

AMENDMENT FORM

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

Please complete all fields indicated in yellow.

Amendment Number: Am 07

Name of Sponsor(s): Cm. Volan

Date Submitted: 11/4/19

UDO Chapter, Section, and Page

Chapter & Section	Page #
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Supported by Following Sections of the Comprehensive Plan

Chapter	Section (e.g., Overview, Goals & Policies, or Programs)	Page #
5	Programs: Affordable housing <ul style="list-style-type: none"> Seek to expand compact urban housing solutions such as pocket neighborhoods, tiny houses, accessory dwelling units, and similar housing solutions, in a manner that attracts workforce and senior populations or otherwise complements the surrounding neighborhood. 	65
5	Programs: Neighborhood Character and Quality of Life <ul style="list-style-type: none"> Encourage a variety of housing options to meet the needs of seniors such as shared housing, accessory dwelling units, smaller homes and lots, adult foster homes and other assisted residential living arrangements 	65
7	Mixed Urban Residential: Land Use Development Approvals The following provide additional land development policy guidance: <ul style="list-style-type: none"> Accessory dwelling units for single-family residential offer options to consider for affordability, aging in place, and to meet other housing needs. 	84
7	Neighborhood Residential: Land Use Development Approvals For larger lots (larger than one acre), attached single-family residential, accessory dwelling, and minor subdivision are appropriate residential uses and require the Enhance theme for development approvals.	88

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

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

Council Action – [Date]:

- 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***

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*	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			
Swimming pool	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	20.03.030(g)(9)

20.03.030(g)(5)

(C) Existing Planned Unit Developments

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

20.03.030(g)(5)

(G) Historic Districts

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

20.03.030(g)(5)

(H) Owner Occupancy

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

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

public realm.