

# ZO-42-17 MEMO:

**To:** City of Bloomington Plan Commission

**From:** Terri Porter, Director

**Date:** November 29, 2017

**Re:** Unified Development Ordinance (UDO) amendments to the Commercial Downtown (CD) overlays (CSO, STPO, UVO, DGO, DCO, DEO) concerning maximum heights, maximum densities, modulation requirements, and review considerations.

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This proposal is intended as an interim temporary change until comprehensive new regulations for the downtown can be written and adopted as part of the overall UDO update expected in 2018. The Planning and Transportation Department recommends the following changes to the Unified Development Ordinance (UDO). These changes are intended to reduce the size and impacts of by-right development within the six downtown overlays: Courthouse Square Overlay (CSO), Downtown Core Overlay (DCO), University Village Overlay (UVO), Downtown Edges Overlay (DEO), Downtown Gateway Overlay (DGO), and Showers Technology Park Overlay (STPO). These interim changes include:

1. Reduce the maximum permitted height in all overlays
2. Reduce the maximum permitted density in all overlays except the Showers Technology Park Overlay
3. Change modulation requirements to better define the massing of long buildings
4. Change review consideration for the Plan Commission to add language about housing issues for projects that don't meet overlay standards

## **Height Changes:**

The maximum permitted height in all overlays is proposed to be reduced by 10 feet. The Downtown Core Overlay will remain as the tallest permitted district, however, it will be reduced from a maximum of 50 feet to a maximum of 40 feet. This height reduction will likely still permit a 3 story building, but not likely a 4 story building. Height and density reductions reflect intention to assure that proposed buildings help move toward the new UDO and draft Comp Plan during transition.

Overlay	Existing Height	Proposed Height
CSO	40 feet	30 feet
DCO	50 feet	40 feet
UVO	40 feet	30 feet
UVO (restaurant row)	35 feet	25 feet
DEO	35 feet	25 feet
DGO	40 feet	30 feet
STPO	45 feet	35 feet

In order to accomplish the reduction in the maximum height, the minimum heights in the DEO and the Restaurant Row portion of the UVO will need to be decreased from 25 feet to 20 feet.

**Density Changes:**

The maximum residential density of each overlay is proposed to be reduced. The largest reduction is proposed for the Downtown Core Overlay which will decrease from 60 units per acre to 30 units per acre. Despite this reduction, the DCO will remain the densest overlay, with twice the permitted density of other commercial districts, Commercial Arterial (CA), Commercial General (CG), Commercial Limited (CL) and the Residential High-Density (RH) district. One overlay (DEO) is proposed to be reduced to 15 units per acre, which would be the same as those previously mentioned districts (CA, CG, CL, RH).

Overlay	Existing Density	Proposed Density
CSO	33 u/a	20 u/a
DCO	60 u/a	30 u/a
UVO	33 u/a	20 u/a
DEO	20 u/a	15 u/a
DGO	33 u/a	20 u/a
STPO	15 u/a	15 u/a (no change)

**Modulation Changes:**

The current modulation requirements specify a maximum façade module width but not a minimum. This is a flaw in our UDO as petitioners have at times used this to their advantage and created 10 foot wide insets in buildings in order to meet the letter of the law. This approach has led to very long buildings with little real modulation or break up

of the massing of the building. This proposal corrects this flaw by creating a minimum façade module width.

Overlay	Existing Maximum Width	Proposed Minimum Width
CSO	50 feet	20 feet
DCO	65 feet	25 feet
UVO	50 feet	20 feet
DEO	45 feet	20 feet
DGO	65 feet	25 feet
STPO	100 feet	25 feet

In addition, a minimum façade modulation depth of five (5) feet will be added and the façade depth requirement would increase from 3% of the length of the building along the street to 5%. Finally, the overlays will specifically state that the modules must extend the full height of the building. These changes will create more noticeable modulation of buildings.

**Review Consideration Changes:**

This proposal includes reworking of the review consideration in the overlays for projects that don't meet the overlay standards. The UDO currently contains review considerations about green buildings and innovative and unique designs. This proposal adds language about housing diversity and simplifies the language of the other considerations.

- Existing environmental statement: "The Plan Commission is encouraged to consider the degree to which the site plan incorporates sustainable development design features such as vegetated roofs, energy efficiency, and resource conservation measures."
- Existing design statement: "The Plan Commission is encouraged to consider building designs which may deviate in character from the architectural standards of this section but add innovation and unique design to the built environment of this overlay area."
- **New review consideration:** "The Plan Commission is encouraged to consider projects that include a high degree of best practice sustainable development design features, that are unique designs which are not incompatible with their surroundings, and that contribute to the diversification of downtown housing and/or contribute to addressing the community's affordable housing challenge." *(this statement would replace the existing UDO language listed above)*

## Rationale for Proposed Ordinance

While the *2002 Growth Policies Plan* encouraged increasing densities near downtown and supported densities of 100 units per acre in the downtown (Compact Urban Form Policy 2: Increase residential Densities in the Urbanized Area) and also increased heights (page 29), it did so with the caveat that increased densities should be linked to design controls and compatibility (Conserve Community Character Policy 2: Improve Downtown Vitality), human scale development, and conformance with historic patterns of building mass and scale (page 29). The *2005 Downtown Vision and Infill Strategy Plan* made many recommendations for downtown development style and intensity, including:

- “In demographic terms, the downtown is in need of balance. While housing has been built for students, relatively little housing has been targeted to the potentially large market of the future for empty nester and senior households that also enjoy the lifestyle available by living downtown. In other markets, “empty-nesters” provide strong support for urban housing close to amenities. Where such products are available, the urban market captures between 4% and 8% of the demographic. Based on trends in Bloomington and Monroe County, a combination of growth and existing pent-up demand for quality housing could produce demand for approximately 700 units of non-student housing in the downtown in the short-term (five years). In long range planning (beyond five years to the 2040 horizon of the projections from StatsIndiana), the downtown goal for vitality should be to accommodate somewhere in the range of 2,000 new non-student housing units for empty nesters, seniors and small households in the 25 to 44 year age range, while continuing to retain existing units for students and current residents. The goal is thus to add to the mix to provide balance, to reinforce a mix of housing for all income groups and ages, not to remove housing opportunities.” (page 1-10)
- **Design guideline 3.7** A larger building should be divided into “modules” that are similar in scale to buildings seen historically.
  - If a larger building is divided into “modules,” they should be expressed three-dimensionally throughout the entire building.
  - A typical building module in Bloomington is 65 feet wide. This should be reflected in the facade design of larger buildings.
- **Design Guideline 3.9** Maintain the perceived building scale of two to four stories in height.

The policies of the GPP, Downtown Plan and subsequent UDO were successful in spurring downtown development. Approximately 1000 new downtown housing units have been built since 2007, and more are under construction or recently approved. However, the majority of these developments have been tailored to Indiana University undergraduate housing. Current community sentiment is that the standards put in place with the UDO in 2007 are not enough to ensure appropriately sized, scaled, and compatible buildings. Specifically, the not yet adopted 2017 Comprehensive Plan

encourages the City to “develop measures that limit the pace and extent of student housing in Downtown to steer market forces towards more non-student and affordable housing opportunities.” The Department views this proposed interim ordinance as an initial step toward that goal. In addition the 2017 Plan makes several other statements concerning these issues.

“Density is of principle importance to Downtown Bloomington’s sense of place. As density continues to increase, however, a balance needs to be struck between student-centric development and mixed-use Downtown amenities that support the entire community.” (page 52)

“Almost all of (downtown’s) residential growth has been targeted to Indiana University’s off-campus student housing demand, a result that has triggered concerns that Downtown’s socioeconomic makeup has become too homogenous. This high rate of student demand has driven up rental prices per square foot, and it appears to have priced many non-student households out of the Downtown market. The inadvertent centralization of student housing around Downtown could weaken the community’s strong and inclusive atmosphere to all age groups.” (page 52)

“Attitudes of complacency and standardization can begin to erode Downtown’s success and should be avoided.” (page 53)

“(UDO) regulations have helped to shape many of the newer developments in Downtown. However, details on building height, mass, design, and uses are coming under scrutiny as Downtown continues to grow and evolve. Avoiding standardized templates or boilerplate proposals for new building projects recognizes the need for alternative compliance with the UDO and much clearer policy guidance for each character area. Form-based codes and/or fine-tuning of design guidelines, building height, massing, and other site details, such as the ability for student-oriented housing to be adaptively reused for other market segments, are in order as Bloomington moves forward. The community also cannot lose sight of the need to better define its expectations for the Downtown public realm. After all, an active and lively public realm is what makes downtowns so unique. Guiding new developments in these areas will help Downtown maintain and strengthen its economic vitality and visual attractiveness as a great place to be.” (Page 53)

- **Goal 4.1** Ensure that the Downtown retains its historic character and main street feel, encouraging redevelopment that complements and does not detract from its character.
  - **Policy 4.1.2:** Recognize the significance of both traditional and innovative, high-quality architecture in supporting community character and urban design.

- **Goal 4.4** Encourage a range of diverse housing types downtown, with an emphasis on affordable and workforce housing.
    - **Policy 4.4.3:** Work with developers early in the development process to encourage building and marketing housing to appeal to non-student residents such as young professionals, families, and the elderly.
    - **Policy 4.4.4:** Until such time as a reasonable balance of different housing types is achieved in the Downtown and nearby areas, strongly discourage new student-oriented housing developments in these areas.
  - **Program:** Develop strategies to stabilize and diversify the downtown residential population by identifying and encouraging missing housing forms in the downtown area (such as row houses, condominiums, and live/work space).
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### **Conclusion:**

Projects that meet the proposed amendments will be considered by-right. The Plan Commission may approve projects outside by-right standards of the overlays through already established mechanisms in the UDO. This proposal should be considered a temporary change in order to ensure that downtown multifamily housing development is consistent with the direction of the soon-to-be adopted Comprehensive Plan and UDO update. The update of the UDO, as has been the case with writing the new Comprehensive Plan, will be a public and transparent process and public input will guide the future criteria of the Downtown Overlay areas.

### **National Examples from Similar Communities**

Included in this Memorandum is a “research issue debrief” which was requested by the Planning and Transportation Department from Clarion Associates. The Department is finalizing a contract with Clarion Associates to update the UDO. These examples from other university communities informs this Memorandum on how student housing impacts have been addressed in other parts of the country.

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**CLARION**

*Research Issue Debrief*

**Task:** Over the past few years, several of our clients have had challenges with student housing being constructed at a scale that changes the character and feel of their downtowns. In response, some cities have considered moratoria on new downtown multi-family residential developments. This Debrief reviews some of the approaches that medium-sized cities have used to address this issue.

