

ORDINANCE 23-07

**TO AMEND TITLE 20 (UNIFIED DEVELOPMENT ORDINANCE)
OF THE BLOOMINGTON MUNICIPAL CODE –
Re: Amendments and Updates Set Forth in BMC 20.06**

- 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, thereafter the Plan Commission initiated and prepared a proposal to repeal and replace Title 20 of the Bloomington Municipal Code, entitled “Unified Development Ordinance” (“UDO”); and
- WHEREAS, on December 18, 2019, the Common Council passed Ordinance 19-24, to repeal and replace the UDO; and
- WHEREAS, on January 14, 2020, the Mayor signed and approved Ordinance 19-24; and
- WHEREAS, on April 15, 2020, the Common Council passed Ordinance 20-06 and Ordinance 20-07; and
- WHEREAS, on April 18, 2020, the Unified Development Ordinance became effective; and
- WHEREAS, on March 6, 2023, the Plan Commission voted to favorably recommend this amendment proposal to the Common Council, after providing notice and holding public hearings on the proposal as required by law; and
- WHEREAS, the Plan Commission certified this amendment proposal to the Common Council on March 15, 2023; 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

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

SECTION 1. Title 20 of the Bloomington Municipal Code, entitled “Unified Development Ordinance”, is amended.

SECTION 2. An amended 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 attached hereto and incorporated herein:

1. The Proposal forwarded to the Common Council by the Plan Commission with a favorable recommendation, consisting of:
 - (A) ZO-07-23 (“Attachment A”)
 - (B) Any Council amendments thereto (“Attachment B”)

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 from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this ___ day of _____, 2023.

SUE SGAMBELLURI, 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 _____, 2023.

NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this __ day of _____, 2023.

JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This petition contains amendments in Chapter 6 related to processes and procedures in the UDO. There are 21 amendments identified.

ORDINANCE CERTIFICATION

In accordance with IC 36-7-4-604 I hereby certify that the attached Ordinance Number 23-07 is a true and complete copy of Plan Commission Case Number ZO-07-23 which was given a recommendation of approval by a vote of 8 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on March 6, 2023.



Date: March 15, 2023

Scott Robinson, Secretary
Plan Commission

Received by the Common Council Office this 15th day of March, 2023.



Nicole Bolden, City Clerk

| | | |
|---------------------------------|---|--------------------|
| Appropriation Ordinance # _____ | Fiscal Impact Statement Ordinance # _____ | Resolution # _____ |
|---------------------------------|---|--------------------|

Type of Legislation:

| | | |
|-----------------|----------------|-----------------------|
| Appropriation | End of Program | Penal Ordinance |
| Budget Transfer | New Program | Grant Approval |
| Salary Change | Bonding | Administrative Change |
| Zoning Change | Investments | Short-Term Borrowing |
| New Fees | Annexation | Other |

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

| | |
|---------------------------|-----------------|
| Planned Expenditure _____ | Emergency _____ |
| Unforeseen Need _____ | Other _____ |

Funds Affected by Request:

| | | |
|---------------------------------------|----------|----------|
| Fund(s) Affected _____ | | |
| Fund Balance as of January 1 | \$ _____ | \$ _____ |
| Revenue to Date | \$ _____ | \$ _____ |
| Revenue Expected for Rest of year | \$ _____ | \$ _____ |
| Appropriations to Date | \$ _____ | \$ _____ |
| Unappropriated Balance | \$ _____ | \$ _____ |
| Effect of Proposed Legislation (+/-) | \$ _____ | \$ _____ |
| Projected Balance | \$ _____ | \$ _____ |

Signature of Controller

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues?

Yes _____ No XX

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

Approval of case ZO-07-23 amends the Unified Development Ordinance (UDO), with amendments and updates to processes and procedures, by the Bloomington Plan Commission. This ordinance is in accordance with Indiana Code 36-7-4-600.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary.)