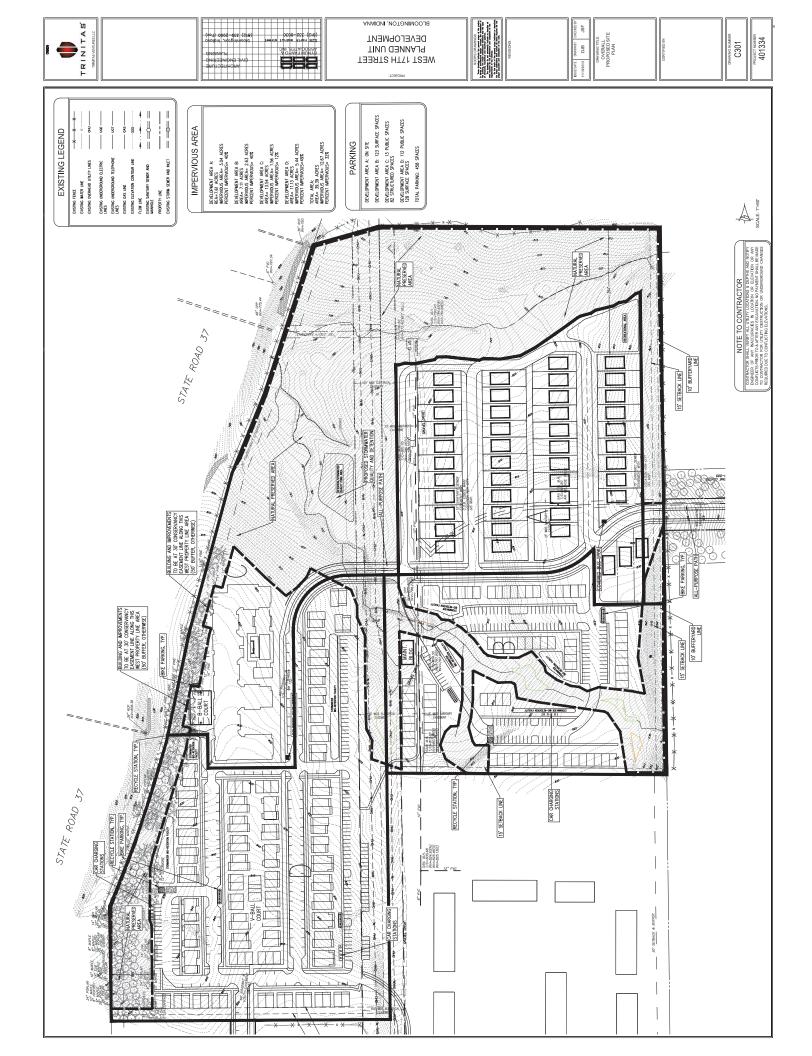
<u>Trinitas Response</u>: State and Federal permits from IDEM, IDNR and USCOE are anticipated to be required and will be obtained prior to city permits being issued.

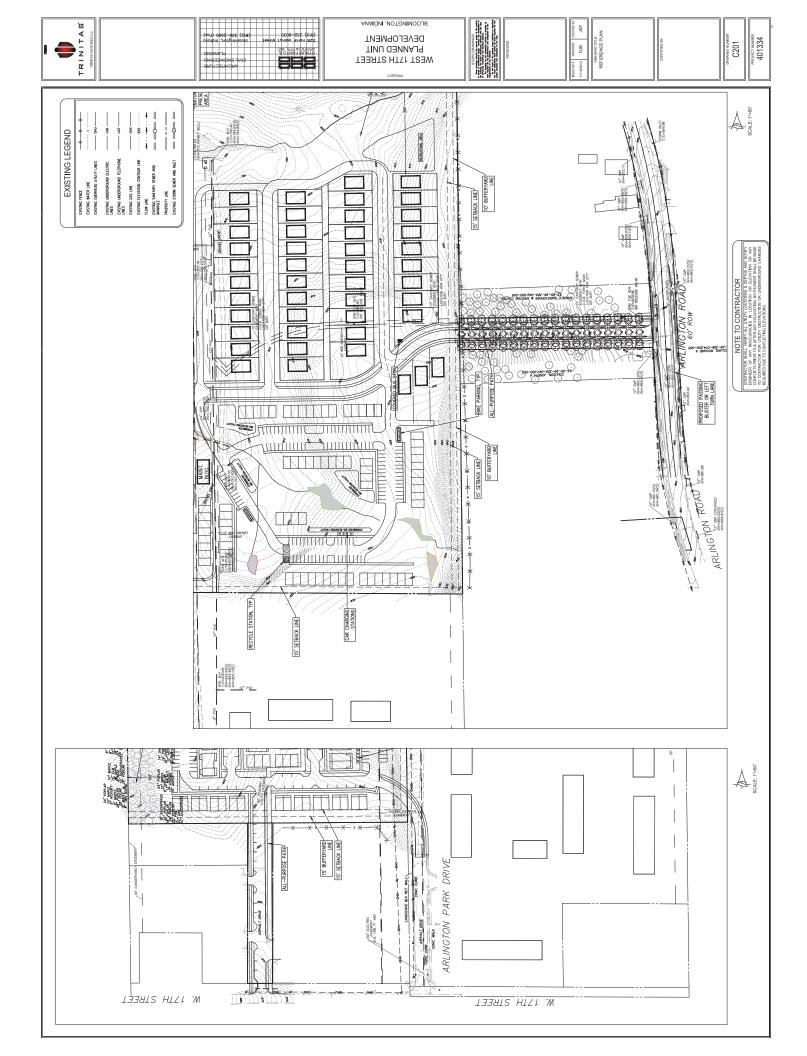
11.)ADDITIONAL QUESTIONS TO BE ADDRESSED BY PETITIONER.

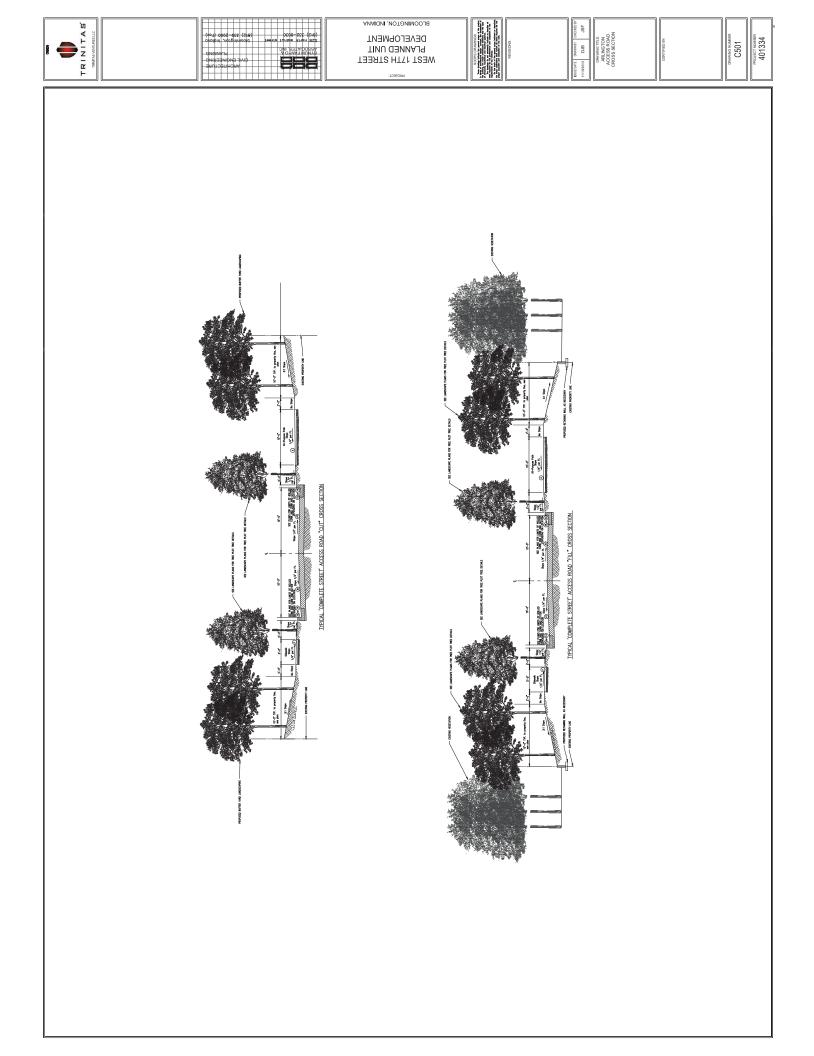
Trinitas Response:

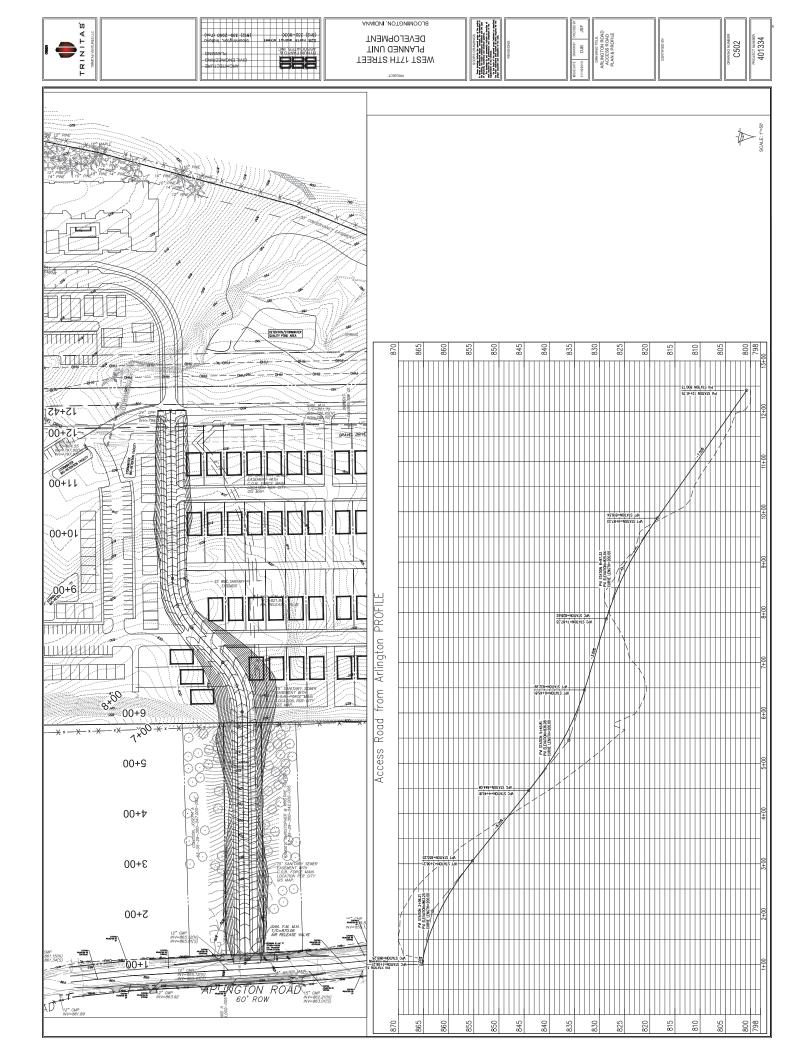
- A. Amenities on site will be for Trinitas residents. However, Trinitas continues to explore options with our internal Property Management group to determine a way to allow residents of Area A to access amenities without compromising the safety and security of Trinitas residents. Potential options may include membership applications with background screenings and the issuance of security cards to active members only.
- B. The proposed first phase of construction will include Area C and D along with the infrastructure and platting of area A with connection to Arlington Road. The Petition does not plan to halt work after Phase 1.
- C. The buffer strip along I-69 will be as described in Trinitas Reponses to #2 above.
- D. The Duke easement is 100 feet wide and will be landscaped in accordance with their rule for allowed vegetation. This area will not be developed except for a parking strip shown on the plans. The remainder will be useable for non-structured recreational purposes.
- E. Trinitas will hire Bloomington Transit to create a new, daily weekday bus route pursuant to the enclosed proposal.
- F. Trinitas will continue to work to determine the best late night and weekend ridership option for its residents.
- G. There are 458 parking spaces provided.
- H. There are 12 EV charging stations provided.
- I. The 3rd location has been identified on the updated drawings.
- J. The site plan currently shows one trash and recycling area each for Areas B, C, and D.
- K. Energy Star qualified appliances use approximately 10-50% less energy and water than standard models.
- L. Examples of low VOC products that will be incorporated into design include: flooring with low VOC adhesives, insulation, sealants, and paints. Trinitas will continue to research how these products compare to those not classified as low VOC.
- M. Trinitas' Purchasing Department will create documentation for subcontractors on bid forms noting that 10% of building materials are required to be sourced and manufactured regionally. Subcontractors will provide ongoing documentation to Trinitas satisfying these requirements, which can be passed along as requested.
- N. Duke Energy's program is intended for new construction buildings over 100,00 square feet. However, Trinitas will continue to look at ways to provide energy efficiency in the design of all buildings.











Route 10

Alt. 1 Service to Chandler's Glen

& IU Campus

Service to be provided by 40' ADA-accessible bus Final cost subject to review and adjustment 6 months prior to project startup.

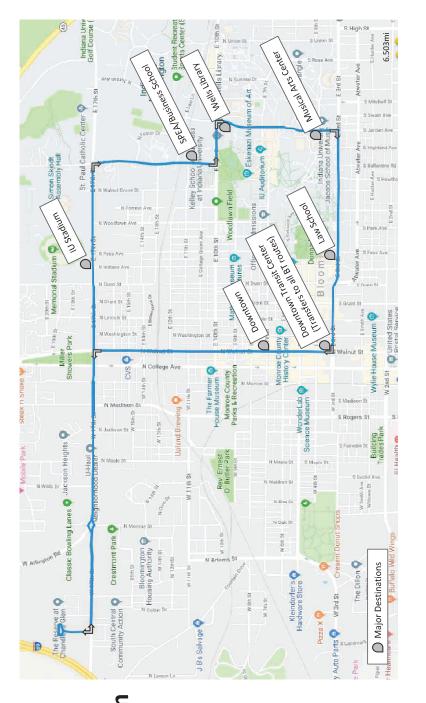
Final proposal subject to approval by BT Board of Directors

2021-2022

Direct Operating Costs

Operator, mechanic wages & benefits Parts, tools Fuel, fluids









Traffic Impact Study

Proposed Housing Development

17th Street and Arlington Road

Bloomington, IN

Prepared for

Bynum Fanyo and Associates

Ву

AZTEC Engineering Group, Inc. 320 W. 8th Street, Suite 100 Bloomington, Indiana 47404 (812) 717-2555



12/30/2019

December 2019



INTRODUCTION

Two parcels totaling 34.48 acres have been acquired for a residential development known as "Arlington Road Development." The Arlington Road Development proposes a mixture of residential uses – 328 townhouses (duplexes) and 45 single-family homes. The single-family rental homes are intended to be rentals but may also be owner-occupied. The development will be located north of 17th Street between Crescent Road and Lindberg Drive. This Traffic Impact Study is being prepared at the request of Bynum Fanyo and Associates, the primary site civil engineering firm working for Trinitas Ventures LLC on this proposed development.