**Solutions in  
Other  
Communities::**

- University of Connecticut in Mansfield, Connecticut: Mansfield instated a nine month moratorium on multi-family development while making updates to their multi-family housing regulations to align with town’s plan of conservation and development.  
<http://dailycampus.com/stories/2016/9/9/apartment-development-moratorium-could-be-turning-point-for-off-campus-housing>
- Michigan State University in East Lansing Michigan: First placed a moratorium on multi-family developments over 4 units. Then passed an ordinance that limits multi-family units to 4 bedrooms.  
<http://statenews.com/article/2016/02/ordinance-may-limit-student-options>
- University of New Hampshire in Durham, New Hampshire: Durham Planning Board is weighing a proposal that would prohibit multi-unit residential housing for non-related individuals in the central business district. The board proposal would continue to allow downtown multi-unit housing for households. <http://www.nhbr.com/February-3-2017/Durham-weighs-limits-on-downtown-student-housing/>
- Texas State University in San Marcos, Texas: Council considered a moratorium on new multi-family development, but instead is looking at ways to incentivize developers to redevelop older multi-family buildings in poor condition. They are considering forgiving property taxes on redevelopments. <http://smmercury.com/2012/02/23/council-declines-apartment-moratorium-in-favor-of-redevelopment/>
- **Clarion Example:** University of Missouri in Columbia, MO: Ordinance states,  
“If more than over fifty (50) percent of the dwelling units in the structure have four (4) or more bedrooms, the following additional standards shall apply:  
(i) In the R-MF and M-N, and M-DT districts, no principal structure may contain more than two hundred (200) bedrooms in any one structure;

(ii) Each principal structure must include at least one (1) operable entry/exit door for each one hundred (100) linear feet of each street frontage, or part thereof;"

• **Clarion Example:** University of South Carolina in Columbia, SC: In another Clarion example (yet to be adopted), Columbia South Carolina specifies some student housing types as private dormitories. A private dorm is: "A building not owned or operated by a college or university that contains bedrooms for students attending a college or university. Each bedroom shall have an individual private bathroom with a bath or shower. Bedrooms may be arranged around a common area with a kitchen which is shared by students renting the bedrooms, or along a hall which provides access to a common kitchen space. Bedrooms shall be rented to the student on an annual basis or for an academic semester or summer term. Accessory uses may include fitness facilities, pools, parking areas, and similar facilities."

The regulations for private dormitory uses include:

(a) Not be located within 600 feet of:

(a) A RSF 1, RSF 2, RSF 3, RD, RD MV, MU L, RM M, or MUM district; or

(b) A Planned Development district where the majority of the dwelling units are detached single or two family dwellings.

(b) Have a maximum density of 150 bedrooms per acre; however the Board of Zoning Appeals may grant a Special Exception Permit in accordance with Sec. Sec. 17 2.5(e), Special Exception Permit, to exceed this density. The Board of Zoning Appeals shall not grant such a Special Exception Permit if the application does not include an operation and management plan that describes, at a minimum, the following:

(a) Uses and activities that will occur in conjunction with the dormitory use;

(b) Hours and operation of non residential services;

(c) Security plan including provisions for common and parking areas;

(d) Noise control;

(e) Provisions for transportation including location for loading/unloading of shuttles or buses, if

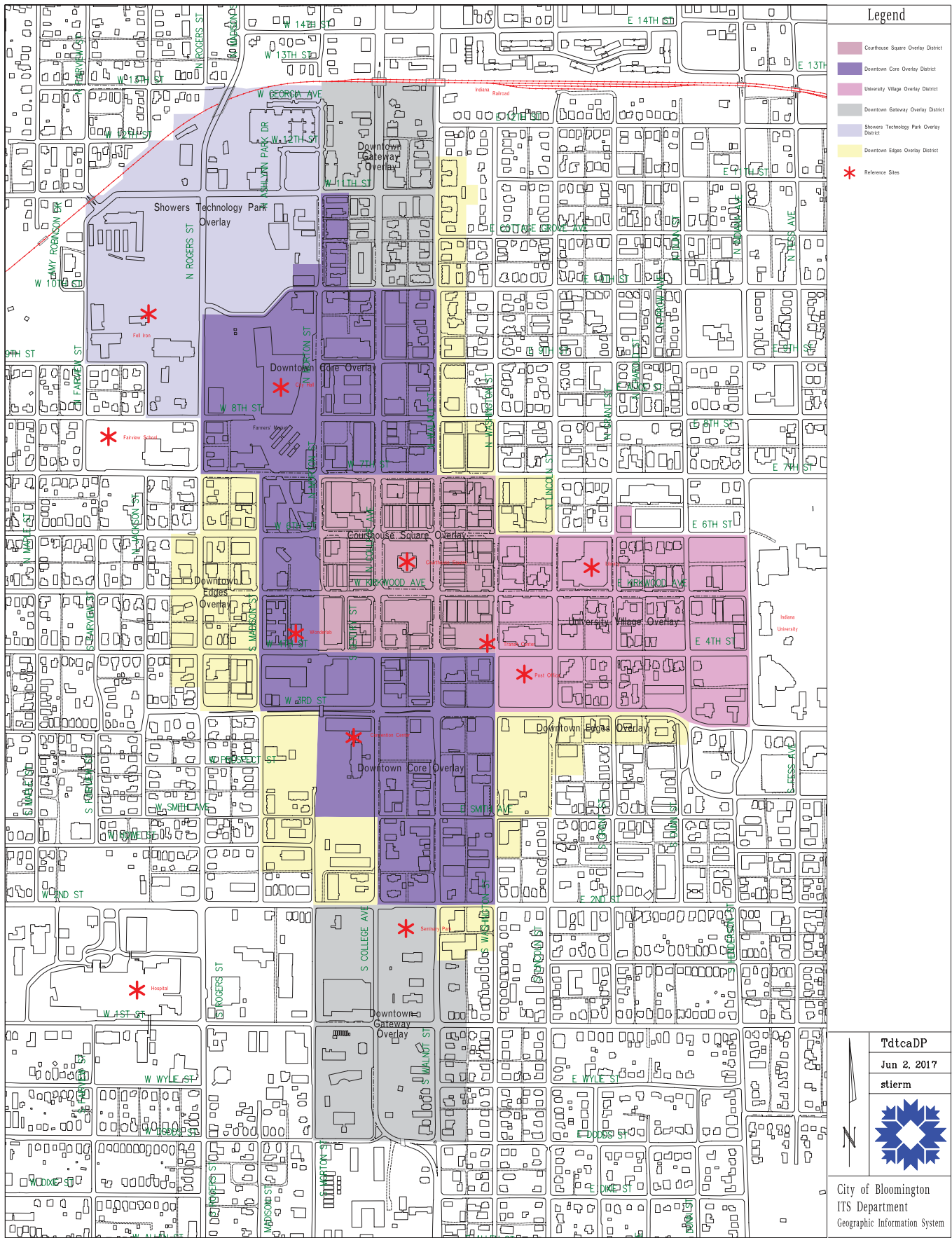
applicable;

