



**City of Bloomington
Office of the Common Council**

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 Ordinance 19-24 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 Ordinance 19-24 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 not passed by the Council.*
 - 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 - packet of amendments that appeared on an agenda but were either denied, not introduced, or withdrawn by the Council.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

ORDINANCE 19-24

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

WHEREAS, the Common Council, by its Resolution 18-01, 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;
- 2) 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 Resolution 19-11, Resolution 18-19, and Resolution 17-13 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) UDO Adoption Draft (released August 2019 and revised September 2019), (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").

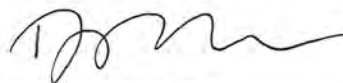
SECTION 3. The Clerk of the City is hereby authorized and directed to oversee the process of consolidating all of the documents referenced in Section 2 into a single text document for codification.

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 18 day of December, 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.

ORDINANCE 19-24

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 [link](#) and at <https://bloomington.in.gov/council/plan-schedule> (under the column entitled “Relevant Documents/Information”) and in the Office of the Bloomington City Clerk (401 N. Morton St., Room 110)

ORDINANCE 19-24

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.

ORDINANCE 19-24

**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 Ordinance 19-24 - 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 Ordinance 19-24 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 (<i>which Includes the Required Statement of Reason[s] for the Amendment</i>)	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	<p>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:</p> <ul style="list-style-type: none"> * 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. <p>That is the intent of this amendment.</p>	Adopted	6-2	Nov 14

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 standards related to such use.	Withdrawn	8-0	Nov 19
09-R		20.03.030 20.07.010	Volan & staff	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	<p>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.</p> <p>Council Sponsor took some language from the EC's suggested replacement paragraph, but not the whole paragraph.</p>	Adopted (via consent agenda)	8-0	Nov 19
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
17		20.03.020 Table 3-1	Piedmont-Smith	<p>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.</p> <p>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.</p>	Adopted	8-0	Nov 19
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	<p>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.</p> <p>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.</p>	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	<p>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.</p> <p>This amendment also adds the requirement that all added vegetation be kept alive and maintained in perpetuity.</p>	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 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.	Amend Adopt as Amended Adopted	5-4 5-4	Nov 20
35		20.04.110(d)(3)	Piedmont-Smith	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.	Adopted (via consent agenda)	8-0	Nov 19
36		20.05.040(e)(3) 20.05.040(e)(9)	Piedmont-Smith	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.	Not introduced	N/A	Nov 19
37		20.05.050(j)(5)(N)	Piedmont-Smith	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.	Adopted	9-0	Nov 20
38	PC Am 09 - REV	20.06.050(c) 20.06.050(c)(3)(C)(ii) (2)[c]	Sturbaum	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.	Failed	2-6-1	Nov 20

39		20.07.010	Piedmont-Smith	<p>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.</p> <p>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.</p>	Adopted (via consent agenda)	8-0	Nov 19
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	<p>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.</p> <p>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.</p> <p>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.</p> <p>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 setback could still be conforming.</p> <p>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.</p> <p>3) For RM and RH zones – Same reasoning as for R1 zone</p>	Adopted	5-2	Dec 10

61		20.02.020(e)(2) Table 2-6	Piedmont-Smith	<p>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.</p> <p>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.</p>	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	<p>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.</p> <p>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.</p>	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 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.	Adopted	5-0-1	Dec 10
65		20.04.110(d)(1)	Rollo	This new language recognizes the need for rehabilitation of existing structures toward improved sustainability.	Adopted (via consent agenda)	N/A	Dec 10
66		20.04.110(d)(2)(A)(iv)	Rollo	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.	Adopted (via consent agenda)	N/A	Dec 10
67		20.04.110(d)(2)(A)(v)	Rollo	This amendment makes it clear that on-site solar photovoltaic systems may exceed the minimum requirements for the incentive.	Adopted (via consent agenda)	N/A	Dec 10
68		20.04.120(b)(1)	Rollo	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.	Adopted (via consent agenda)	N/A	Dec 10
69		20.07.010	Rollo	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.	Adopted (via consent agenda)	N/A	Dec 10
70-R		20.04.020 Table 4-2	Piedmont-Smith & staff	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.	Adopted	9-0	Dec 18
71		20.04.020(e) Table 4-6	Rollo & staff	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.	Adopted (via consent agenda)	N/A	Dec 18

72		20.04.070(d)(2)(E)	Piedmont-Smith	<p>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.</p>	Adopted	9-0	Dec 18
73		20.02.020 Table 2-4	Piedmont-Smith	<p>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.</p> <p>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.</p> <p>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</p> <p>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.</p>	Adopted	9-0	Dec 18
74		20.02.050(b)	Piedmont-Smith & staff	<p>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.</p> <p>Note – this amendment revises section 20.02.050, which was previously amended by Amendment 08 adopted by the Council on November 19, 2019.</p>	Adopted	9-0	Dec 18

ORDINANCE 19-24

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

ATTACHMENT C

PART 2 - ADOPTED AMENDMENTS

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
Neighborhoods 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
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.	P65
Mixed Urban Residential – Land Use Development Approvals 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
Neighborhood Residential - Land Use Development Approvals 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

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

(Over)

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

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

20.03.020 Table of Allowed Uses

Table Error! No text of specified style in document.-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*			Error! Reference source not found.
Dwelling, single-family (attached)			P*	P*	P*	P*	P*		P*	P*	P*				P*				Error! Reference source not found.
Dwelling, duplex	C	↵*	↵*	↵*	P*	P*	P*		P*	P*	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*	P	P		P	P*	P*	P	P*	C	P*				Error! Reference source not found.
Dwelling, live/work					C*	P*	P*			P*	P*	P*			P*				Error! Reference source not found.
Dwelling, cottage development		C*	C*	C*	C*	C*	C*	C*		C*									Error! Reference source not found.
Dwelling, mobile home								P*											Error! Reference source not found.
Manufactured home park								P*											Error! Reference source not found.
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*			Error! Reference source not found.
Group care facility, FHAA large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			Error! Reference source not found.
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*			Error! Reference source not found.
Opioid rehabilitation home, large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			Error! Reference source not found.
Residential rooming house						P*	P*		P	P*	P	P	C*						Error! Reference source not found.
Student housing or dormitory						C*	P*		P	C*	P*	P*		P*	C*				Error! Reference source not found.
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 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 – [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

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

Amendment Number: Am 06

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

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Programs: Affordable housing <ul style="list-style-type: none">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 – [November 14, 2019]:

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

20.03.020 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 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 – [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.~~

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-R

Name of Sponsor(s): Cm. Volan & staff

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 & 360

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. 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

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, **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.