PURPOSE & NEED

The proposed development is located with the limits of the City of Bloomington. Based on the expected trips noted above, a Category 1 Traffic Impact Study (TIS) is required. A Category 1 TIS is for developments which will generate from 100 or more peak hour vehicle trips but less 500 vehicle trips during the morning OR afternoon peak hours. A Category 1 TIS analyzes the opening year of the development. The Study Area includes the site access driveways and the adjacent signalized intersections and/or major unsignalized intersections within a ¼ mile. In this case, the Study Area will include the following intersections:

- The existing 17th Street/Arlington Park Drive intersection;
- The proposed 17th Street/West Entrance Roadway intersection;
- The proposed Arlington Road/East Entrance Roadway intersection;

The specific study objectives are as follows:

- Determine the trips associated with this proposed, updated Arlington Road Development;
- Evaluate the existing 17th Street/Arlington Park Drive intersection;
- Evaluate the proposed 17th Street/West Entrance Roadway intersection;
- Evaluate the proposed Arlington Road/East Entrance Roadway intersection;
- Evaluate 17th Street and Arlington Road for right-turn lane and left-turn warrants, at the site driveways;
- Provide a set of conclusions based on the HCS analysis;
- Make recommendations based on the results of the study.

The existing roundabout intersection of 17th Street/Arlington road was not included as part of this study as it was still being used as part of the overall construction detours of the adjacent I-69 freeway project. And the roundabout could not be added for the updated report as 17th Street has been closed for construction in 2019/2020. Any evaluation of existing traffic volumes at that intersection would not be appropriate for evaluating future traffic operations as traffic patterns are currently artificial and not typical.

ZONING

One of the parcels in the development will be re-zoned from Business Park (BP) to a Planned Unit Development (PUD). As a PUD, the development will have its own development ordinance. The zoning change may trigger off-site improvements to publicly maintained streets and the developer is addressing these potential improvements proactively by preparing a TIS coinciding with a petition to the Planning Commission. The parcels of land surrounding the proposed site are currently a mixture vacant land and residential uses.

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SITE PLAN

Figure 1 – Site Plan (Page 4) provides a scaled drawing of the proposed development plan, which illustrates the location of the site access driveways, the lot layout, and other amenities. The proposed development will have two site access roadways along the north side of 17th Street and one site access roadway along the west side of Arlington Road. The access roadways along the north side of 17th Street include the existing 17th Street/Arlington Park Drive intersection and a proposed site access roadway (referred to as the West Entrance Roadway) which is located approximately 350 feet west of Arlington Park Drive. 17th Street is a two-lane east/west minor arterial roadway and Arlington Park Drive is a two-lane north/south neighborhood collector roadway. Arlington Park Drive is an existing privately-maintained road. The West Entrance Roadway will be a two-lane north/south roadway. The 17th Street/Arlington Park Drive intersection and the proposed 17th Street/West Entrance Roadway will be full access intersections; allowing left-in, right-in, left-out, and right-out.

Another proposed site access roadway referred to as the East Entrance Roadway will be located along the west side of Arlington Road. The East Access Roadway with be a full access intersection. Arlington Road is a two-lane north/south minor arterial roadway with a posted speed limit of 40 MPH. The East Entrance Roadway is located approximately 100 feet south of the 20th Street/Arlington Road intersection.

DEVELOPMENT PHASING AND TIMING

The Arlington Road Development will be built in two phases as a Planned Unit Development (PUD). The Phase 1 will be completed in 2020 and Phases 2 and 3 completed in 2021 depending upon agency approvals.

STUDY AREA

The study area for the proposed development is confined to the City of Bloomington roadways. The area of significant traffic impacts and influence area have been established based on the size, density, and characteristics of the proposed development. The existing land uses surrounding the site, as well as the site's accessibility, have been considered in determining the site's study and influence areas.

Area of Significant Traffic Impact

This development is classified as a small development. The proposed development is expected to generate more than 100 peak hour vehicle trips but less than 500 peak hour vehicle trips. Therefore, the proposed development requires a Category I TIS. The area of significant traffic was determined to consist of the following intersections:

- The existing 17th Street/Arlington Park Drive intersection;
- The proposed 17th Street/West Entrance Roadway intersection;
- The proposed Arlington Road/East Access Roadway intersection;

Influence Area

A development's influence area consists of the geographic area surrounding the development from which it is expected to draw the majority of its trips. In the case of the proposed development, the geographic area from which the majority of the expected site-generated trips will come from is the 17th Street corridor and the Arlington Road corridor. Per the City of Bloomington requirements, the influence area would encompass the existing and proposed intersections referenced above.



SITE ACCESSIBILITY

In most cases, the incoming trips will originate and terminate from areas outside the proposed development and will use 17th Street to access Arlington Park Drive or the West Entrance Roadway and Arlington Road to access the East Entrance Roadway and vice–versa for the exiting site-generated traffic.

TRAFFIC VOLUMES

17th Street has an estimated 2018 average daily traffic (ADT) of 11,050 vehicles a day. The ADT values for 17th street are based on projected traffic from the I-69 Section 5 Technical Provisions. The ADT on Arlington Road is 14,460 vehicles a day and is based on the same study. Traffic counts for the study were not taken due to detouring related to I-69 at 2nd Street and 3rd Street and various City and County closures and traffic restrictions in Bloomington. As a result, 17th Street was experiencing a high volume of traffic which would have constituted an inaccurate portrayal of traffic on 17th Street. For this report update, counts could not be retaken due to the closure of 17th Street between Crescent Road and Monroe Street in 2019 for road reconstruction. The closure has extended to 2020.

Arlington Road is estimated to have a 2021 ADT of 12,500 vehicles a day and 1,500 vehicles during the peak hours. The estimation is based on the roadway alignment, the existing development (primarily residential) along Arlington Road, and the connection points to other roadways.

PHYSICAL CHARACTERISTICS

Figure 2 illustrates the existing street network and ADTs. Two roadways were identified to comprise the influence area. The following briefly describes these roadways:

• <u>17th Street</u>

17th Street is a two-lane east/west Neighborhood Collector Street. 17th Street has a 30 MPH posted speed limit in the vicinity of Arlington Park Drive.