(f) Location of entrances and exits;



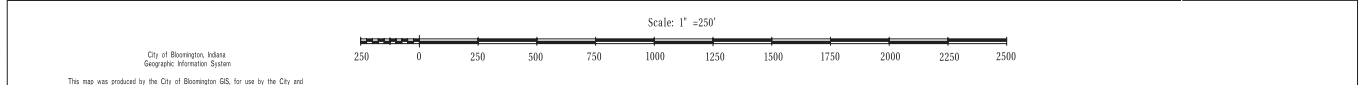
- (g) Location and management of parking for residents and visitors;
- (h) Location of amenities and their relationship and compatibility with adjacent uses.
- (c) There shall not be more than one person occupying a bedroom;
- (d) A minimum of 0.25 parking spaces per bedroom shall be provided. A minimum of 75 percent of required bicycle parking in all districts shall be located in an enclosed and secured area.
- (e) Sidewalks that are a minimum of five feet in width shall be provided along all streets;
- (f) An on site manager shall be on the premises 24 hours a day, seven days a week.
- (g) Comply with any designated historic or design overlay district design guidelines.
- (h) A private dormitory within the AC D or MC district shall not have more than 60 percent of the total number of dwelling units designed for occupancy by more than three unrelated adults.

**Conclusions:** Moratoria seem to be a common method for addressing student housing in the form of multi-family development. It appears some communities are trying non-moratoria solutions, such as San Marcos incentivizing redevelopment and Durham's proposed limit on housing for unrelated individuals.



- Legend**
- Courthouse Square Overlay District
  - Downtown Core Overlay District
  - University Village Overlay District
  - Downtown Gateway Overlay District
  - Showers Technology Park Overlay District
  - Downtown Edges Overlay District
  - \* Reference Sites

City of Bloomington ITS Department Geographic Information System



City of Bloomington, Indiana  
Geographic Information System

This map was produced by the City of Bloomington GIS for use by the City and general public as map information. The geographic and demographic information is based on aerial photography flown in March 1991 and March 1992. Updates from aerial orthorectification took place in April 1994, April 2005, March 2016, and April 2018. Information is updated by GIS technicians from development drawings, plans, and other sources. The accuracy of information contained in this document is based on National Mapping Standards, however it is NOT warranted.

The Corporation boundary reflects annexations effective January 1, 2011.  
Information and Technology Services Department  
3 January 2017

## UDO Downtown Overlay Districts

Effective February 12, 2007

**ORDINANCE 17-45**  
**TO AMEND TITLE 20 (UNIFIED DEVELOPMENT ORDINANCE)**  
**OF THE BLOOMINGTON MUNICIPAL CODE**  
**Re: Amending Chapter 20.03 “Overlay Districts” To Provide Clear Guidance on**  
**Downtown Overlay Development and Architectural Standards**

- WHEREAS, on December 20, 2006, the Common Council passed Ordinance 06-24, which created the Unified Development Ordinance, Title 20 of the Bloomington Municipal Code (“UDO”); and
- WHEREAS, the UDO regulates development and architectural standards within the City of Bloomington; and
- WHEREAS, the UDO contains a number of overlay districts (“Overlay Districts”) that prescribe additional development and architectural standards for the Commercial Downtown (CD) district: the Courthouse Square Overlay (CSO), the Downtown Core Overlay (DCO), the University Village Overlay (UVO), the Downtown Edges Overlay (DEO), the Downtown Gateway Overlay (DGO), and the Showers Technology Park Overlay (STPO); and
- WHEREAS, an expressed intent of each of these downtown Overlay Districts is to “ensure that new development is compatible in mass and scale with historic structures in the [Overlay District] character area;” and
- WHEREAS, the City of Bloomington wishes to amend the UDO to provide clearer guidance on the review, development, and architectural standards that align with this expressed intent; and
- WHEREAS, on December 11, 2017, the Plan Commission considered ZO-42-17, and made a positive recommendation in favor of the amendments to the UDO described herein;

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

SECTION 1. Section 20.03.030 - Courthouse Square overlay (CSO) — Review standards shall be deleted and replaced with the following:

**20.03.030 Courthouse square overlay (CSO)—Review standards.**

**Staff Review:**

Staff shall approve any project that:

- Complies with all the standards of Section 20.03.050, Courthouse square overlay (CSO)—Development standards and Section 20.03.060, Courthouse square overlay (CSO)—Architectural standards; and
- Complies with all review standards of Section 20.09.120, Site plan review.