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 10

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

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.01.010(b) Purpose	1

Supported by Following Sections of the Comprehensive Plan

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

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 11

Name of Sponsor(s):

Cm. Piedmont-Smith

Date Submitted:

11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.02.020(a)(2) Dimensional Standards Table 2-2: RE District Dimensional Standards	6
20.04.020(c) General Dimensional Standards Table 4-2: Residential District Dimensional Standards	95

Supported by Following Sections of the Comprehensive Plan

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

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

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.***

20.02.20 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.

Table 2-2: RE District Dimensional Standards		
Lot Dimensions (Minimum, only for lots created after the effective date)		
A	Lot area	108,900 square feet (2.50 acres)
B	Lot width	200 feet
Building Setbacks (Minimum)		
C	Front	30 feet
D	Attached front-loading garage or carport	10 feet behind the primary structure’s front building wall
E	Side	30 feet
F	Rear	60 feet
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.

Table 4-2: Residential District Dimensional Standards										
sq. ft. = square feet										
Dimensional Standards		RE	R1	R2	R3	R4	RM [1]	RH [1]	RMH [1]	
Lot Dimensions (Minimum, only for lots created after the effective date)									Entire Development	Dwelling Site
Lot area	sq. ft.	108,900	20,000 [2]	7,200 [2]	5,000 [2]	4,000	5,000	5,000	43,560	3,000
	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 front-loading garage or carport		10 feet behind the primary structure's front building 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 Standards										
Front parking setback (minimum)		None	None	None	None	None	20 feet behind the primary structure's front building wall		None	None
Impervious surface coverage (maximum)		20% 15%	40%	40%	45%	50%	60%	65%	None	65%
Landscape area (minimum)		None	None	None	None	None	40%	35%	None	None
Primary structure height (maximum)		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 structure height (maximum)		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).										

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 12

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

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.02.020(b)(2) Dimensional Standards Table 2-3: R1 District Dimensional Standards	8
20.04.020(c) General Dimensional Standards Table 4-2: Residential District Dimensional Standards	95

Supported by Following Sections of the Comprehensive Plan

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

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

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.***

20.02.20 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.

Table 2-3: R1 District Dimensional Standards		
Lot Dimensions (Minimum, only for lots created after the effective date)		
A	Lot area	20,000 square feet (0.459 acres) [1]
B	Lot width	100 feet [1]
Building Setbacks (Minimum)		
C	Front	15 feet
D	Attached front-loading garage or carport	10 feet behind the primary structure’s front building wall
E	Side	First floor: 8 feet [1] Each story above the ground floor: 10 feet [1]
F	Rear	25 feet [1]
Other Standards		
	Impervious surface coverage (maximum)	40% 30%
G	Primary structure height (maximum)	40 feet
	Accessory structure height (maximum)	20 feet
Notes:		
[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 4-2: Residential District Dimensional Standards

sq. ft. = square feet

Dimensional Standards		RE	R1	R2	R3	R4	RM [1]	RH [1]	RMH [1]	
Lot Dimensions (Minimum, only for lots created after the effective date)									Entire Development	Dwelling Site
Lot area	sq. ft.	108,900	20,000 [2]	7,200 [2]	5,000 [2]	4,000	5,000	5,000	43,560	3,000
	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 front-loading garage or carport		10 feet behind the primary structure's front building 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 Standards										
Front parking setback (minimum)		None	None	None	None	None	20 feet behind the primary structure's front building wall		None	None
Impervious surface coverage (maximum)		20%	40% 30%	40%	45%	50%	60%	65%	None	65%
Landscape area (minimum)		None	None	None	None	None	40%	35%	None	None
Primary structure height (maximum)		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 structure height (maximum)		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).

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 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 (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Goal 5.2: 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

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

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 2-7: RM District Dimensional Standards

Lot Dimensions (Minimum, only for lots created after the effective date)		Multifamily Dwelling	Single-Family, Duplex, Triplex, or Fourplex Dwelling
A	Lot area	5,000 square feet (0.115 acres)	R 24 district standards apply
B	Lot width	50 feet	
Building Setbacks (Minimum)			
C	Front	15 feet	R 24 district standards apply
	Attached front-loading garage or carport	10 feet behind the primary structure's front building wall	
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	R 24 district standards apply
	Impervious surface coverage (maximum)	60%	
	Landscape area (minimum)	40%	
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
A	Lot area	5,000 square feet (0.115 acres)	R24 district standards apply
B	Lot width	50 feet	
Setbacks (Minimum)			
C	Front	15 feet	R24 district standards apply
	Attached front-loading garage or carport	10 feet behind the primary structure's front building wall	
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	R24 district standards apply
	Impervious surface coverage (maximum)	65%	
	Landscape area (minimum)	35%	
F	Primary structure height (maximum)	5 stories, not to exceed 63 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.

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 14

Name of Sponsor(s):

Cm. Piedmont-Smith

Date Submitted:

11/3/19

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

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

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

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.***

20.02.030 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.

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 15

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

Date Submitted: 11/3/19, revised 11/12/19

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

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

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

(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.

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 16

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

Date Submitted: 11/3/19, revised 11/10/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.02.50 Planned Unit Development (PUD) District (b) Qualifying Standards	51

Supported by Following Sections of the Comprehensive Plan

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

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.***

20.02.50 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)~~

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 17

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	64

Supported by Following Sections of the Comprehensive Plan

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

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

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	
Healthcare Facilities																			
Hospital														C		C			
Medical clinic										P	P	P	P	P	P	P			
Methadone or other treatment facility												PC*		C*		C*			20.03.030(c)(7)
Opioid rehabilitation facility											C*	C*	C*		C*	C*			20.03.030(c)(7)

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

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

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

(c) Public, Institutional, and Civic Uses

(5) Urban Agriculture, Noncommercial

(C) Soil Quality

- Food products may be **solid 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.

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 19

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

Date Submitted: 11/3/19, revised 11/12/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.03.030(f) Utilities and Communication (2) Solar Collector, Ground- or Building-Mounted	84

Supported by Following Sections of the Comprehensive Plan

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

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

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 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.

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

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

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 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.

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

<p>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.</p> <p>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.</p>

Council Action – [November 19, 2019]:

Motion to adopt Am 21: 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.***

20.04.30 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.

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

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

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 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.

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

<p>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).</p>

Council Action – [November 19, 2019]:

Motion to adopt Am 24: 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.***

20.04.040 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 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 requirements 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.