<u>Arlington Road</u>

Arlington Road is a two-lane north/south Minor Arterial Street and the old State Route 46 from Bloomington to Ellettsville. Arlington Road has a 40 MPH posted speed limit in the vicinity of the proposed East Access Roadway.

EXPECTED TRIPS

Based on the proposed land uses provided by the developer and noted above, trip generation was estimated for 328 townhomes using ITE Trip Generation (10th Edition) Land Use Code (LUC) 220 – Multifamily Housing (Low-Rise), and 45 detached homes using LUC 210 – Single Family Detached Housing. The proposed Arlington Road Development is expected to generate 2,828 daily vehicle trips, 185 AM Peak Hour vehicle trips, and 229 Peak Hour vehicles trips at full build-out. See **Table 1** below trips to be generated by the proposed development.

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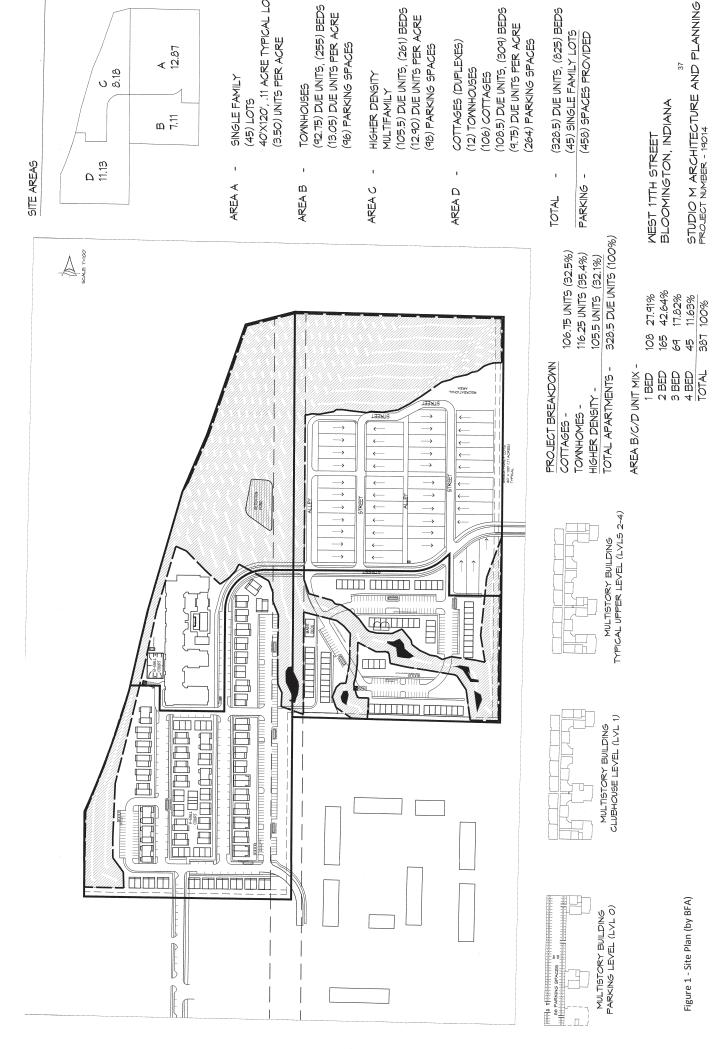
	Weekday Trips			
Time Period	Single Family	ngle Family (Low-Rise)		
Average Daily, Inbound (vtpd)	213	1,201	1,414	
Average Daily, Outbound (vtpd)	213	1,201	1,414	
Total Daily	426	2,402	2,828	
AM Peak Hour, Inbound (vtph)	9	35	43	
AM Peak Hour, Outbound (vtph)	26	116	142	
Total AM Peak	34	151	185	
PM Peak Hour, Inbound (vtph)	28	116	144	
PM Peak Hour, Outbound (vtph)	17	68	85	
Total PM Peak	45	184	229	

TABLE 1 - Projected Site Generated Trips

vtpd - vehicle trips per day, vtph - vehicle trips per hour



Figure 1 – Site Plan





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PASS-BY TRAFFIC

Pass-by traffic (traffic already on the adjacent roadway) will provide a zero percentage of the site-generated traffic for the Arlington Road Development. Available ITE data, as published in the ITE Trip Generation Manual, 9th Edition, Volume 1, Chapter 5 and in the ITE Trip Generation Handbook, 3rd Edition, August 2014, Appendix F suggests that pass-by trips are a non-issue for single-family houses and townhouses uses.

DIRECTIONAL DISTRIBUTION

Based on the location of the proposed development, the expected directional distribution of the site-generated traffic from the proposed development will be 72% along 17th Street and 28% along Arlington Road. The expected development traffic along 17th Street will be split evenly (36%) between Arlington Park Drive and the West Entrance Roadway. The expected development along Arlington Road will use the East Access Roadway.

SITE TRAFFIC ASSIGNMENTS

The expected AM and PM Peak Hour trips and daily trips for the proposed development are assigned to the roadway network using the directional distributions referenced above. The traffic assignments are shown in **Figure 2 – 2021 – Site Traffic Assignments**.

TOTAL TRAFFIC

For the Study Horizon Year 2021, the projected 2021 non-site traffic (the traffic volumes are determined by applying a 1.0% growth factor to the 2018 traffic volumes) is 11,385 vehicles/day. This volume will be combined with the expected AM and PM Peak Hour trips and daily trips from the proposed development to create the 2021 Total Traffic volumes. These volumes are illustrated on **Figure 3 – 2021 Total Traffic Assignments.**

TRAFFIC AND IMPROVEMENT ANALYSIS

The effects of the project's total traffic on the existing 17th Street/Arlington Park Drive intersection and the proposed 17th Street/Entrance Roadway will be analyzed for the Study Horizon Year 2021.

AUXILIARY LANES WARRANTS

EB Left-turn Lane at the West Entrance Roadway

Using the Study Horizon Year 2021 AM and PM Peak Hour Total Traffic volumes and *the Left Turn Guidelines for Two-Lane Roadways, and plotting the data points on the graph*, an EB Left-turn lane <u>is warranted</u> along 17th Street at the 17th Street/West Entrance Roadway intersection during both the *AM and PM Peak Hours*.

WB Right-turn Lane at the West Entrance Roadway

Using the Study Horizon Year 2021 AM and PM Peak Hour Total Traffic volumes, *the Right-Turn Guidelines for Two-Lane Roadways, and plotting the data points on the graph*, a WB right-turn lane is <u>not</u> warranted along 17th Street at the 17th Street/West Entrance Roadway intersection for either the **AM or PM Peak Hours**.

EB Left-turn Lane at Arlington Park Drive

Using the Study Horizon Year 2021 AM and PM Peak Hour Total Traffic volumes and *the Left Turn Guidelines for Two-Lane Roadways, and plotting the data points on the graph*, an EB left-turn lane <u>is warranted</u> along 17th Street at the 17th Street/Arlington Park Drive intersection during both the *AM and PM Peak Hours*.



WB Right-turn Lane at Arlington Park Drive

Using the Study Horizon Year 2021 AM and PM Peak Hour Total Traffic volumes, *the Right-Turn Guidelines for Two-Lane Roadways, and plotting the data points on the graph*, a WB right-turn lane is <u>not</u> warranted along 17th Street at the 17th Street/Arlington Park Drive intersection for either the **AM or PM Peak Hours**.