**Plan Commission Review:**

The plan commission shall approve any project that:

- Complies with all the standards of Section 20.03.050, Courthouse square overlay (CSO)—Development standards and Section 20.03.060, Courthouse square overlay (CSO)—Architectural standards; and complies with all review standards of Section 20.09.120, Site plan review.

The plan commission may approve any project that does not comply with all the standards of Section 20.03.050, Courthouse square overlay (CSO)—Development standards and Section 20.03.060, Courthouse square overlay (CSO)—Architectural standards if the commission finds that the project:

- Complies with all review standards of Section 20.09.120, Site plan review, and
- Satisfies the design guidelines set forth in Section 20.03.070, Courthouse square overlay (CSO)—Design guidelines.
- The Plan Commission is encouraged to consider projects that include a high degree of best practice sustainable development design features that are unique designs which are not incompatible with their surroundings, and that contribute to the diversification of downtown housing and/or contribute to addressing the community’s affordable housing challenge.

SECTION 2. Subsections 20.03.050 (a) and 20.03.050 (b) of Courthouse square overlay (CSO)—Development standards, shall be deleted and replaced with the following:

(a) Density and Intensity Standards.

(1) Maximum residential density: twenty units per acre.

(A) Dwelling unit equivalents:

Five-bedroom unit = two units;

Four-bedroom unit = one and one-half units;

Three-bedroom unit = one unit;

Two-bedroom unit with less than nine hundred fifty square feet = 0.66 of a unit;

One-bedroom unit with less than seven hundred square feet = 0.25 of a unit;

Efficiency or studio unit with less than five hundred fifty square feet = 0.20 of a unit.

(2) Maximum impervious surface coverage: one hundred percent.

(b) Height Standards.

(1) Minimum structure height: twenty-five feet.

(2) Maximum structure height: thirty feet.

SECTION 3. Subpart (c)(1) of Section 20.03.060 - Courthouse square overlay (CSO)—Architectural standards shall be deleted and replaced with the following:

(c) Mass, Scale and Form:

(1) Building Facade Modulation. Facade modulation is required and shall be incorporated through recessing and through banding and/or articulation of exterior materials or change of materials by incorporating repeating patterns, textures and/or colors used on exterior facade materials.

(A) Building facades with street frontage shall utilize a maximum facade width interval of fifty feet and a minimum facade width interval of twenty feet for a facade module.

(B) The building facade module shall be offset by a minimum depth (projecting or recessing) of five percent of the total facade length, at a minimum of five feet, and the offset shall extend the length and height of its module.

SECTION 4. 20.03.100 - Downtown core overlay (DCO)—Review standards shall be deleted and replaced with the following:

**20.03.100 Downtown core overlay (DCO)—Review standards.**

**Staff Review:**

Staff shall approve any project that:

- Complies with all the standards of Section 20.03.120, Downtown core overlay—Development standards and Section 20.03.130, Downtown core overlay—Architectural standards; and
- Complies with all review standards of Section 20.09.120, Site plan review.

**Plan Commission Review:**

The plan commission shall approve any project that:

- Complies with all the standards of Section 20.03.120, Downtown core overlay—Development standards and Section 20.03.130, Downtown core overlay—Architectural standards; and complies with all review standards of Section 20.09.120, Site plan review.

The plan commission may approve any project that does not comply with all the standards of Section 20.03.120, Downtown core overlay—Development standards and Section 20.03.130, Downtown core overlay—Architectural standards if the commission finds that the project:

- Complies with all review standards of Section 20.09.120, Site plan review, and
- Satisfies the design guidelines set forth in Section 20.03.140, Downtown core overlay—Design guidelines.
- The Plan Commission is encouraged to consider projects that include a high degree of best practice sustainable development design features that are unique designs which are not incompatible with their surroundings, and that contribute to the diversification of downtown housing and/or contribute to addressing the community's affordable housing challenge.

SECTION 5. Subsections 20.03.120(a) and 20.03.120(b) - Downtown core overlay (DCO)—  
Development standards shall be deleted and replaced with the following:

(a) Density and Intensity Standards.

(1) Maximum residential density: thirty units per acre.

(A) Dwelling unit equivalents:

Five-bedroom unit = two units;

Four-bedroom unit = one and one-half units;

Three-bedroom unit = one unit;

Two-bedroom unit with less than nine hundred fifty square feet = 0.66 of a unit;

One-bedroom unit with less than seven hundred square feet = 0.25 of a unit;

Efficiency or studio unit with less than five hundred fifty square feet = 0.20 of a unit.

(2) Maximum impervious surface coverage: one hundred percent.

(b) Height Standards.

(1) Minimum structure height: thirty-five feet

(2) Maximum structure height: forty feet

SECTION 6. Subpart (c)(1) of Section 20.03.130 - Downtown core overlay (DCO)—  
Architectural standards shall be deleted and replaced with the following:

(c) Mass, Scale and Form.

(1) Building Facade Modulation. Facade modulation is required and shall be incorporated through recessing and through banding and/or articulation of exterior materials or change of materials by incorporating repeating patterns, textures and/or colors used on exterior facade materials.