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 25

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

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

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

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

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.***

20.04.050 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

1. 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.~~
2. ~~In the R3 zoning district, the maximum width of a driveway shall be 18 feet regardless of the presence of 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.

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 28

Name of Sponsor(s):

Cm. Piedmont-Smith

Date Submitted:

11/3/19

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

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

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.***

20.04.060 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.**

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 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 Non-Residential /Materials	152
2.04.070(d)(2)(B) (iv) - Site and Building Design/ Building Design/Residential /Materials	154

Supported by Following Sections of the Comprehensive Plan

Chapter		Page #
4 - Downtown	<u>Policy 4.1.1</u> “Recognize the significance of traditional architecture, innovative yet durable, compatible, high quality architecture, and compact urban form in supporting community character. “	55
7 – Land Use	<u>Mixed Urban Residential – Land Use Development Approvals</u> “Allow context sensitive multifamily redevelopment along higher volume roads...” /	85
	<u>Downtown – Site Design</u> “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”	85
	<u>Urban Village Center – Site Design</u> “ 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

<div>20.04.070 Site and Building Design</div> <div>(d) Building Design</div> <div><div>(1) Mixed-Use and Nonresidential</div><div><div>(A) Applicability</div><div>The following standards shall apply to parcels in the MN, MM, MC, ME, MI, and MH zone districts.</div></div><div><div>(B) Exceptions</div><div>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..</div></div><div><div>(C) Materials</div><div>All facades of a primary building shall consist of one or more of the following primary and secondary exterior finish materials:</div><div><div>Primary Exterior Finish Materials</div><div>Cementitious siding; ii — EIFS; iii. Masonry; iiii v Brick; iv. Natural stone; vi Precast concrete; vii Split-faced block; viii Transparent glass</div><div><div>Secondary Exterior Finish Materials</div><div>viii Transparent glass; i. Wood; ii. EIFS or iii. Other products that replicate the appearance and durability of the above materials, as approved by the staff.</div></div></div></div></div>
--

(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.

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

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

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.***

20.04.080 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).

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 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 (m) Screening	174

Supported by Following Sections of the Comprehensive Plan

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

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

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.***

20.04.80 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.~~

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 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 20.04.80(n)(3) Fence and Wall Height	176

Supported by Following Sections of the Comprehensive Plan

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

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.***

20.04.080 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.

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 34

Name of Sponsor(s):

Cm. Volan

Date Submitted:

11/4/19

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

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

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

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.***

20.04.100 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.

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

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.**

20.04.110 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).
 - ii 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.

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 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 (e.g., Overview, Goals & Policies, or Programs)	Page #
6	Policy 6.1.5: Encourage the concept of streets as not merely for transportation, but as important public spaces where community thrives	74
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

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

<p>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.</p>

Council Action – [November 20, 2019]:

Motion to adopt Am 37: 9-0
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.***

20.05.050 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.~~

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 39

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

Date Submitted: 11/3/19, revised 11/12/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.07.10 Defined Words	390

Supported by Following Sections of the Comprehensive Plan

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

<p>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.</p> <p>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.</p>
--

Council Action – [November 19, 2019]:

Motion to adopt Am 39: 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.***

20.07.010 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.

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 41

Name of Sponsor(s):

Cm. Sandberg & staff

Date Submitted:

11/4/2019

UDO Chapter, Section, and Page

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

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 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

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.***

20.02.60 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.

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 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 Rehabilitation Home (Small and Large)	72

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 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

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.***

20.03.30 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.

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 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

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 provides a new graphical illustration to better show how building height is measured.

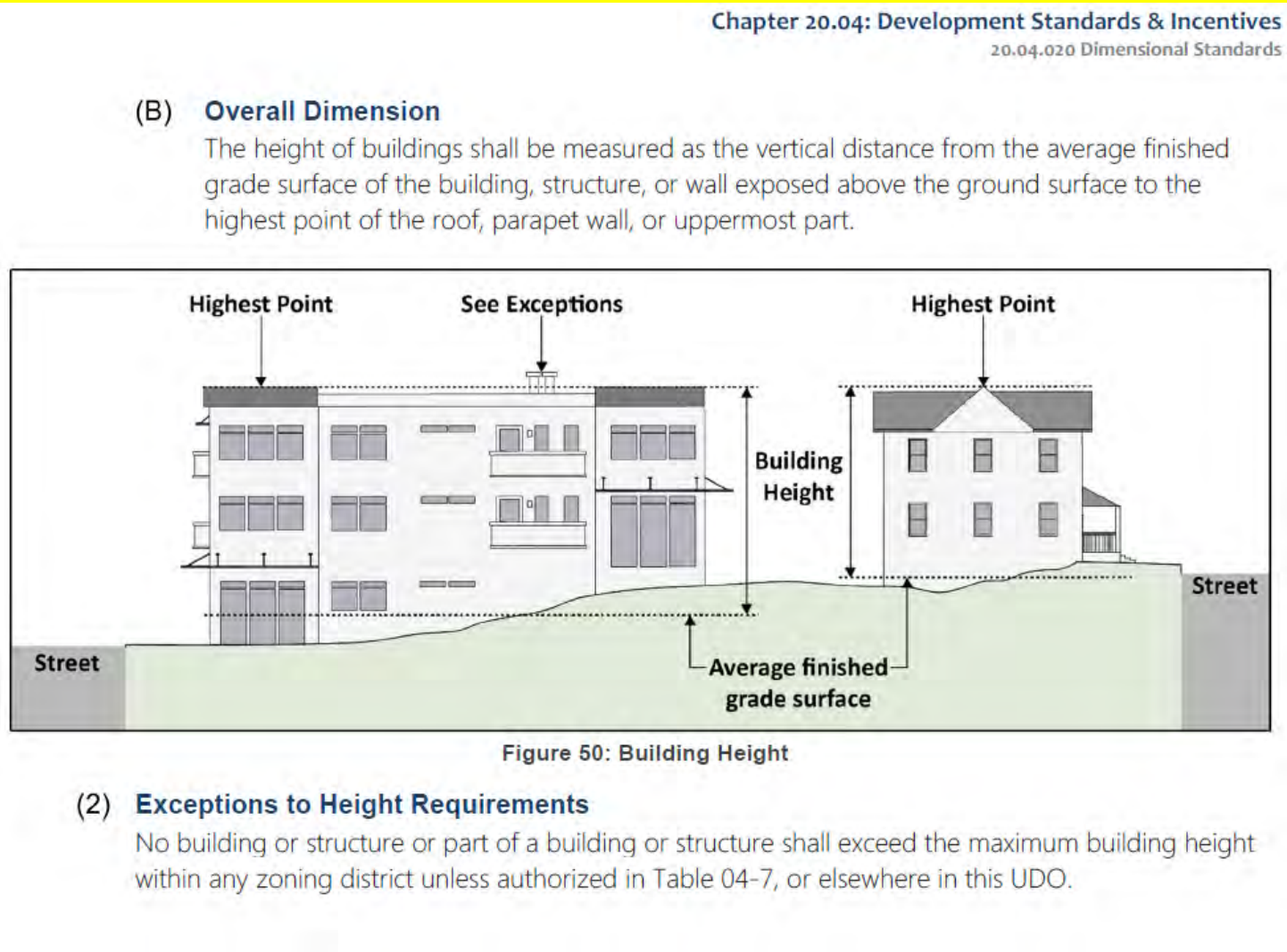
Council Action – [December 03, 2019]:

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

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.**

The amendment provides a new image for Figure 50: Building Height



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 45 - R

Name of Sponsor(s): Steve Volan

Date Submitted: 12/3/2019

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.060(e) Maximum Vehicle Parking Requirement	135-140
20.04.060(h) Adjustments to Maximum Parking Requirements	142

Supported by Following Sections of the Comprehensive Plan

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

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

DU = dwelling unit sq. ft. = square feet

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; plus 1 space per 3 rooming units; plus 1 space per 3 DUs
Continuing care retirement facility	
Fraternity or sorority house	0.8 spaces per bed
Group care home, FHAA small	1 space per 4 persons design capacity
Group care facility, FHAA large	
Nursing or convalescent home	
Opioid rehabilitation home, small	
Opioid rehabilitation home, large	2 spaces; plus 1 space per guest room
Residential rooming house	
Student housing or dormitory	
Supportive housing, small	No requirement limit
Supportive housing, large	
PUBLIC, INSTITUTIONAL, AND CIVIC USES	
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
Conference or convention center	1 space per 500 sq. ft. GFA 2.0 spaces per 1,000 sq. ft. GFA for 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

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
Recreation, indoor	Bowling alley: 3 spaces per lane 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
Recreation, outdoor	Golf course: 2 spaces per golf hole Mini golf course: 1 space per golf hole 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
Brewpub, distillery, or winery	Indoor tasting/seating area: 1 space per 100 sq. ft. GFA 10.0 spaces 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
Hotel or motel	1 space per guest room
Restaurant	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
Office, Business, and Professional Services	
Artist studio or workshop	No maximum limit
Check cashing	1 space per 250 sq. ft. GFA 4.0 spaces per 1,000 sq. ft. GFA
Financial institution	1 space per 250 sq. ft. GFA 4.0 spaces per 1,000 sq. ft. GFA
Fitness center, small	1 space per 300 sq. ft. GFA 3.3 spaces per 1,000 sq. ft. GFA
Fitness center, large	1 space per 400 sq. ft. GFA 2.5 spaces per 1,000 sq. ft. GFA
Office	1 space per 300 sq. ft. GFA 3.3 spaces per 1,000 sq. ft. GFA
Personal service, small	1 space per 300 sq. ft. GFA 3.3 spaces per 1,000 sq. ft. GFA
Personal service, large	1 space per 300 sq. ft. GFA 3.3 spaces per 1,000 sq. ft. GFA
Tattoo or piercing parlor	1 space per 300 sq. ft. GFA 3.3 spaces per 1,000 sq. ft. GFA
Retail Sales	
Building supply store	1 space per 500 sq. ft. GFA 2.0 spaces per 1,000 sq. ft. GFA
Grocery or supermarket	1 space per 200 sq. ft. GFA 5.0 spaces per 1,000 sq. ft. GFA
Liquor or tobacco sales	1 space per 300 sq. ft. GFA 3.3 spaces per 1,000 sq. ft. GFA
Pawn shop	1 space per 300 sq. ft. GFA 3.3 spaces per 1,000 sq. ft. GFA
Retail sales, small	1 space per 250 sq. ft. GFA 4.0 spaces per 1,000 sq. ft. GFA
Retail sales, medium	1 space per 250 sq. ft. GFA 4.0 spaces per 1,000 sq. ft. GFA
Retail sales, large	1 space per 300 sq. ft. GFA 3.3 spaces per 1,000 sq. ft. GFA

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
Vehicle parking garage	No requirement limit
Vehicle repair, major	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
Vehicle repair, minor	
Vehicle sales or rental	
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	1 space per 350 GFA 2.85 spaces per 1,000 sq. ft. 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

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 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 Distrc	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

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.**

20.04.070 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.~~

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

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 -

Amendment:

CS Am 07 – Waiver of Certain Design Decisions

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

>>>>

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 48

Name of Sponsor(s):Cm. Sandberg & staff

Date Submitted: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 (e.g., Overview, Goals & Policies, or Programs)	Page #
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

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.**

20.04.070 Site and Building Design

New subsection (f) Universal Design

- (1) In multifamily residential buildings and student housing and dormitory buildings constructed after [insert effective date here] 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;
 - ~~c.~~ 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 (l) Universal Design

- (1) In subdivisions or phases of subdivisions approved after [insert effective date here] that contain more than 25 lots designed to accommodate single-family detached or single-family 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;
 - ~~c.~~ 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.

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 49

Name of Sponsor(s): Cm. Sandberg & staff

Date Submitted: 11/4/2019

UDO Chapter, Section, and Page

Chapter/Section	Page #
20.04.080(c)(2) Plant Material Standards	158

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 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.**

20.04.080 Landscaping, Buffering, and Fences

(c) General Landscaping

(2) Plant Material Standards

(A) Live Plantings

All plant material shall be living and healthy. Dead, diseased or artificial plants shall not be recognized as contributing to required landscape treatments.

(B) Species Identification

New plantings shall have species identification tags on the plant or paid purchase identification labels.

~~(B)~~ (C) Invasive Plants

Species identified as invasive, detrimental, or noxious shall not be planted under any circumstances and will not be counted toward landscape requirements.

~~(C)~~ (D) ...

- .
- .
- .
- .

Note: This amendment authorizes staff to renumber or reletter the items under 20.04.080(c)(2) as needed as a result of this amendment, and also authorizes staff to update any citations outside of 20.04.080 that reference renumbered or relettered sections within 20.04.080 as a result of this amendment.

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 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 (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 makes changes to the landscaping lists to identify evergreens, to remove poor quality/invasive species, or to add new species.