NB Left-turn Lane at the East Access Roadway

Using the Study Horizon Year 2021 AM and PM Peak Hour Total Traffic volumes and *the Left Turn Guidelines for Two-Lane Roadways, and plotting the data points on the graph*, an NB Left-turn lane <u>is warranted</u> along Arlington Road at the Arlington Road/East Access Roadway intersection for both *AM and Peak Hours*.

SB Right-turn Lane at the East Access Roadway

Using the Study Horizon Year 2021 AM and PM Peak Hour Total Traffic volumes, *the Right-Turn Guidelines for Two-Lane Roadways, and plotting the data points on the graph*, a SB right-turn lane is <u>not</u> warranted along Arlington Road at the Arlington Road/East Access Roadway intersection for either the *AM or PM Peak Hours*.

 Table 2 shows a summary of the turn lanes warranted at the study intersections.

Intersection	Direction	Turn Treatment Warranted
17th St./West Entrance Rdwy.	EB	Left Turn Lane
17th St./West Entrance Rdwy.	WB	Not Warranted
17th Street/Arlington Park Dr.	EB	Left Turn Lane
17th Street/Arlington Park Dr.	WB	Not Warranted
Arlington Rd./East Access Rdwy.	NB	Left Turn Lane
Arlington Rd./East Access Rdwy.	SB	Not Warranted

TABLE 2 - Turn Lane Warrants

LEVEL OF SERVICE – ROADWAY INTERSECTIONS FOR STUDY HORIZON YEAR 2021

Analysis of future intersection operations with the project was conducted for the weekday AM and PM peak hours using the nationally accepted methodology set forth in the *Highway Capacity Manual*, Transportation Research Board, 6th Edition. The computer software HCS7 (Highway Capacity Software) was utilized to calculate the levels of service for individual movements.

Level of service (LOS) is a qualitative measure of the traffic operations at an intersection or on a roadway segment. Level of service is ranked from LOS A, which signifies little or no congestion and is the highest rank, to LOS F, which signifies congestion and jam conditions. LOS C or D is typically considered adequate operation at signalized and unsignalized intersections in urban areas. LOS E or F may also be experienced in urban areas during peak hours where minor approaches are STOP controlled at major arterial roadways.

Table 3 shows the expected weekday peak hour LOS for the study intersections in 2021, with the project. Complete capacity calculations are provided in the appendix.

TABLE 3 – 2021 Peak Hour LOS, With Project



		2021 With Project			
Intersection	AM Peak		PM Peak		
	LOS	Delay	LOS	Delay	
Un-Signalized Intersections:					
17th Street/West Entrance Driveway					
Eastbound Left	А	9.4	А	9.6	
Southbound Left	Е	45.2	Е	45.3	
Southbound Right	С	15.1	В	14.7	
17th Street/Arlington Park Drive					
Eastbound Left	А	9.4	А	9.6	
Southbound Left	Е	44.7	Е	45.3	
Southbound Right	В	14.8	В	14.9	
Arlington Road/East Entrance Driveway					
Eastbound Left	E	49.8	Е	49.1	
Eastbound Right	С	15.5	С	15.3	
Northbound Left	А	9.6	А	9.7	

Delay - seconds per vehicle

Table 3 shows that both study intersections on 17th Street are expected to experience a LOS E for the southbound left turn movements outs of the project site. These delays are due to the high volume of eastbound/westbound traffic on 17th Street during the peak hours leaving an inadequate number of gaps for site traffic to turn into. Similarly, the eastbound left turn movement at the intersection of Arlington Road/East Entrance Roadway is expected to experience a LOS E during the 2021 peak hours due to the high northbound/southbound traffic volumes on Arlington Road. Considering the low volume of vehicles exiting the site during the weekday peak hours, the LOS delay is expected to be contained within the project site, and not impact traffic operations on Arlington Road and 17th Street. **Table 3** also shows that all traffic movements on Arlington Road and 17th Street are expected to operate at adequate LOS A during the 2021 weekday peak hours, with the project.



Figure 2 – 2021 – Site Traffic Assignments



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Arlington Road Development Traffic Impact Study West 17th Street