(A) Building facades with street frontage shall utilize a maximum facade width interval of sixty-five feet and a minimum facade width interval of twenty-five feet for a facade module.

(B) The building facade module shall be offset by a minimum depth (projecting or recessing) of five percent of the total facade length, at a minimum of five feet, and the offset shall extend the length and height of its module.

SECTION 7. 20.03.170 - University village overlay (UVO)—Review standards shall be deleted and replaced with the following:

**20.03.170 University village overlay (UVO)—Review standards.**

**Staff Review:**

Staff shall approve any project that:

- Complies with all the standards of Section 20.03.190, University village overlay (UVO)—Development standards and Section 20.03.200, University village overlay (UVO)—Architectural standards; and
- Complies with all review standards of Section 20.09.120, Site plan review.

**Plan Commission Review:**

The plan commission shall approve any project that:

- Complies with all the standards of Section 20.03.190, University village overlay (UVO)—Development standards and Section 20.03.200, University village overlay (UVO)—Architectural standards; and complies with all review standards of Section 20.09.120, Site plan review.

The plan commission may approve any project that does not comply with all the standards of Section 20.03.190, University village overlay (UVO)—Development standards and Section 20.03.200, University village overlay (UVO)—Architectural standards if the commission finds that the project:

- Complies with all review standards of Section 20.09.120, Site plan review, and
- Satisfies the design guidelines set forth in Section 20.03.210, University village overlay (UVO)—Design guidelines.
- The Plan Commission is encouraged to consider projects that include a high degree of best practice sustainable development design features that are unique designs which are not incompatible with their surroundings, and that contribute to the diversification of downtown housing and/or contribute to addressing the community's affordable housing challenge.



SECTION 8. Subsections 20.03.190(a) and 20.03.190(b) - University village overlay (UVO)—Development standards shall be deleted and replaced with the following:

(a) Density and Intensity Standards.

(1) Maximum residential density: twenty units per acre.

(A) Dwelling Unit equivalents:

Five-bedroom unit = two units;

Four-bedroom unit = one and one-half units;

Three-bedroom unit = one unit;

Two-bedroom unit with less than nine hundred fifty square feet = 0.66 of a unit;

One-bedroom unit with less than seven hundred square feet = 0.25 of a unit;

Efficiency or studio unit with less than five hundred fifty square feet = 0.20 of a unit.

(2) Maximum impervious surface coverage:

(A) General: eighty-five percent;

(B) Kirkwood Corridor: one hundred percent.

(b) Height Standards.

(1) General:

(A) Minimum structure height: twenty-five feet.

(B) Maximum structure height: thirty feet.

(2) Restaurant row:

(A) Minimum structure height: twenty feet.

(B) Maximum structure height: twenty-five feet.

SECTION 9. Subpart (c)(1) of Section 20.03.200 - University village overlay (UVO)—Architectural standards shall be deleted and replaced with the following:

(c) Mass, Scale and Form.

(1) Building Facade Modulation. Facade modulation is required and shall be incorporated through recessing and through banding and/or articulation of exterior materials or change of materials by incorporating repeating patterns, textures and/or colors used on exterior facade materials.

(A) Building facades with street frontage shall utilize a maximum facade width interval of fifty feet and a minimum facade width interval of twenty feet for a facade module.

(B) The building facade module shall be offset by a minimum depth (projecting or recessing) of five percent of the total facade length, at a minimum of five feet, and the offset shall extend the length and height of its module.

SECTION 10. 20.03.240 - Downtown edges overlay (DEO)—Review standards shall be deleted and replaced with the following:

**20.03.240 Downtown edges overlay (DEO)—Review standards.**

**Staff Review:**

Staff shall approve any project that:

- Complies with all the standards of Section 20.03.260, Downtown edges overlay (DEO)—Development standards and Section 20.03.270, Downtown edges overlay (DEO)—Architectural standards; and
- Complies with all review standards of Section 20.09.120, Site plan review.

**Plan Commission Review:**

The plan commission shall approve any project that:

- Complies with all the standards of Section 20.03.260, Downtown edges overlay (DEO)—Development standards and Section 20.03.270, Downtown edges overlay (DEO)—Architectural standards; and complies with all review standards of Section 20.09.120, Site plan review.

The plan commission may approve any project that does not comply with all the standards of Section 20.03.260, Downtown edges overlay (DEO)—Development standards and Section 20.03.270, Downtown edges overlay (DEO)—Architectural standards if the commission finds that the project:

- Complies with all review standards of Section 20.09.120, Site plan review, and
- Satisfies the design guidelines set forth in Section 20.03.280, Downtown edges overlay (DEO)—Design guidelines.
- The Plan Commission is encouraged to consider projects that include a high degree of best practice sustainable development design features that are unique designs which are not incompatible with their surroundings, and that contribute to the diversification of downtown housing and/or contribute to addressing the community's affordable housing challenge.

SECTION 11. Subsections 20.03.260(a) and 20.03.260(b) - Downtown edges overlay (DEO)—  
Development standards shall be deleted and replaced with the following:

(a) Density and Intensity Standards.

(1) Maximum residential density: fifteen units per acre.

(A) Dwelling unit equivalents:

Five-bedroom unit = two units;

Four-bedroom unit = one and one-half units;

Three-bedroom unit = one unit;

Two-bedroom unit with less than nine hundred fifty square feet = 0.66 of a unit;

One-bedroom unit with less than seven hundred square feet = 0.25 of a unit;

Efficiency or studio unit with less than five hundred fifty square feet = 0.20 of a unit.