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

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

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

Bold text indicates evergreen species

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

Table 04-17: Permitted ~~Herbacaceous~~Herbaceous Perennial Plant Species

Bold text indicates evergreen species

Common Name	Scientific Name
Flowering Perennials	
<u>Canada Anemone</u>	<u>Anemone canadensis</u>
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 tricornis
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
<u>Rough Blazing Star</u>	<u>Liatris aspera</u>
Prairie Blazing Star	Liatris pycnostachya
Dense Blazing Star	Liatris 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

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

Table 04-17: Permitted ~~Herbacaceous~~Herbaceous Perennial Plant Species

Bold text indicates evergreen species

Common Name	Scientific Name
<u>Virginia Wild Rye</u>	<u><i>Elymus virginicus</i></u>
June Grass	<i>Koeleria macrantha</i>
Switch Grass	<i>Panicum virgatum</i>
Little Bluestem	<i>Schizachyrium scoparium</i>
Prairie Dropseed	<i>Sporobolus heterolepis</i>

(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)

Common Name	Scientific Name
Prohibited Invasive Trees	
Amur Maple	<i>Acer ginnala</i>
Norway Maple	<i>Acer platanoides</i>
Tree-of-Heaven	<i>Ailanthus altissima</i>
<u>Black Alder</u>	<u><i>Alnus glutinosa</i></u>
Russian Olive	<i>Elaeagnus angustifolia</i>
Autumn Olive	<i>Elaeagnus umbellata</i>
<u>Glossy Buckthorn</u>	<u><i>Frangula alnus</i></u>
White Mulberry	<i>Morus alba</i>
<u>Princess Tree</u>	<u><i>Paulownia tomentosa</i></u>
<u>Sawtooth Oak</u>	<u><i>Quercus acutissima</i></u>
<u>Amur Cork Tree</u>	<u><i>Phellodendron amurense</i></u>
<u>Callery Pear and all cultivars</u>	<u><i>Pyrus calleryana</i></u>
European or Common Buckthorn <u>and all cultivars</u>	<i>Rhamnus cathartica</i>
Glossy or Smooth Buckthorn <u>and all cultivars</u>	<i>Rhamnus frangula</i>
Buckthorn Tallhedge <u>and all cultivars</u>	<i>Rhamnus frangula columnaris</i>
Black Locust	<i>Robinia pseudoacacia</i>
Siberian Elm	<i>Ulmus pumila</i>
Prohibited Non-Invasive TreesPlants with Poor Characteristics	
Box Elder	<i>Acer negundo</i>
Silver maple	<i>Acer saccharinum</i>
European White Birch	<i>Betula pendula</i>
<u>Poison Hemlock</u>	<u><i>Conium maculatum</i> L.</u>
Ash	<i>Fraxinus</i> 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
Ginkgo (female only)	<i>Ginkgo biloba</i>
Giant Hogweed	Heracleum mantegazzianum
Rice Cutgrass	Leersia oryzoides
Flowering Crabapple	<i>Malus</i>
Wild Parsnip	Pastinaca sativa
<i>Cultivars: 'Brandywine', 'Candied Apple', 'Donald Wyman', 'Doubloons', 'Indian Magic', 'Indiana Summer', 'Liset', 'Madonna', 'Mary Potter', 'Prairie Maid', 'Profusion', 'Robinson', 'Selkirk', 'Sentinel', 'Snowdrift', 'Sugar Tyme', 'Velvet Pillar', 'White Cascade', 'White Candle'</i>	
Bradford Pear	Pyrus calleryana
American Elm	<i>Ulmus Americana</i>
Poison Ivy	Toxicodendron radicans
Poison Sumac	Toxicodendron vernix
Prohibited Invasive Herbaceous Perennials	
Japanese Chaff Flower	Achyranthes japonica
Wild Garlic and Wild Onion	<i>Alliums spp.</i> *
Garlic Mustard	<i>Alliaria petiolata</i>
Mugwort	Artemisia vulgaris
Spiny Plumeless Thistle	Carduus acanthoides
Cornflower or Bachelor's Button	<i>Centaurea cyanus</i>
Russian Knapweed	<i>Centaurea repens</i> *
Spotted Knapweed	Centaurea stoebe
Canada Thistle	<i>Cirsium arvense</i> *+
Bull Thistle	Cirsium vulgare
Poison Hemlock	Conium maculatum
Grecian Foxglove	<i>Digitalis lanata</i>
Teasel	<i>Dipsacus fullonum ssp. Sylvestris</i>
Cutleaf Teasel	Dipsacus laciniatum
Leafy Spurge	Euphorbia virgata
Giant Hogweed	<i>Fallopia japonica</i>
Dame's Rocket	<i>Hesperis matronalis</i>
Meadow Fleabane or British Yellowhead	<i>Inula britannica</i>
Perennial Peppergrass	Lepidium draba *
Pepperweed	Lepidium latifolium
Bicolor Lespedeza	Lespedeza cuneata
Sericea Lespedeza	<i>Lespedeza cuneata</i>
Purple Loosestrife	<i>Lythrum salicaria</i> *
Sweet Clover	<i>Melilotus alba</i> , <i>M. officinalis</i>
Star of Bethlehem	<i>Ornithogalum umbellatum</i>
Lesser Celandine	Ranunculus ficaria

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
Japanese Knotweed	<i>Polygonum cuspidatum</i>
<u>Giant Knotweed</u>	<u><i>Reynoutria sachalinensis</i></u>
<u>Bohemian Knotweed</u>	<u><i>Reynoutria x bohemica</i></u>
Perennial Sowthistle	<i>Sonchus arvensis</i> *
<u>Black Swallow-wort</u>	<u><i>Vincetoxicum nigrum</i></u>
<u>Pale Swallow-wort</u>	<u><i>Vincetoxicum rossicum</i></u>
Prohibited Invasive Grasses	
Quackgrass	<i>Agropyron repens</i> *
<u>Giant Reed</u>	<u><i>Arundo donax</i></u>
<u>Small Carpgrass</u>	<u><i>Arthraxon hispidus</i></u>
Smooth Brome	<i>Bromus inermis</i>
Tall Fescue <u>and all cultivars</u>	<i>Festuca elatior</i>
<u>Perennial Peppergrass</u>	<u><i>Lepidium draba</i></u> *
Japanese Stilt-Grass	<i>Microstegium vimineum</i>
Maiden Grass	<i>Miscanthus sinensis</i>
Reed Canary Grass	<i>Phalaris arundinacea</i>
Common Reed Grass	<i>Phragmites australis</i>
Columbus Grass	<i>Sorghum almun Parodi</i> *
Shattercane	<i>Sorghum bicolor</i> *+
Johnson Grass or Sorghum Almun	<i>Sorghum halepense</i> *+
Yellow Groove Bamboo Prohibited Invasive Vines and Groundcovers	<i>Phyllostachys aureosulcata</i>
Oriental Bittersweet	<i>Celastrus orbiculatus</i>
<u>Asiatic Bittersweet</u>	<u><i>Celastrus scandens</i></u>
<u>Sweet Autumn Clematis</u>	<u><i>Clematis terniflora</i></u>
Field Bindweed	<i>Convolvulus arvensis</i> *
Crown Vetch	<i>Coronilla varia</i>
Black Swallow-Wort	<i>Cynanchum nigrum</i> , syn. <i>Vincetoxicum nigrum</i>
Pale Swallow-Wort	<i>Cynanchum rossicum</i>
Potato <u>Vine</u>	<i>Dioscorea batatas</i>
Chinese Yam	<i>Dioscorea oppositifolia</i>
Purple Winter Creeper	<i>Euonymus fortunei</i>
Creeping Charlie	<i>Glechoma hederacea</i>
English Ivy	<i>Hedera helix</i>
Japanese Hops	<i>Humulus japonicus</i>
Japanese Honeysuckle	<i>Lonicera japonica</i>
Creeping Jenny or Moneywort	<i>Lysimachia nummularia</i>
Mile-A-Minute Weed	<i>Polygonum perfoliatum</i>
Kudzu	<i>Pueraria montana lobata</i>

