

Proposed Amendments to Ordinance 19-24: To Repeal
and Replace Title 20 of the Bloomington Municipal
Code entitled “Unified Development Ordinance”

AMENDMENT FORM

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

Amendment Number:Am 01 (PC 4A – revised)

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

Date Submitted:9/26/19

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

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

Council Action – [Date]:

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

20.03.20 Table of Allowed Uses – Table 3-1
Delete “C” but keep the “*” in cells intersecting rows entitled “Dwelling, duplex” and “Dwelling, triplex and fourplex” and columns entitled R1, R2 & R3.

20.03.020 Table of Allowed Uses

Table 3-1: Allowed Use Table

P = permitted use, C = conditional use permit, A = accessory use, T = temporary use, Uses with an *= use-specific standards apply
NOTE: Additional uses may be permitted, prohibited, or require conditional use approval in some MD Character Areas pursuant to Section 20.03.060.

Use	Residential								Mixed-Use								Non-Residential		Use-Specific Standards
	RE	R1	R2	R3	R4	RM	RH	RMH	MS	MN	MM	MC	ME	MI	MD	MH	EM	PO	
RESIDENTIAL USES																			
Household Living																			
Dwelling, single-family (detached)	P	P	P	P	P	P*	P*	P	P	P	P*	P*	P*			P*			20.03.030(b)(1)
Dwelling, single-family (attached)			P*	P*	P*	P*	P*		P*	P*	P*				P*				20.03.030(b)(2)
Dwelling, duplex	C	€*	€*	€*	P*	P*	P*		P*	P*	P*	C*			P*				20.03.030(b)(3)
Dwelling, triplex		€*	€*	€*	P*	P*	P*		P*	P*	P*	C*			P*				20.03.030(b)(4)
Dwelling, fourplex					C*	P*	P*		P*	P*	P*	P*			P*				20.03.030(b)(4)
Dwelling, multifamily					C*	P	P		P	P*	P*	P	P*	C	P*				20.03.030(b)(5)
Dwelling, live/work					C*	P*	P*			P*	P*	P*			P*				20.03.030(b)(6)
Dwelling, cottage development		C*	C*	C*	C*	C*	C*	C*		C*									20.03.030(b)(7)
Dwelling, mobile home								P*											20.03.030(b)(8)
Manufactured home park								P*											20.03.030(b)(9)
Group Living																			
Assisted living facility					C	P	P			C	P	P		P	P	P			
Continuing care retirement facility					C	P	P			C	P	P		P	P	P			
Fraternity or sorority house									P					P					
Group care home, FHAA small	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		P*			20.03.030(b)(10)
Group care facility, FHAA large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			20.03.030(b)(10)
Nursing or convalescent home					C	P	P			C	P	P	P	P	P	P			
Opioid rehabilitation home, small	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		P*			20.03.030(b)(10)
Opioid rehabilitation home, large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			20.03.030(b)(10)
Residential rooming house						P*	P*		P	P*	P	P	C*						20.03.030(b)(11)
Student housing or dormitory						C*	P*		P	C*	P*	P*		P*	C*				20.03.030(b)(12)
Supportive housing, small							C			C	C	C		C	C	C			
Supportive housing, large											C	C		C	C	C			

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

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

- (3)

Dwelling, Duplex
- (A)

Generally
- i.

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

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

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

- (4) Dwelling, Triplex and Fourplex
- (A) Generally

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

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

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

AMENDMENT FORM

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

Amendment Number:Am 02

Name of Sponsor(s):

Cm. Volan

Date Submitted:

11/4/19

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Policy 5.1.3: Encourage a wide range of housing types to provide a more diverse mix of housing opportunities and household income levels, preferably within neighborhoods and multi-family housing developments.	63
5	Programs: Affordable housing <ul style="list-style-type: none">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 <ul style="list-style-type: none">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 – [Date]:

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

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

20.03.020 Table of Allowed Uses

Table 3-1: Allowed Use Table

P = permitted use, C = conditional use permit, A = accessory use, T = temporary use, Uses with an *= use-specific standards apply
NOTE: Additional uses may be permitted, prohibited, or require conditional use approval in some MD Character Areas pursuant to Section 20.03.060.