(2) Maximum impervious surface coverage: seventy percent.

(b) Height Standards.

(1) Minimum structure height: twenty feet.

(2) Maximum structure height: twenty-five feet.

SECTION 12. Subpart (c)(1) of Section 20.03.270 - Downtown edges overlay (DEO)—  
Architectural standards shall be deleted and replaced with the following:

(c) Mass, Scale and Form.

(1) Building Facade Modulation. Facade modulation is required and shall be incorporated through recessing and through banding and/or articulation of exterior materials or change of materials by incorporating repeating patterns, textures and/or colors used on exterior facade materials.

(A) Building facades along each street shall utilize a maximum facade width interval of forty-five feet and a minimum facade width interval of twenty feet for a facade module.

(B) The building facade module shall be offset by a minimum depth (projecting or recessing) of five percent of the total facade length, at a minimum of five feet, and the offset shall extend the length and height of its module.

SECTION 13. 20.03.310 - Downtown gateway overlay (DGO) — Review Standards shall be deleted and replaced with the following:

**20.03.310 Downtown gateway overlay (DGO)—Review standards.**

**Staff Review:**

Staff shall approve any project that:

- Complies with all the standards of Section 20.03.330, Downtown gateway overlay (DGO)—Development standards and Section 20.03.340, Downtown gateway overlay (DGO)—Architectural standards; and
- Complies with all review standards of Section 20.09.120, Site plan review.

**Plan Commission Review:**

The plan commission shall approve any project that:

- Complies with all the standards of Section 20.03.330, Downtown gateway overlay (DGO)—Development standards and Section 20.03.340, Downtown gateway overlay (DGO)—Architectural standards; and complies with all review standards of Section 20.09.120, Downtown gateway overlay (DGO)—Site plan review.

The plan commission may approve any project that does not comply with all the standards of Section 20.03.330, Downtown gateway overlay (DGO)—Development standards and Section 20.03.340, Downtown gateway overlay (DGO)—Architectural standards if the commission finds that the project:

- Complies with all review standards of Section 20.09.120, Site plan review, and
- Satisfies the design guidelines set forth in Section 20.03.350, Downtown gateway overlay (DGO)—Design guidelines.
- The Plan Commission is encouraged to consider projects that include a high degree of best practice sustainable development design features that are unique designs which are not incompatible with their surroundings, and that contribute to the diversification of downtown housing and/or contribute to addressing the community's affordable housing challenge.

SECTION 14. Subsections 20.03.330(a) and 20.03.330(b) - Downtown gateway overlay (DGO)—Development standards shall be deleted and replaced with the following:

(a) Density and Intensity Standards.

(1) Maximum residential density: twenty units per acre.

(A) Dwelling unit equivalents:

Five-bedroom unit = two units;

Four-bedroom unit = one and one-half units;

Three-bedroom unit = one unit;

Two-bedroom unit with less than nine hundred fifty square feet = 0.66 of a unit;

One-bedroom unit with less than seven hundred square feet = 0.25 of a unit;

Efficiency or studio unit with less than five hundred fifty square feet = 0.20 of a unit.

(2) Maximum impervious surface coverage: seventy-five percent.

(b) Height Standards.

(1) Minimum structure height: twenty-five feet.

(2) Maximum structure height: thirty feet.

SECTION 15. Subpart (c)(1) of Section 20.03.340 - Downtown gateway overlay (DGO)—Architectural standards shall be deleted and replaced with the following:

(c) Mass, Scale and Form.

(1) Building Facade Modulation. Facade modulation is required and shall be incorporated through recessing and through banding and/or articulation of exterior materials or change of materials by incorporating repeating patterns, textures and/or colors used on exterior facade materials.

(A) Building facades with street frontage shall utilize a maximum facade width interval of sixty-five feet and a minimum facade width interval of twenty-five feet for a facade module.

(B) Building facade module shall be offset by a minimum depth (projecting or recessing) of five percent of the total facade length, at a minimum of five feet, and the offset shall extend the length and height of its module.

SECTION 16. 20.03.380 - Showers Technology Park overlay (STPO)—Review standards shall be deleted and replaced with the following:

**20.03.380 Showers Technology Park overlay (STPO)—Review standards.**

**Staff Review:**

Staff shall approve any project that:

- Complies with all the standards of Section 20.03.400, Showers technology park overlay (STPO)—Development standards and Section 20.03.410, Showers technology park overlay (STPO)—Architectural standards; and
- Complies with all review standards of Section 20.09.120, Site plan review.

**Plan Commission Review:**

The plan commission shall approve any project that:

- Complies with all the standards of Section 20.03.400, Showers technology park overlay (STPO)—Development standards and Section 20.03.410, Showers technology park overlay (STPO)—Architectural standards; and complies with all review standards of Section 20.09.120, Site plan review.

The plan commission may approve any project that does not comply with all the standards of Section 20.03.400, Showers technology park overlay (STPO)—Development standards and Section 20.03.410, Showers technology park overlay (STPO)—Architectural standards if the commission finds that the project:

- Complies with all review standards of Section 20.09.120, Site plan review, and
- Satisfies the design guidelines set forth in Section 20.03.420, Showers Technology Park overlay (STPO)—Design guidelines.
- The Plan Commission is encouraged to consider projects that include a high degree of best practice sustainable development design features that are unique designs which are not incompatible with their surroundings, and that contribute to the diversification of downtown housing and/or contribute to addressing the community's affordable housing challenge.



