

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

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Supported by Following Sections of the Comprehensive Plan

Chapter	Page #
<p><u>Chapter 5 – Housing & Neighborhoods</u> <u>Overview - Housing Trends and Issues</u> 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.</p> <p>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.</p> <p><u>Neighborhoods</u> Now that 1,900 new housing units have been constructed Downtown within the past decade (almost all of them apartments) the market dynamic is shifting. More market opportunities may exist to convert single-family homes from student-rental to owner occupied. This can allow more people to have a chance to live in urban neighborhoods, which are often closer to employment, shopping, and other amenities. This may also have the added benefit of reducing automobile traffic and the negative environmental impacts of traffic congestion.</p> <p>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.</p> <p>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.</p> <p><u>Neighborhood Character and Quality of Life</u> Continue to support and promote affordable home ownership as another method of permanent affordability that can help to raise and keep residents from poverty while they build equity and security in the local community.</p> <p><u>Mixed Urban Residential – Land Use Development Approvals</u> A few locations may support increases in density and multifamily residential uses when adjacent to higher volume roads, or near major destinations, or located along neighborhood edges that may support small-scale neighborhood mixed uses. It is important to protect the existing single-family housing stock within this district. The conversion of dwellings to multifamily or commercial uses should be discouraged.</p> <p><u>Neighborhood Residential - Land Use Development Approvals</u> New and redevelopment activity for this district is mostly limited to remodeling existing or constructing new singlefamily residences. These instances require the Maintain development theme for development approvals.</p>	<p>P60</p> <p>P61</p> <p>P61</p> <p>P63</p> <p>P64</p> <p>P65</p> <p>P84</p> <p>P88</p>

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 – [Date]:

(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 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*	P*		P*	P*	P*	P*			P*				20.03.030(b)(4)
Dwelling, multifamily					C*	P	P		P	P*	P*	P	P*	C	P*				20.03.030(b)(5)
Dwelling, live/work					C*	P*	P*			P*	P*	P*			P*				20.03.030(b)(6)
Dwelling, cottage development		C*	C*	C*	C*	C*	C*	C*		C*									20.03.030(b)(7)
Dwelling, mobile home								P*											20.03.030(b)(8)
Manufactured home park								P*											20.03.030(b)(9)
Group Living																			
Assisted living facility					C	P	P			C	P	P		P	P	P			
Continuing care retirement facility					C	P	P			C	P	P		P	P	P			
Fraternity or sorority house									P					P					
Group care home, FHAA small	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		P*			20.03.030(b)(10)
Group care facility, FHAA large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			20.03.030(b)(10)
Nursing or convalescent home					C	P	P			C	P	P	P	P	P	P			
Opioid rehabilitation home, small	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		P*			20.03.030(b)(10)
Opioid rehabilitation home, large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			20.03.030(b)(10)
Residential rooming house						P*	P*		P	P*	P	P	C*						20.03.030(b)(11)
Student housing or dormitory						C*	P*		P	C*	P*	P*		P*	C*				20.03.030(b)(12)
Supportive housing, small							C			C	C	C		C	C	C			
Supportive housing, large											C	C		C	C	C			

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

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

(3) Dwelling, Duplex

(A) Generally

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

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

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

(4) Dwelling, Triplex and Fourplex

(A) Generally

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

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

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