

## Case # ZO-04-23 Memo

**To:** Bloomington Common Council

**From:** Bloomington Plan Commission  
Jackie Scanlan, AICP Development Services Manager

**Date:** March 15, 2023

**Re:** Text Amendments to Unified Development Ordinance

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The Plan Commission heard case ZO-04-23 on March 6, 2023 and voted to send the petition to the Common Council with a positive recommendation with a vote of 9-0.

The Planning and Transportation Department proposes its annual update and amendment to the Unified Development Ordinance (UDO), Title 20 of the Bloomington Municipal Code. The last regular UDO Update process was completed in the Spring of 2022. This update is smaller scale than the larger update done in 2020 and is for regular maintenance of the code. Staff utilizes the UDO daily in our interactions with the public and other Departments, and has identified portions of the code that contain errors or that may benefit from amendment. No changes to the permitted uses or zoning districts are included in this update.

The proposal is divided into four (4) petitions. One petition is discussed below and is this Ordinance, 23-04:

1. ZO-04-23 | Technical Corrections

ZO-04-23 | Technical Corrections

This petition contains corrections or clarifications to the UDO. These range from missing periods, misspelled words, or misplaced references to syncing references across the UDO. There was a formatting error related to ‘vision clearance triangles’ and correction of that error is proposed. There are 19 amendments identified, some appearing multiple times in the code. These amendments are needed to provide accurate and clear language for use of the code, as well as to sync the code with itself.

| Chapter        | Citation  | Current Language  | Proposed Language  | Synopsis  | Difficulty | Type of Change |
|----------------|---|---|--|---|------------|----------------|
| Whole Document |   | Multiple Spell Check or Grammar Corrections   | Removed extra periods, added parentheses, removed spaces, etc.   |   |            |                |
| 2              | 20.02.010(a) Table 02-1                           |   | Remove first <b>DCO - Downtown Character Overlay</b> label that is next to CSO district in the District Name column  | Minor formatting fix  | easy       | typo           |
| 3              | 20.03.030(g)(6)(G)(i)                             | i. For Home Occupations located within a primary structure no more than 50 percent of the total interior floor area of the dwelling unit may be used in connection with the Home Occupation.  | i. For Home Occupations located within a primary structure no more than 50 <b>percent</b> of the total interior floor area of the dwelling unit may be used in connection with the Home Occupation.  | Fixes typo of "perfect" that should say "percent".  | easy       | Revision       |
| 4              | Table Names                                       | Chapter 4 Table Labels  | Correcting Tables 04-15 through 04-20  | There are two tables with the same title in the current UDO. Updating table numbers and references throughout the code. | easy       | typo           |
| 4              | 20.04.020(e)(1)(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.                    | (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. (E) 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.                       | This should be two separate sections  | easy       | typo           |
| 4              | 20.04.070(f)(1)                                   | (1) In multifamily residential buildings and student housing and dormitory buildings constructed after 4/18/2020 that contain more than 25 dwelling units, at least 20 percent of the dwelling units shall incorporate at least one entrance at grade level and not requiring any steps up or down or a ramp for entry.   | (1) In multifamily residential buildings and student housing and dormitory buildings constructed after 4/18/2020 that contain more than 25 dwelling units, at least 20 percent of the dwelling units shall incorporate at least one entrance at grade level and not requiring any steps up or down or a ramp for entry.  | Typo in spelling of "after"   | easy       | clarification  |
| 4              | 20.04.080(c)(1)(D)                                | Landscape materials shall be located to avoid interference with visibility per Section 20.04.050(c)(4) Connectivity Where properties have adjacent street or drive stubs intended for connection, these stubs shall be extended and connected on the developing property. Vision Clearance Triangle).   | (D) Vision Clearance: Landscape material shall be located to avoid interference with visibility per Section 20.04.050(c)(4) (Vision Clearance Triangle).   | Formatting error and misplaced text   | easy       | typo           |
| 4              | 20.04.080(f)(3)(E)(i) and (ii) and (iii) and (iv) | i. Street trees shall be planted outside the vision clearance triangle as defined in Section 20.04.050(c)(4) (Connectivity ii. Where properties have adjacent street or access drive stubs intended for connection, these stubs shall be extended and connected on the developing property. iii. Vision Clearance Triangle), or within that portion of the vision clearance triangle behind the sidewalk. | Sections (i), (ii), (iii) have misplaced text. Should read as follows - i. Street trees shall be placed outside the vision clearance triangle as defined in Section 20.04.050(c)(4) (Vision Clearance Triangle), or within that portion of the vision clearance triangle behind the sidewalk.  | Formatting error and misplaced text   | easy       | typo           |
| 4              | 20.04.090(n)(4)(C)                                | Fences and walls shall meet all vision clearance standards in Section 20.04.050(c)(4) (Connectivity<br>Where properties have adjacent street or access drive stubs intended for connection, these stubs shall be extended and connected on the developing property. (Vision Clearance Triangle).  | Section marked as #5 has several formatting issues and misplaced text. <del>Where properties have adjacent street or access drive stubs intended for connection, these stubs shall be extended and connected on the developing property. (Vision Clearance Triangle): (C) Vision Clearance: Fences and walls shall meet all vision clearance standards in Section 20.04.050(c)(4) (Vision Clearance Triangle).</del> | Formatting error and misplaced text   | easy       | typo           |
| 4              | 20.04.100(f)(4)                                   | (4) Vision Clearance Triangle (5) Within a vision clearance triangle as specified in Section 20.04.050(c)(4) (Connectivity) Where properties have adjacent street or access drive stubs intended for connection, these stubs shall be extended and connected on the developing property. Vision Clearance Triangle).  | (4) Vision Clearance Triangle (5) Within a vision clearance triangle as specified in Section 20.04.050(c)(4) (Connectivity) <del>Where properties have adjacent street or access drive stubs intended for connection, these stubs shall be extended and connected on the developing property. Vision Clearance Triangle).</del>  | Formatting error and misplaced text   | easy       | typo           |
| 4              | 20.04.100(j)(2)(A)(ii)                            | Multi-tenant Nonresidential Center  | Multi-tenant Nonresidential Center   | Syncs with defined term   | easy       | clarification  |