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

(f) Street Trees

(1) Number

A minimum of one canopy tree shall be planted per 40 feet of property that abuts a public right-of-way 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.

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 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 (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 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;
- ~~(E)~~(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;
- ~~(I)~~(H) To delegate responsibilities relating to ordinance administration and enforcement to the staff and to other appropriate executive departments and personnel;
- ~~(J)~~(I) 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;
- ~~(V)~~(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. iv. 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 v~~ Variance 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**

- i. 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.ji. 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.jii. 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.~~
- 3-2. 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"

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 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 (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 gives authority to the Fire Chief to locate fire hydrant locations other than every 600 feet.

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.***

20.05.50Subdivision 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.**

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 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 (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 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

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.**

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 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 (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 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 the means by which occupancy is so limited, provided that most students are enrolled 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.

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 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 (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 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."

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

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.

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 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	
	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 (e.g., Overview, Goals & Policies, or Programs)	Page #
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 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 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)		
A	Lot area	108,900 square feet (2.50 acres)
B	Lot width	200 feet
Building Setbacks (Minimum)		
C	Front	30 feet
D	Attached front-loading garage or carport	30 feet or equal to the setback of the primary structure, whichever is greater 10 feet behind the primary structure's front building wall
E	Side	30 feet
F	Rear	60 feet
Other Standards		
	Impervious surface coverage (maximum)	20%
G	Primary structure height (maximum)	40 feet
	Accessory structure height (maximum)	30 feet

Table Error! No text of specified style in document.-2: R1 District Dimensional Standards		
Lot Dimensions (Minimum, only for lots created after the effective date)		
A	Lot area	20,000 square feet (0.459 acres) [1]
B	Lot width	100 feet [1]
Building Setbacks (Minimum)		
C	Front	15 feet
D	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
E	Side	First floor: 8 feet [1] Each story above the ground floor: 10 feet [1]
F	Rear	25 feet [1]
Other Standards		

Table Error! No text of specified style in document.-3: RM District Dimensional Standards			
Lot Dimensions (Minimum, only for lots created after the effective date)		Multifamily Dwelling	Single-Family, Duplex, Triplex, or Fourplex Dwelling
A	Lot area	5,000 square feet (0.115 acres)	R2 district standards apply
B	Lot width	50 feet	
Building Setbacks (Minimum)			
C	Front	15 feet	R2 district standards apply
	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	
D	Side	10 feet [1]	
E	Rear	10 feet [1]	
Other Standards			

Table Error! No text of specified style in document.-4: RH District Dimensional Standards

Lot Dimensions (Minimum, only for lots created after the effective date)		Multifamily Dwelling	Single-Family, Duplex, Triplex, or Fourplex Dwelling
A	Lot area	5,000 square feet (0.115 acres)	R2 district standards apply
B	Lot width	50 feet	
Setbacks (Minimum)			
C	Front	15 feet	R2 district standards apply
	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	
D	Side	10 feet [1]	
E	Rear	10 feet [1]	
Other Standards			

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 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 Table 2-6: R4 District Dimensional Standards	14

Supported by Following Sections of the Comprehensive Plan

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

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

Table 2-6: R4 District Dimensional Standards

Lot Dimensions (Minimum, only for lots created after the effective date)

A	Lot area	4,200 square feet (0.096 acres)
B	Lot width	35 feet

Building Setbacks (Minimum)

C	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
D	Side	5 feet
E	Rear	25 feet

Other Standards

	Impervious surface coverage (maximum)	50%
F	Primary structure height (maximum)	35 40 feet
	Accessory structure height (maximum)	20 feet

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 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 (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 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

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
Additional uses may be permitted, prohibited, or require conditional use approval in Downtown Character Overlays 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	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*	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*					20.03.030(b)(10)
Group care home, FHAA small	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		P*			20.03.030(b)(11)
Group care facility, FHAA large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			20.03.030(b)(11)
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)(11)
Opioid rehabilitation home, large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			20.03.030(b)(11)
Residential rooming house						P*	P*		P	P*	P	P	C*						20.03.030(b)(12)
Student housing or dormitory						C*	P*		P	C*	P*	P*		P*	C*				20.03.030(b)(13)
Supportive housing, small							C			C	C	C		C	C	C			
Supportive housing, large											C	C		C	C	C			

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.

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 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 Exceptions to Setback Requirements	100

Supported by Following Sections of the Comprehensive Plan

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

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-of-way, 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 Setback Requirements

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.
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).

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

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.***

20.04.110 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.

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 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

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

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

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.***

20.04.110 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.

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 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 Vegetated Roof	203

Supported by Following Sections of the Comprehensive Plan

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

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.**

20.04.110 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: Minimum Solar Reflectance Index (SRI)

	Slope	Initial SRI	Aged SRI
Low-sloped roof	≤ 2:12	82	64
Steep-sloped roof	> 2:12	39	32

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.

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 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 Energy	204

Supported by Following Sections of the Comprehensive Plan

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

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

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.***

20.04.110 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.

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 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 (e.g., Overview, Goals & Policies, or Programs)	Page #
3	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.	48

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

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.***

20.04.120 Operations and Maintenance

(b) Landscaping

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 UDO. 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.