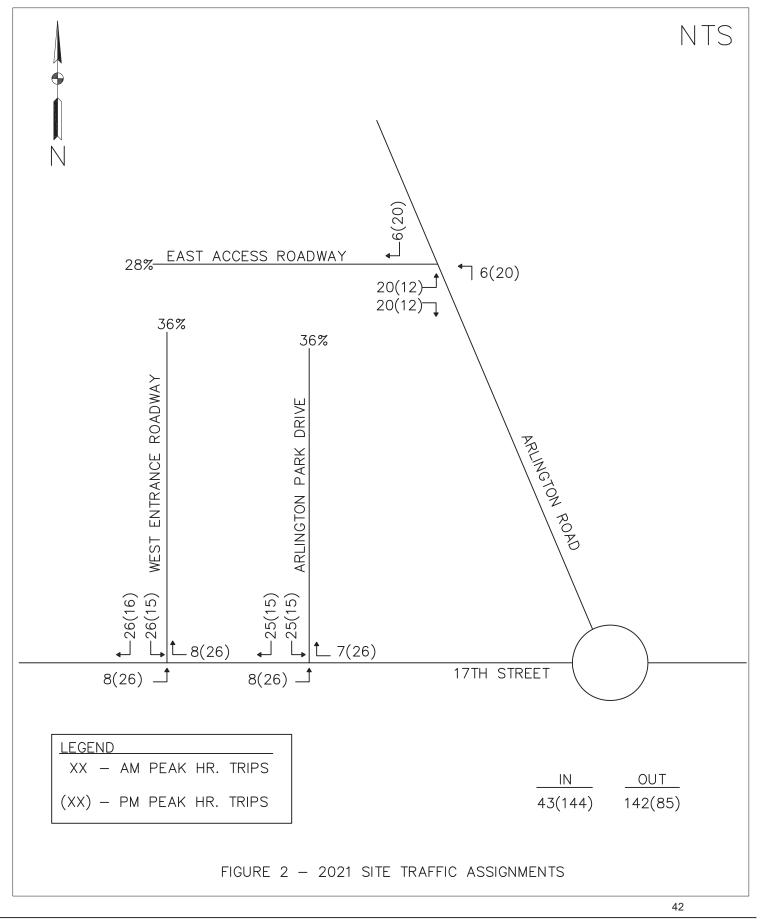


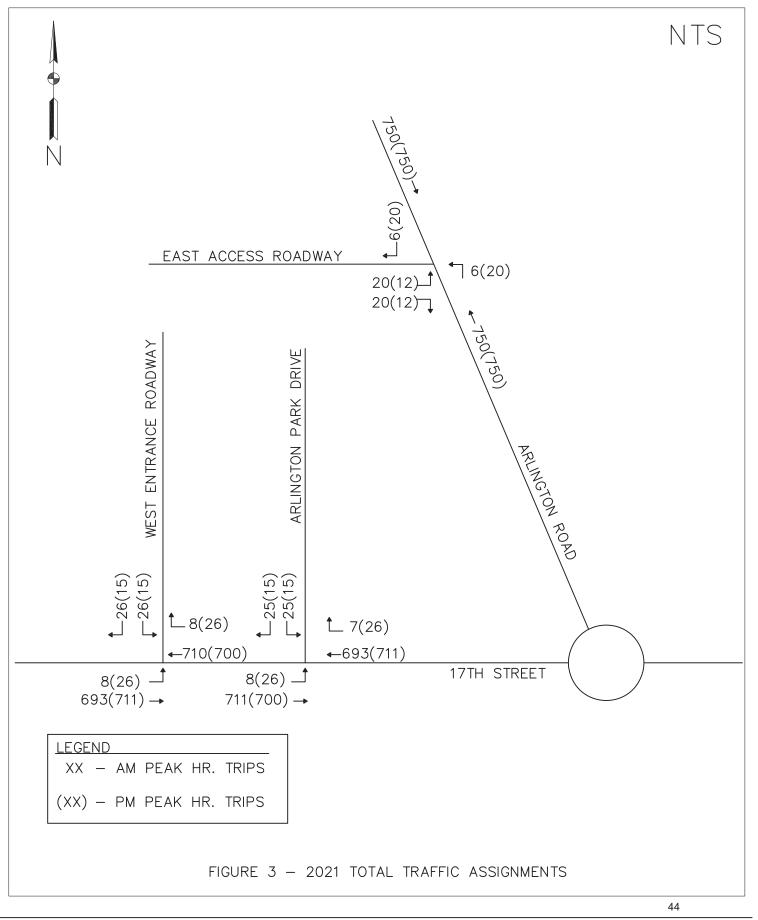


Figure 3 – 2021 Total Traffic Assignments



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Arlington Road Development Traffic Impact Study West 17th Street





TRAFFIC SAFETY

The sight distance triangles at the West Entrance Roadway, at Arlington Park Drive, and at the East Access Roadway will be calculated and shown on the Improvement Plans. No vegetation is planned at the intersections or within the 17th Street and Arlington Road right-of-way. Therefore, there should be no visual restrictions at the roadway intersections.

PEDESTRIAN CONSIDERATIONS

A multiuse path will be constructed along the north side of 17th Street as part of a City project to reconstruct 17th Street from Lismore Drive to the roundabout. The project also includes sidewalk along the south side of 17th Street. These facilities complete connections to Vernal Pike across I-69 to the City's network of sidewalk and multiuse path from the 17th & Arlington Roundabout to the east. Adjacent pedestrian network, while not fully complete today, will support and encourage pedestrian and bicycle traffic to and from the development.

TRAFFIC CONTROL NEEDS

At the proposed West Entrance Roadway and the existing Arlington Park Drive intersections with 17th Street, one-way STOP control is recommended with STOP signs installed on the West Entrance Roadway and Arlington Park Drive. Sufficient gaps in the 17th Street traffic stream exist, allowing for entering and exiting right-turn and left-turn movements to and from 17th Street. Therefore, Iane movement restrictions for the roadways are not recommended.

At the proposed East Access Roadway intersection with Arlington Road, one-way STOP control is recommended with STOP signs installed on the East Access Roadway. Sufficient gaps in the Arlington Road traffic stream exist, allowing for entering and exiting right-turn and left-turn movements to and from Arlington Road. Therefore, lane movement restrictions for the roadways are not recommended.

CONCLUSION & RECOMMENDATIONS

The 17th Street PUD project is anticipated to generate an additional 185 and 229 vehicle trips during the 2021 AM and PM peak hours, respectively.

Based on the projected traffic volumes on 17th Street and Arlington Road, combined with the number of vehicles turning left into the site, left turn lanes are warranted at all three site intersections.

Based on the intersection capacity analysis, the left turn movements out of the project site are expected to experience a LOS E during the weekday peak hours. These delays are due to an insufficient number of gaps on Arlington Road and 17th Street for site traffic to turn into. Considering the low number of vehicles expected during 2021 weekday peak hours, this delay is not anticipated to impact site circulation, or vehicles turning right out of the site. All traffic movements on 17th Street and Arlington Road are expected to operate at a LOS A during the 2021 weekday peak hours.

TRAFFIC SAFETY RECOMMENDATIONS

The sight distance triangles at the West Entrance Roadway, at Arlington Park Drive and at the East Access Roadway will be calculated and shown on the Improvement Plans. No vegetation is planned at the intersections or within the 17th Street and Arlington Road right-of-way. Therefore, there should be no visual restrictions at the roadway intersections.

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TRAFFIC CONTROL RECOMMENDATIONS

At the proposed West Entrance Roadway and the existing Arlington Park Drive intersections with 17th Street, one-way STOP control is recommended with STOP signs installed on the West Entrance Roadway and Arlington Park Drive. Sufficient gaps in the 17th Street traffic stream exist, allowing for entering and exiting right-turn and left-turn movements to and from 17th Street. Therefore, lane movement restrictions for the roadways are not recommended.

At the proposed East Access Roadway intersection with Arlington Road, one-way STOP control is recommended with STOP signs installed on the East Access Roadway. Sufficient gaps in the Arlington Road traffic stream exist, allowing for entering and exiting right-turn and left-turn movements to and from Arlington Road. Therefore, lane movement restrictions for the roadways are not recommended.

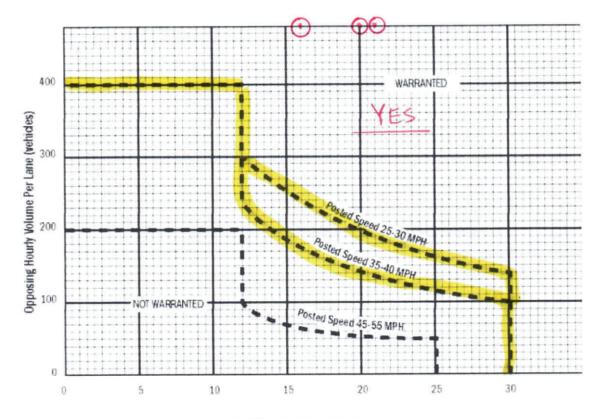


Arlington Road Development Traffic Impact Study West 17th Street Page 13

APPENDIX A

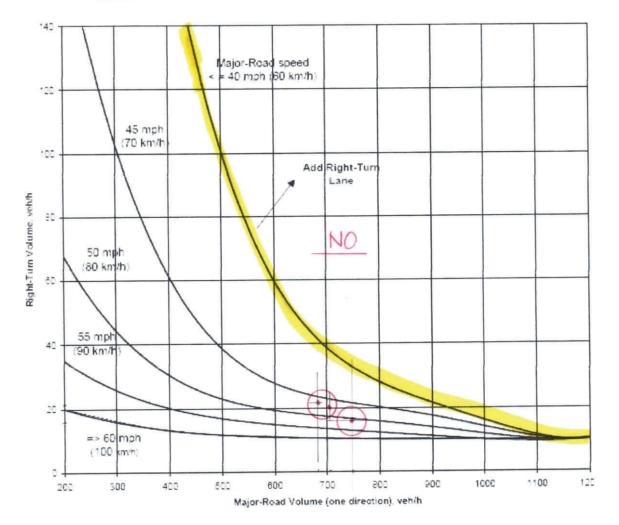
Right Turn Lane Guidelines for Two-Lane Roadways Left Turn Lane Guidelines HCS Analysis