|   |                           |  |  |  |        |               |
|---|---------------------------|--|--|--|--------|---------------|
| 4 | 20.04.110(c)(5)(B)(iv)(2) | 1. Tier 2 Projects: Projects that are eligible for increased primary structure height for affordable housing and sustainable development shall be eligible for one additional floor of building height, not to exceed 12 feet. The additional floor of building height granted under this subsection (iv)(2) shall be limited to 50 percent of the building footprint area of primary structure, and that additional floor shall be set back at least 10 feet further than the lower floors of the building. | 1. Tier 2 Projects: Projects that are eligible for increased primary structure height for affordable housing and sustainable development shall be eligible for one additional floor of building height, not to exceed 12 feet. The additional floor of building height granted under this subsection (iv)(2) shall be limited to 50 percent of the building footprint area of primary structure, and that additional floor shall be set back at least 10 feet further than the lower floors of the building. | Typographical error  |        |               |
| 5 | 20.05.050(g)(2)           | In addition to easements required by Subsection 20.07.080(b): Easements, ...   | In addition to easements required by Section 20.05.040 (Easements), ...  | Corrects citation left over from old UDO   | easy   | typo          |
| 6 | 20.06.050(a)(2)(C)(i)(2)  | 2. Any expansion, alteration, or modification of a lawful nonconforming site feature or building that meets or exceeds the thresholds established in Section 20.06.090(f)(2) (Limited Compliance), and falls below the thresholds for major site plan review in Section Error! Reference source not found.;  | Formatting error is causing citation not to show. Citation should be Section 20.06.050(a)(2)(C)(ii)  | Formatting error   | easy   | typo          |
| 7 | 20.07.010                 | Buffer Yard- An area adjacent to side and rear property lines, measured perpendicularly from adjacent property lines, intended to reduce the impacts of proposed uses on adjacent property or natural features and to screen incompatible uses from each other. Buffer yards also help to maintain existing vegetation, to block or reduce noise, glare or other emissions and to maintain privacy. Buffer yards are in addition to (separate from) rear or side setbacks.                                   | Buffer Yard- An area adjacent to side and rear property lines, measured perpendicularly from adjacent property lines, intended to reduce the impacts of proposed uses on adjacent property or natural features and to screen incompatible uses from each other. Buffer yards also help to maintain existing vegetation, to block or reduce noise, glare or other emissions and to maintain privacy. Buffer yards are in addition to (separate from) rear or side setbacks.                                   | Goes along with other amendment to language within Table 04-18 to remove the stacked setback requirement.                      | easy   | typo          |
| 7 | 20.07.010                 | Parking garage/structure- A structure or portion thereof 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.   | Parking garage/structure- A structure or portion thereof 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.   | Duplicate of definition of vehicle parking garage.   | medium | revision      |
| 7 | 20.07.010                 | Sign, Awning: A sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area.  | Sign, Awning: A wall sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area.   | Adds language identifying awning signs as a type of wall sign so that they are included in the amount of wall signage allowed. | easy   | revision      |
| 7 | 20.07.010                 | Use, Change In   | 7) Any change from a single-tenant to a multi-tenant center or building;   | Changes word "site" to "center" to match the defined term of "multi-tenant center"   | easy   | clarification |
| 7 | 20.07.010                 | "Mixed Tenant Center"  | Delete from definition section.  | This term is not used in the UDO.  | easy   | Clarification |