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

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

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 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.~~

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 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 (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. 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

Table 4-2: Residential District Dimensional Standards

sq. ft. = square feet

Dimensional Standards		RE	R1	R2	R3	R4	RM [1]	RH [1]	RMH [1]	
Lot Dimensions (Minimum, only for lots created after the effective date)									Entire Development	Dwelling Site
Lot area	sq. ft.	108,900	20,000 [2]	7,200 [2]	5,000 [2]	4,000	5,000	5,000	43,560	3,000
	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 front-loading garage or carport		30 feet [6]	25 feet [6]	25 feet [6]	10 feet behind the primary structure's front building wall		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 Standards										
Front parking setback (minimum)		None	None	None	None	None	20 feet behind the primary structure's front building wall		None	None
Impervious surface coverage (maximum)		20%	40%	40%	45%	50%	60%	65%	None	65%
Landscape area (minimum)		None	None	None	None	None	40%	35%	None	None
Primary structure height (maximum)		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 structure height (maximum)		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)
- [6] Or equal to the setback of the primary structure, whichever is greater.

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 71

Name of Sponsor(s):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 Exceptions to Setback Requirements	100

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. 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

Table 4-6: Authorized Exceptions to Setback Requirements	
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).

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 72

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

Date Submitted: 12/11/2019

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.070(d)(2)(E) Roofs	154

Supported by Following Sections of the Comprehensive Plan

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

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.***

20.04.070 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.

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 73

Name of Sponsor(s): Isabel Piedmont-Smith

Date Submitted: 12/16/2019

UDO Chapter, Section, and Page

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

Supported by Following Sections of the Comprehensive Plan

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

<p>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.</p> <p>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.</p> <p>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</p> <p>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.</p>

Council Action – [December 18, 2019]:

Motion to adopt Am 73: 9-0
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 2-4: R2 District Dimensional Standards		
Lot Dimensions (Minimum, only for lots created after the effective date)		
A	Lot area	7,200 square feet (0.165 acres)[1]
B	Lot width	60 feet [1]
Building Setbacks (Minimum)		
C	Front	15 feet or the median front setback of abutting residential structures, whichever is less.
D	Attached front-loading garage or carport	10 feet behind the primary structure's front building wall 25 feet or equal to the setback of the primary structure, whichever is greater
E	Side	First Floor: 8 feet 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:		
[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.		

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 74

Name of Sponsor(s): Isabel Piedmont-Smith & staff

Date Submitted: 12/18/2019

UDO Chapter, Section, and Page

Chapter	Section	Page #
2	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 #

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**

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 – [November 14, 2019]:

NOT INTRODUCED by Sponsor

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 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

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 **two bedrooms per unit** ~~six-four~~ 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 **two bedrooms per unit** ~~nine-six~~ 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 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 (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 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

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.***

(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.**

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 – [November 19, 2019]:

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

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.

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

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.***

20.04.30 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.**

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 24 - R

Name of Sponsor(s):

Cm. Piedmont-Smith

Date Submitted:

11/3/19 (amended 11/19/2019)

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

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

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.***

20.04.040 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 requirements 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.

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 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, Table 4-9	135

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
Vision Statement	*"Ensure that all land development makes a positive and lasting 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."	14

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 bedroom and for over 11 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

(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 Requirements

DU = dwelling unit

	All Other Zoning Districts	MD Zoning District
Dwelling, single-family (detached)	No requirement	
Dwelling, single-family (attached)		
Dwelling, duplex	0.5 1.0 spaces per DU [1]	No requirement
Dwelling, triplex		
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	1 space per DU	
Manufactured home park		
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.

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 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 (e.g., Overview, Goals & Policies, or Programs)	Page #
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~~
- ii. ~~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.

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 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 Buildings	156

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
Vision Statement	* "Recognize the many virtues of historic preservation, rehabilitation and reuse of our historic structures."	14

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~~ **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.

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 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 20.05.40(e)(9) Conservancy Easement	213, 215

Supported by Following Sections of the Comprehensive Plan

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

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.***

20.05.040 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.**

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 38 (PC Am 09 - Revised)

Name of Sponsor(s):Chris Sturbaum

Date Submitted:11/3/19

UDO Chapter, Section, and Page

Chapter/Section	Page #
20.06.050 (c) – Demolition Delay Permit	265
20.06.050 (c) (3) (C) ii 2 [c]	267

Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Neighborhoods “ The City’s Demolition Delay ordinance...guidelines.	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 “ to “ non-contributing”;~~ or
- (d) The Common Council disapproves a recommended local historic designation of the subject property.

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 39

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

Date Submitted: 11/3/19, revised 11/12/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.07.10 Defined Words	390

Supported by Following Sections of the Comprehensive Plan

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

<p>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.</p> <p>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.</p>
--

Council Action – [November 20, 2019]:

Motion to adopt Am 39: 2 (Sturbaum, Sandberg)-6-1 (Volan)
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.***

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.

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 40

Name of Sponsor(s): Chris Sturbaum

Date Submitted: 11/3/19

UDO Chapter, Section, and Page

Chapter/ Section	Page #
20.02.20(c) Table 2-4: R2 District Dimensional Standards	10
20.04.20(c) Table 4-2 Residential District Dimensional Standards	95

Supported by Following Sections of the Comprehensive Plan

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

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**.

20.02.20 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)		
A	Lot area	7,200 square feet (0.165 acres)[1]
B	Lot width	60 feet [1]
Building Setbacks (Minimum)		
C	Front	15 feet or the median front setback of abutting residential structures, whichever is less.
D	Attached front-loading garage or carport	10 feet behind the primary structure’s front building wall
E	Side	First Floor: 8 feet 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 35 feet
	Accessory structure height (maximum)	20 feet

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. = square feet

Dimensional Standards		RE	R1	R2	R3	R4	RM [1]	RH [1]	RMH [1]	
Lot Dimensions (Minimum, only for lots created after the effective date)									Entire Development	Dwelling Site
Lot area	sq. ft.	108,900	20,000 [2]	7,200 [2]	5,000 [2]	4,000	5,000	5,000	43,560	3,000
	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 front-loading garage or carport		10 feet behind the primary structure's front building 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 Standards										
Front parking setback (minimum)		None	None	None	None	None	20 feet behind the primary structure's front building wall		None	None
Impervious surface coverage (maximum)		20%	40%	40%	45%	50%	60%	65%	None	65%
Landscape area (minimum)		None	None	None	None	None	40%	35%	None	None
Primary structure height (maximum)		40 feet	40 feet	40 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 structure height (maximum)		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).