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LEFT TURN LANE GUIDELINES⁹

Hourly Left-Turn Volume (vehicles)



RIGHT TURN LANE GUIDELINES FOR TWO-LANE ROADS9

		Н	CS7	Two-	Way	' Stop	o-Co	ntrol	Rep	ort						
General Information							Site	Inforr	natio	n						
Analyst	AZTE	С					Inters	ection			17th 9	St/Arling	ton Park	Dr		
Agency/Co.							Jurisd	liction			City o	f Bloom	ngton			
Date Performed	12/20	/2019					East/\	Nest Stre	eet		17th 9	Street				
Analysis Year	2021						North	/South S	Street		Arling	ton Park	Dri			
Time Analyzed	AM P	k Hr - W	ith Proje	ct			Peak	Hour Fac	ctor		0.90					
Intersection Orientation	East-	Nest					Analy	sis Time	Period (hrs)	0.25					
Project Description																
Lanes																
				2 4 1 1 4 P C		or Street: Ea		4 4 4 4 4 4 4								
Vehicle Volumes and A	djustme															
Approach		Eastb				West				North	bound			South	bound	
Movement	U	L	Т	R	U	L	Т	R	U	L	Т	R	U	L	Т	R
Priority	10	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	1	1	0	0	0	1	0		0	0	0		1	0	1

Number of Lanes	0	1	1	0	0	0	1	0		0	0	0	1	0	1
Configuration		L	Т					TR					L		R
Volume (veh/h)		8	711				693	7					25		25
Percent Heavy Vehicles (%)		3											3		3
Proportion Time Blocked															
Percent Grade (%)		-	-				-	-					(0	
Right Turn Channelized													Ν	lo	
Median Type Storage				Undi	vided										
Critical and Follow-up Ho	eadwa	ys							-						
Base Critical Headway (sec)		4.1											7.1		6.2
Critical Headway (sec)		4.13											6.43		6.23
Base Follow-Up Headway (sec)		2.2											3.5		3.3
Follow-Up Headway (sec)		2.23											3.53		3.33
Delay, Queue Length, and	d Leve	l of Se	ervice												
Flow Rate, v (veh/h)		9											28		28
Capacity, c (veh/h)		834											118		397
v/c Ratio		0.01											0.24		0.07
95% Queue Length, Q ₉₅ (veh)		0.0											0.9		0.2
Control Delay (s/veh)		9.4											44.7		14.8
Level of Service (LOS)		A											E		В

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0.1

Approach Delay (s/veh)

Approach LOS

HCSTM TWSC Version 7.8.5 17th St-Arlington 2021 AM W .xtw Generated: 12/20/2019 9:04:08 AM

29.7

D

		Η	CS7	Two-	Way	Stop	o-Co	ntrol	Rep	ort _						
General Information							Site	Inform	natior	n						
Analyst	AZTE	2					Inters	ection			17th 9	St/Arling	ton Park	Dr		
Agency/Co.							Jurisd	liction			City o	f Bloomi	ngton			
Date Performed	12/20	/2019					East/\	Nest Stre	eet		17th 9	Street				
Analysis Year	2021						North	/South S	Street		Arling	ton Park	Drive			
Time Analyzed	PM P	k Hr - W	ith Proje	ct			Peak	Hour Fac	tor		0.90					
Intersection Orientation	East-\	Vest					Analy	sis Time	Period (I	nrs)	0.25					
Project Description																
Lanes																
				J 4 1 7 4 5 6 9				ት ት የ ቡ								
					<mark>ាំ ។</mark> Majo	or Street: Ea	st-West									
Vehicle Volumes and Ac	ljustme	nts			n f	or Street: Ea	st-West									_
Vehicle Volumes and Ac Approach	ljustme		ound		n 1	or Street: Ea	st-West			North	oound			South	bound	
	djustme		ound T	R	רו אין	or Street: Ea	st-West	R	U	North	oound T	R	U	South	bound T	R
Approach	1	Eastb		R 3	Majo	West	st-West Dound	R 6	U			R 9	U			
Approach Movement	U	Eastb L	Т		Majo	Westl	st-West		U	L	Т		U	L	Т	12
Approach Movement Priority	U 1U	Eastb L 1	T 2	3	U 4U	Westl	oound T 5	6	U	L 7	T 8	9	U	L 10	T 11	12 1
Approach Movement Priority Number of Lanes	U 1U	Eastb L 1	T 2 1	3	U 4U	Westl	oound T 5	6 0	U	L 7	T 8	9	U	L 10 1	T 11	R 12 1 R 15
Approach Movement Priority Number of Lanes Configuration	U 1U	Eastb L 1 1 L	T 2 1 T	3	U 4U	Westl	oound T 5 1	6 0 TR	U	L 7	T 8	9	U	L 10 1 L	T 11	12 1 R

Percent Heavy vehicles (%)		2										3		5
Proportion Time Blocked														
Percent Grade (%)		-	-	-		-						()	
Right Turn Channelized												Ν	lo	
Median Type Storage				Undi	vided						-			
Critical and Follow-up H	eadwa	ys							-					
Base Critical Headway (sec)		4.1										7.1		6.2
Critical Headway (sec)		4.13										6.43		6.23
Base Follow-Up Headway (sec)		2.2										3.5		3.3
Follow-Up Headway (sec)		2.23										3.53		3.33
Delay, Queue Length, an	d Leve	l of Se	ervice											
Flow Rate, v (veh/h)		29										17		17
Capacity, c (veh/h)		805										106		381
v/c Ratio		0.04										0.16		0.04
95% Queue Length, Q ₉₅ (veh)		0.1										0.5		0.1
Control Delay (s/veh)		9.6										45.3		14.9
Level of Service (LOS)		A										E		В
Approach Delay (s/veh)		0.3										30).1	

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Approach LOS

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General Information		Site Information	
Analyst	AZTEC	Intersection	17th St/W. Entrance Dwy
Agency/Co.		Jurisdiction	City of Bloomington
Date Performed	12/20/2019	East/West Street	17th Street
Analysis Year	2021	North/South Street	West Entrance Driveway
Time Analyzed	AM Pk Hr - With Project	Peak Hour Factor	0.90
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description		· · · · ·	
Lanes			
	14 4 7 4 A 4 7 4 4 7 4 4 7 4 4 7 4 4 7 4 7		

지 역 추 Y 수 추 / Major Street: East-West

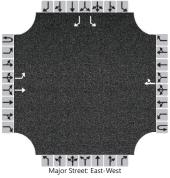
Vehicle Volumes and Adjustments

Approach		Eastb	ound			West	oound			North	bound			South	bound	
Movement	U	L	Т	R	U	L	Т	R	U	L	Т	R	U	L	Т	R
Priority	10	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	1	1	0	0	0	1	0		0	0	0		1	0	1
Configuration		L	Т					TR						L		R
Volume (veh/h)		8	693				710	8						26		26
Percent Heavy Vehicles (%)		3												3		3
Proportion Time Blocked																
Percent Grade (%)		1									1			. (0	
Right Turn Channelized														Ν	lo	
Median Type Storage				Undi	vided											
Critical and Follow-up H	eadwa	ys														
Base Critical Headway (sec)		4.1												7.1		6.2
Critical Headway (sec)		4.13												6.43		6.23
Base Follow-Up Headway (sec)		2.2												3.5		3.3
Follow-Up Headway (sec)		2.23												3.53		3.33
Delay, Queue Length, an	d Leve	l of Se	ervice													
Flow Rate, v (veh/h)		9												29		29
Capacity, c (veh/h)		820												118		387
v/c Ratio		0.01												0.25		0.07
95% Queue Length, Q ₉₅ (veh)		0.0												0.9		0.2
Control Delay (s/veh)		9.4												45.2		15.1
Level of Service (LOS)		А												E		С
Approach Delay (s/veh)		0	.1						-	-			30).1		
Approach LOS														[)	