SECTION 17. Subsection 20.03.400(b) - Showers Technology Park overlay (STPO)—  
Development standards, Height standards shall be deleted and replaced with the following:

(b) Height Standards.

- (1) Minimum structure height: twenty-five feet.
- (2) Maximum structure height: thirty-five feet.

SECTION 18. Subpart (c)(1) of Section 20.03.410 - Showers Technology Park overlay  
(STPO)— Architectural standards shall be deleted and replaced with the following:

(c) Mass, Scale and Form.

- (1) Building Facade Modulation. Facade modulation is required and shall be incorporated through recessing and through banding and/or articulation of exterior materials or change of materials by incorporating repeating patterns, textures and/or colors used on exterior facade materials.
  - (A) Building facades along each street and the B-line trail shall utilize a maximum facade width interval of one hundred feet and a minimum façade width interval of twenty-five feet for a facade module.
  - (B) The building facade module shall be offset by a minimum depth (projecting or recessing) of five percent of the total facade length, at a minimum of five feet, and the offset shall extend the length and height of its module.

SECTION 19. 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 20. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor, and after any required waiting and/or notice periods under Indiana law.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
SUSAN SANDBERG, President  
Bloomington Common Council

ATTEST:

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

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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

SIGNED and APPROVED by me upon this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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

## SYNOPSIS

This ordinance amends Title 20 (the Unified Development Ordinance or “UDO”) of the Bloomington Municipal Code. The proposed amendments decrease the densities and heights of, and set forth additional guidelines for, new construction in the downtown overlay districts. The policies of the 2002 Growth Policies Plan, the 2005 Downtown Vision and Infill Strategy Plan and the subsequent UDO were successful in spurring downtown development, and approximately 1,000 new downtown housing units have been built since 2007, with more under construction or recently approved. However, current community sentiment, as it will be embodied in the revised Comprehensive Plan presently under review, is that the existing UDO standards are not sufficient to preserve the integrity, uniqueness, and diversity of the overlay neighborhoods. The intent of these proposed amendments is to ensure that new development in the Overlay Districts is appropriately sized, scaled, and compatible with existing buildings so as to preserve and enhance the distinct character of the Overlay Districts until a broader revision of the UDO can be undertaken after adoption of the new Comprehensive Plan.

The ordinance amends Section 20.03.030 - Courthouse Square overlay (CSO) — Review standards, Sections 20.03.050 - Courthouse square overlay (CSO)—Development Standards, 20.03.060 - Courthouse square overlay (CSO)—Architectural standards, 20.03.100 - Downtown core overlay (DCO)—Review standards, 20.03.120 - Downtown core overlay (DCO)—Development standards, 20.03.130 - Downtown core overlay (DCO)—Architectural standards, 20.03.170 - University village overlay (UVO)—Review standards, 20.03.190 - University village overlay (UVO)—Development standards, 20.03.200 - University village overlay (UVO)—Architectural standards, 20.03.240 - Downtown edges overlay (DEO)—Review standards, 20.03.260 - Downtown edges overlay (DEO)—Development standards, 20.03.270 - Downtown edges overlay (DEO)—Architectural standards, 20.03.310 - Downtown gateway overlay (DGO) — Review Standards, 20.03.330 - Downtown gateway overlay (DGO)—Development standards, 20.03.340 - Downtown gateway overlay (DGO)—Architectural standards, 20.03.380 - Showers Technology Park overlay (STPO)—Review standards, 20.03.400 - Showers technology park overlay (STPO)—Development standards, and 20.03.410 - Showers technology park overlay (STPO)—Architectural standards.



James Roach &lt;roachja@bloomington.in.gov&gt;

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**Fwd: [Planning] City development**

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**Elizabeth Carter** <cartere@bloomington.in.gov>  
To: James Roach <roachja@bloomington.in.gov>  
Cc: Carmen Lillard <lillardc@bloomington.in.gov>

Mon, Dec 4, 2017 at 8:18 AM

Good Morning James,

Please see below email that came into the Planning account regarding the proposed UDO changes.

Thank you.

----- Forwarded message -----

From: **Ryne Shadday** <[ryne.shadday@gmail.com](mailto:ryne.shadday@gmail.com)>  
Date: Fri, Dec 1, 2017 at 5:18 PM  
Subject: [Planning] City development  
To: [planning@bloomington.in.gov](mailto:planning@bloomington.in.gov)

Dear planning staff,

I'm writing in concern with the direction policy is going in regards to downtown development. My concern is that you are acting on behalf of a very vocal minority of people who do not want to see our city grow, in both a business sense and a residential sense. There's a feeling, that I understand as a downtown resident, that our city is growing too quickly. That's not a bad thing. Of course there need to be controls on development. However, controlling density is not how to accomplish this. Our development standards are some of the most strict in the state, and it has caused businesses to leave our community for those whose attitude towards growth, is not detrimental to a businesses success.

I talk daily with numerous people who want to see this city grow, thrive, and become a place for all to live. In order for housing prices to fall elsewhere through the city, having more residents live and work downtown is imperative. Cities like Kokomo and Terre Haute are starting to thrive due to their progressive policies regarding the development of their downtown. Having a community like ours, where people enjoy our amenities, is an asset. If we have regressive development standards, we're just another ho-hum city in the state of Indiana - stuck in the 70's-90's. Please do not let this email fall on deaf ears, as we are really shooting ourselves in the foot with a millennial generation who want to live and work in an urban, dense environment.

Best regards,

Ryne Shadday

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