Use	Residential								Mixed-Use								Non-Residential		Use-Specific Standards
	RE	R1	R2	R3	R4	RM	RH	RMH	MS	MN	MM	MC	ME	MI	MD	MH	EM	PO	
RESIDENTIAL USES																			
Household Living																			
Dwelling, single-family (detached)	P	P	P	P	P	P*	P*	P	P	P	P*	P*	P*			P*			20.03.030(b)(1)
Dwelling, single-family (attached)			P*	P*	P*	P*	P*		P*	P*	P*				P*				20.03.030(b)(2)
Dwelling, duplex	CP	CP*	CP*	CP*	P*	P*	P*		P*	P*	P*	CP*			P*				20.03.030(b)(3)
Dwelling, triplex		CP*	CP*	CP*	P*	P*	P*		P*	P*	P*	CP*			P*				20.03.030(b)(4)
Dwelling, fourplex					CP*	P*	P*		P*	P*	P*	P*			P*				20.03.030(b)(4)
Dwelling, multifamily					C*	P	P		P	P*	P*	P	P*	C	P*				20.03.030(b)(5)
Dwelling, live/work					C*	P*	P*			P*	P*	P*			P*				20.03.030(b)(6)
Dwelling, cottage development		C*	C*	C*	C*	C*	C*	C*		C*									20.03.030(b)(7)
Dwelling, mobile home								P*											20.03.030(b)(8)
Manufactured home park								P*											20.03.030(b)(9)

20.03.030(b)(3) Dwelling, Duplex

(A) **Generally**

- i.

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

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

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

(A) **Generally**

- i.

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

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

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

AMENDMENT FORM

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

Amendment Number: Am 03

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

Date Submitted: 11/5/19

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Policy 5.1.3: Encourage a wide range of housing types to provide a more diverse mix of housing opportunities and household income levels, preferably within neighborhoods and multi-family housing developments	63
5	Programs: Neighborhood Character and Quality of Life <ul style="list-style-type: none">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 Action – [Date]:

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

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

20.03.030(b)

(3) Dwelling, Duplex

(C) Design

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

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

20.03.030(b)

(4) Dwelling, Triplex and Fourplex

(C) Design

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

AMENDMENT FORM

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

Amendment Number:Am 05

Name of Sponsor(s):

Cm. Piedmont-Smith

Date Submitted:

11/3/19

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Policy 5.4.1: Promote and maintain housing options within neighborhoods to ensure that a diversity of housing types, a mix of household incomes, and a variety of homeownership and rental opportunities exist, including for locally protected classes of vulnerable residents.	64
5	Goal 5.2: Housing Planning and Design Guide growth, change, and preservation of residential and business areas through planning policies that create and sustain neighborhood character and green space, and that build a sense of community, civic involvement, and neighborhood pride.	63

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

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

Council Action – [Date]:

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

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

(3) Dwelling, Duplex

(A) Generally

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

(4) Dwelling, Triplex and Fourplex

(A) Generally

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

AMENDMENT FORM

Ordinance 19-24: To Repeal and Replace [Title 20](#) (linked) of the Bloomington Municipal Code entitled "Unified Development Ordinance"
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Amendment Number: Am 06

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

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Programs: Affordable housing <ul style="list-style-type: none">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 <ul style="list-style-type: none">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: <ul style="list-style-type: none">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 – [Date]:

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

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

20.03.020 Table of Allowed Uses

Table 3-1: Allowed Use Table

P = permitted use, C = conditional use permit, A = accessory use, T = temporary use, Uses with an *= use-specific standards apply
NOTE: Additional uses may be permitted, prohibited, or require conditional use approval in some MD Character Areas pursuant to Section 20.03.060.