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HCSTM TWSC Version 7.8.5 17th St-West Entrance 2021 AM W .xtw Generated: 12/20/2019 8:56:46 AM

	HCS7 Two-Way Sto	p-Control Report	
General Information		Site Information	
Analyst	AZTEC	Intersection	17th St/W. Entrance Dwy
Agency/Co.		Jurisdiction	City of Bloomington
Date Performed	12/20/2019	East/West Street	17th Street
Analysis Year	2021	North/South Street	West Entrance Driveway
Time Analyzed	PM Pk Hr - With Project	Peak Hour Factor	0.90
Intersection Orientation	East-West	Analysis Time Period (hrs)	0.25
Project Description			
Lanes			



Vehicle Volumes and Adjustments

Approach		Eastb	ound			West	bound			North	bound			South	bound	
Movement	U	L	Т	R	U	L	Т	R	U	L	Т	R	U	L	Т	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	1	1	0	0	0	1	0		0	0	0		1	0	1
Configuration		L	Т					TR						L		R
Volume (veh/h)		26	711				700	26						15		15
Percent Heavy Vehicles (%)		3												3		3
Proportion Time Blocked																
Percent Grade (%)				-		-		-			-			()	
Right Turn Channelized														Ν	lo	
Median Type Storage		Undivided											-			
Critical and Follow-up H	eadwa	ys														
Base Critical Headway (sec)		4.1												7.1		6.2
Critical Headway (sec)		4.13												6.43		6.23
Base Follow-Up Headway (sec)		2.2												3.5		3.3
Follow-Up Headway (sec)		2.23												3.53		3.33
Delay, Queue Length, an	d Leve	l of Se	ervice													
Flow Rate, v (veh/h)	Τ	29												17		17
Capacity, c (veh/h)		814												106		387
v/c Ratio		0.04												0.16		0.04
95% Queue Length, Q ₉₅ (veh)		0.1												0.5		0.1
Control Delay (s/veh)		9.6												45.3		14.7
Level of Service (LOS)		A												E		В
Approach Delay (s/veh)		0	.3											. 30).0	
Approach LOS														[)	

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HCSTM TWSC Version 7.8.5 17th St-West Entrance 2021 PM W .xtw Generated: 12/20/2019 8:45:26 AM

	HCS7 Two-Way S	Stop-Control Report	
General Information		Site Information	
Analyst	AZTEC	Intersection	Arlington Road/E Entrance
Agency/Co.		Jurisdiction	City of Bloomington
Date Performed	12/20/2019	East/West Street	East Entrance Roadway
Analysis Year	2021	North/South Street	Arlington Road
Time Analyzed	AM Pk Hr - With Project	Peak Hour Factor	0.90
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description		·	•
Lanes			
	14 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	0 J 4 本人 人 人 人 人 人 人 人 人 人 人 人 人 人 人	



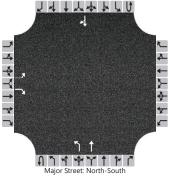
Vehicle Volumes and Adjustments

Approach		Eastb	ound			West	bound			North	bound			South	bound	
Movement	U	L	Т	R	U	L	Т	R	U	L	Т	R	U	L	Т	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	1	0	0	0	1	0
Configuration		L		R						L	Т					TR
Volume (veh/h)		20		20						6	750				750	6
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)		()								-				-	-
Right Turn Channelized		N	0													
Median Type Storage								-								
Critical and Follow-up H	eadwa	ys														
Base Critical Headway (sec)		7.1		6.2						4.1						
Critical Headway (sec)		6.43		6.23						4.13						
Base Follow-Up Headway (sec)		3.5		3.3						2.2						
Follow-Up Headway (sec)		3.53		3.33						2.23						
Delay, Queue Length, an	d Leve	l of Se	ervice													
Flow Rate, v (veh/h)	T	22		22						7						
Capacity, c (veh/h)		102		365						791						
v/c Ratio	1	0.22		0.06						0.01						
95% Queue Length, Q ₉₅ (veh)	1	0.8		0.2						0.0						
Control Delay (s/veh)		49.8		15.5						9.6						
Level of Service (LOS)	1	E		С						А						
Approach Delay (s/veh)	32.6									0	.1					
Approach LOS		[)													

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HCS TWSC Version 7.8.5 Arlington-East Entrance 2021 AM W .xtw Generated: 12/20/2019 8:51:41 AM

	HCS7 Two-Way Sto	op-Control Report	
General Information		Site Information	
Analyst	AZTEC	Intersection	Arlington Road/E Entrance
Agency/Co.		Jurisdiction	City of Bloomington
Date Performed	12/20/2019	East/West Street	East Entrance Roadway
Analysis Year	2021	North/South Street	Arlington Road
Time Analyzed	PM Pk Hr - With Project	Peak Hour Factor	0.90
Intersection Orientation	North-South	Analysis Time Period (hrs)	0.25
Project Description			
Lanes			
	4 7 4 F 7 4 7 7 4 7 7 4 7 7 4 7 7 4 7 7 4 7		



Vehicle Volumes and Adjustments

Approach		Eastb	ound			West	bound			North	bound			South	bound	
Movement	U	L	Т	R	U	L	Т	R	U	L	Т	R	U	L	Т	R
Priority		10	11	12		7	8	9	1U	1	2	3	4U	4	5	6
Number of Lanes		1	0	1		0	0	0	0	1	1	0	0	0	1	0
Configuration		L		R						L	Т					TR
Volume (veh/h)		12		12						20	750				750	20
Percent Heavy Vehicles (%)		3		3						3						
Proportion Time Blocked																
Percent Grade (%)		. ()													
Right Turn Channelized		Ν	0													
Median Type Storage		Undivided														
Critical and Follow-up H	eadwa	ys														
Base Critical Headway (sec)		7.1		6.2						4.1						
Critical Headway (sec)		6.43		6.23						4.13						
Base Follow-Up Headway (sec)		3.5		3.3						2.2						
Follow-Up Headway (sec)		3.53		3.33						2.23						
Delay, Queue Length, an	d Leve	l of Se	ervice													
Flow Rate, v (veh/h)		13		13						22						
Capacity, c (veh/h)		95		361						780						
v/c Ratio		0.14		0.04						0.03						
95% Queue Length, Q ₉₅ (veh)		0.5		0.1						0.1						
Control Delay (s/veh)		49.1		15.3						9.7						
Level of Service (LOS)		E		С						A						
Approach Delay (s/veh)		32	2.2	-						0	.3					-
Approach LOS		[