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 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 (e.g., Overview, Goals & Policies, or Programs)	Page #
Objective 05 Vision Statement	“Enhance Quality of Place for Neighborhoods and Development”	16
	“Ensure all development activity makes a positive and lasting community contribution.”	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 -

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 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	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*	P* C*	P*		P*	P*	P*	P*			P*				20.03.030(b)(4)
Dwelling, multifamily					C*	P C*	P		P	P*	P*	P	P*	C	P*				20.03.030(b)(5)
Dwelling, live/work					C*	P* C*	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			
PUBLIC, INSTITUTIONAL, AND CIVIC USES																			
Community and Cultural Facilities																			
Art gallery, museum, or library					C*	C	C			P	P	P		P	P				20.03.030(c)(1)

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 45

Name of Sponsor(s):

Steve Volan

Date Submitted:

10/31/2019 (amended 11/25/2019)

UDO Chapter, Section, and Page

Chapter & Section	Page #
20.04.060(e) Maximum Vehicle Parking Requirement	135-140
20.04.060(h) Adjustments to Maximum Parking Requirements	142

Supported by Following Sections of the Comprehensive Plan

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

Council Action – [December 03, 2019]:

Motion to withdraw Am 45: 8-0 (Chopra absent)

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

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.

DEFAULT PARKING ALLOWANCE CHART		
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

Table 4-10: Maximum Vehicle Parking Requirements Allowances

DU = dwelling unit sq. ft. = square feet

Use	Maximum Vehicle Parking Requirement Allowance
RESIDENTIAL USES	
Household Living	
Dwelling, single-family (detached)	No requirement limit
Dwelling, single-family (attached)	
Dwelling, duplex	2 1 spaces per DU
Dwelling, triplex	
Dwelling, fourplex	
Dwelling, multifamily	125 percent of the required minimum, or 1.25 spaces per bedroom, 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; plus 1 space per 3 rooming units; plus 1 space per 3 DUs
Continuing care retirement facility	
Fraternity or sorority house	0.8 spaces per bed Default Allowance - Residential
Group care home, FHAA small	4 .25 spaces per 4 persons bed design capacity
Group care facility, FHAA large	
Nursing or convalescent home	
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 0.25 spaces per bedroom
Supportive housing, small	No requirement limit
Supportive housing, large	
PUBLIC, INSTITUTIONAL, AND CIVIC USES	
Community and Cultural Facilities	
Art gallery, museum, or library	1 space per 500 sq. ft. GFA Default Allowance - Nonresidential
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 Default Allowance - Nonresidential, whichever is greater
Community center	No requirement Default Allowance - Nonresidential
Conference or convention center	1 space per 500 sq. ft. GFA Default Allowance - Nonresidential for surface parking No requirement limit for structured parking
Crematory	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Day-care center, adult or child	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
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 Default Allowance - Nonresidential
Mortuary	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Park	No requirement limit
Place of worship	1 space per 4 seats in main assembly area, or 1 space per 200 sq. ft. GFA Default Allowance - Nonresidential , whichever is greater
Police, fire, or rescue station	No requirement limit
Urban agriculture, noncommercial	No requirement limit
Educational Facilities	
School, college or university	No requirement limit
School, public or private	No requirement Default Allowance - Nonresidential
School, trade or business	1 space per 250 sq. ft. GFA Default Allowance – Nonresidential
Healthcare Facilities	
Hospital	4 .5 spaces per patient bed design capacity
Medical clinic	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Methadone or other treatment facility	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Opioid rehabilitation facility	4 2.0 spaces per 300 1,000 sq. ft. GFA

COMMERCIAL USES	
Agricultural 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	1 space per 300 sq. ft. GFA retail sales Default Allowance - 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
Recreation, indoor	Bowling alley: 3 spaces per lane Theater: 1 space per 4 seats in assembly areas All other: 1 space per 250 sq. ft. GFA Default Allowance - Nonresidential
Recreation, outdoor	Golf course: 2 spaces per golf hole Mini golf course: 1 space per golf hole Golf driving range: 1 space per tee box All other: 1 2.0 spaces 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
Brewpub, distillery, or winery	Indoor tasting/seating area: 1 space per 100 sq. ft. GFA; Outdoor tasting/seating area: 1 space per 200 sq. ft. of Default Allowance - Nonresidential
Hotel or motel	1 space per guest room
Restaurant	Indoor seating area: 1 space per 100 sq. ft. GFA; Outdoor seating area: 1 space per 200 sq. ft. of Default Allowance - Nonresidential
Office, Business, and Professional Services	
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
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, large	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Tattoo or piercing parlor	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Retail Sales	
Building supply store	1 space per 500 sq. ft. GFA Default Allowance - Nonresidential
Grocery or supermarket	1 space per 200 sq. ft. GFA Default Allowance - Nonresidential
Liquor or tobacco sales	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Pawn shop	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Retail sales, small	1 space per 250 sq. ft. GFA Default Allowance - Nonresidential
Retail sales, medium	1 space per 250 sq. ft. GFA Default Allowance - Nonresidential
Retail sales, large	1 space per 300 sq. ft. GFA Default Allowance - Nonresidential
Retail sales, big box	1 space per 300 sq. ft. GFA Default Allowance – Nonresidential
Vehicles and Equipment	
Equipment sales or rental	1 2.0 spaces per 350 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 Default Allowance - Nonresidential
Vehicle impound storage	No requirement limit
Vehicle parking garage	No requirement limit

Vehicle repair, major	4 2.0 spaces per 350 1,000 sq. ft. of indoor sales/leasing/ office area; plus 1 space per service bay
Vehicle repair, minor	
Vehicle sales or rental	
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 spaces 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.

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

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.**
- ~~v 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 open-topped 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.**).

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

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.***

20.04.120 Operation and Maintenance
<div>(e) Noise</div> <p>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.</p>

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 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 (e.g., Overview, Goals & Policies, or Programs)	Page #
Vision Statement	Fortify our strong commitment to equity, acceptance, openness and public engagement.	14

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

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

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 pre-submittal 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														
Procedure	UDO Section	Public Notice			Pre-Submittal Activities			Review and Decision-Making Bodies						
		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	A					
Site Plan Review, Major	20.06.050(a)	✓	✓	✓	✓	✓	✓	R	D*					
Conditional Use Permit	20.06.050(b)	✓	✓	✓	✓		✓	R			A		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)	See 20.06.050(l) (Easements)												
Subdivision Procedures														
Primary Plat	20.06.060(b)	✓	✓	✓	✓	✓		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 Amendments														
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).~~