Use	Residential								Mixed-Use								Non-Residential		Use-Specific Standards
	RE	R1	R2	R3	R4	RM	RH	RMH	MS	MN	MM	MC	ME	MI	MD	MH	EM	PO	
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*	A							20.03.030(g)(4)
Dwelling, accessory unit	C* A*	C* A*	C* A*	C* A*	C* A*	C* A*	C* A*	C* A*	C* A*	C* A*	C* A*	C* A*	C* A*		C* A*	C* A*			20.03.030(g)(5)
Electric vehicle charging facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Greenhouse, noncommercial	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Home occupation	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*			20.03.030(g)(6)
Outdoor retail and display										T*	T*	T*			T*		A*		20.03.030(g)(7)
Outdoor trash and recyclables receptacles						A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*		20.03.030(g)(8)
Recycling drop-off, self-serve						A	A		A	A	A	A	A	A	A	A	A		
Swimming pool	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	20.03.030(g)(9)

20.03.030(g)(5)

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

20.03.030(g)(5)

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

AMENDMENT FORM

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

Amendment Number: Am 07

Name of Sponsor(s): Cm. Volan

Date Submitted: 11/4/19

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Programs: Affordable housing <ul style="list-style-type: none">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 <ul style="list-style-type: none">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: <ul style="list-style-type: none">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)

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

Council Action – [Date]:

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

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

20.03.020 Table of Allowed Uses

Table 3-1: Allowed Use Table

P = permitted use, C = conditional use permit, A = accessory use, T = temporary use, Uses with an *= use-specific standards apply
NOTE: Additional uses may be permitted, prohibited, or require conditional use approval in some MD Character Areas pursuant to Section 20.03.060.

Use	Residential								Mixed-Use								Non-Residential		Use-Specific Standards
	RE	R1	R2	R3	R4	RM	RH	RMH	MS	MN	MM	MC	ME	MI	MD	MH	EM	PO	
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*	A							20.03.030(g)(4)
Dwelling, accessory unit	C* A*	C* A*	C* A*	C* A*	C* A*	C* A*	C* A*	C* A*	C* A*	C* A*	C* A*	C* A*	C* A*		C* A*	C* A*			20.03.030(g)(5)
Electric vehicle charging facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Greenhouse, noncommercial	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Home occupation	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*			20.03.030(g)(6)
Outdoor retail and display										T*	T*	T*			T*		A*		20.03.030(g)(7)
Outdoor trash and recyclables receptacles						A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*		20.03.030(g)(8)
Recycling drop-off, self-serve						A	A		A	A	A	A	A	A	A	A	A		
Swimming pool	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	20.03.030(g)(9)

20.03.030(g)(5)

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

20.03.030(g)(5)

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

20.03.030(g)(5)

(H) Owner Occupancy

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

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

public realm.

AMENDMENT FORM

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

Amendment Number:Am 08

Name of Sponsor(s):

Cm. Piedmont-Smith

Date Submitted:

11/3/19

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [Date]:

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

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

20.02.050 Planned Unit Development (PUD) District

(b) Qualifying Standards

(3) Where residential dwelling units are proposed, a minimum of 15 percent of the total dwelling units must be permanently income-limited through a deed restriction to households earning less than 120 percent of the HUD AMI for Monroe County, Indiana, unless the City otherwise adjusts or releases this requirement. ~~A payment in lieu of providing income-restricted housing may be authorized by the Common Council, provided the payment is in an amount estimated to offset the cost to the City of providing an equivalent amount of income-restricted housing.~~

AMENDMENT FORM

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

Amendment Number: Am 09

Name of Sponsor(s): Cm. Volan

Date Submitted: 11/4/19

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

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

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

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

Council Action – [Date]:

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

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

20.03.030 Use Specific Standards

(i) Cooperative Housing

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

20.07.010 Defined Words

Cooperative Housing

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