

**DRAFT MINUTES
BLOOMINGTON PLANNING COMMISSION
REGULAR MEETING
WEDNESDAY, JUNE 28, 2017 4:01 P.M.
COUNCIL CHAMBERS, CITY HALL
109 EAST OLIVE STREET, BLOOMINGTON, ILLINOIS**

MEMBERS PRESENT: Mr. J. Balmer, Ms. Nicole Chlebek, Mr. Ryan Scritchlow, Mr. James Pearson, Mr. John Protzman, Mr. David Stanczak, Mr. Eric Penn, Chairman Justin Boyd

MEMBERS ABSENT: Mr. Kevin Suess, Ms. Megan Headean

OTHERS PRESENT: Mr. Tom Dabareiner, Director of Community Development; Mr. George Boyle, City Attorney; Mr. Michael Hill, Public Works; Mr. Jim Karch, Public Works Director.

CALL TO ORDER: Chairman Boyd called the meeting to order at 4:01 PM

ROLL CALL: Mr. Dabareiner called the roll. With eight members in attendance, a quorum was present.

PUBLIC COMMENT: None

MINUTES: The Commission reviewed the June 14, 2017 minutes. Mr. Pearson made several changes. Mr. Scritchlow moved to approve the minutes, as amended; Mr. Stanczak seconded the motion, which was passed unanimously by a voice vote.

REGULAR AGENDA:
None.

OLD BUSINESS:

City of Bloomington Zoning Ordinance Update. Chairman Boyd introduced the topic and invited John Houseal of Houseal Lavigne and Associates to the podium. Mr. Houseal explained four sections would be reviewed today. Mr. Balmer clarified that this discussion is for consensus and that no votes will be taken; confirmed by Mr. Houseal. Mr. Houseal noted that he is placing the actual draft text on the screens in the room to help everyone follow along.

In response to a question, Mr. Houseal noted the section numbers highlighted in yellow are simply reference points to make sure the section numbers will align later. He stated the parts in red represent the actual changes. He reminded everyone the purpose is to make the ordinance simpler to understand and use.

Mr. Dabareiner explained that the Purpose and Intent sections within the ordinance are important and relied on in part when zoning interpretations are required. Mr. Scritchlow

clarified the difference between a permitted and a special use with the help of the consultant.

Mr. Scritchlow referenced the table under Agriculture and ask the difference between commercial and private solar and wind energy facilities. Mr. Houseal explained the difference is whether it is for personal use or for sale to the grid. Mr. Dabareiner noted the definitions were included in the back of the packet.

Mr. Stanczak asked about smaller wind turbines. Mr. Houseal talked about the various sizes and uses of wind turbines.

Mr. Houseal proceeded through the Agricultural use table, mentioning new uses like beekeeping and aquaponics, wind and solar energy generating facilities, and urban agriculture and garden uses. Mr. Pearson asked if the City had any Agricultural districts; it was indicated by several present that there were but they are few and small.

Mr. Stanczak asked about urban agriculture versus urban garden. Mr. Houseal indicated the difference is primarily size. Ms. Chlebek asked about rooftop gardens and Mr. Houseal stated rooftop gardens may fall into one of these categories. Mr. Scritchlow noted that urban agriculture is not listed as permitted in the residential districts. Mr. Houseal explained that there will be a table or list of accessory uses and stated that the primary use tables should not be cluttered with accessory uses. Mr. Pearson asked about chicken coops; Mr. Houseal stated this topic is being looked at for the new ordinance. There was additional discussion about parameters other communities use to regulate chicken coops, but in any case this activity would be reviewed as part of the accessory use section.

Mr. Houseal concluded the Agriculture District discussion noting that no changes were proposed for the bulk standards.

Mr. Houseal began the Residential District discussion. Mr. Dabareiner reminded Commissioners that many of the changes they are seeing came from the adopted Comprehensive Plan. Mr. Houseal stated other changes came from conditions on the ground where the majority of properties are not meeting the existing code.

Mr. Houseal highlight some modest residential density increases which recalibrate the ordinance based on reality. He reviewed the table of permitted and special uses, highlighting the differences between the districts. Mr. Scritchlow asked why larger lots were not okay for urban agriculture versus smaller properties; Mr. Houseal responded that the owners and residents of larger lots generally were less welcoming to urban agriculture as a use. Mr. Houseal went on to talk about accessory dwelling units, like a mother-in-law residence, and stated the consultant is continuing to research these. He added that the goal in society is to relax these requirements but we need to be cautious because of the number of university students in the vicinity. He noted some of the uses removed from residential districts, including university uses which will fall into a different use category.

Mr. Scritchlow asked about the prohibition of wind turbines in residential areas. Mr. Houseal noted that the noise issues remain an obstacle, adding that in communities where

these are allowed the neighbors complain. At that point, to remove the regulation, still allows the noisy machines to exist as nonconforming uses, he added. He believes the technology will eventually make wind in residential areas more palatable. There was discussion and clarification of what “conversion facilities” means.

Mr. Houseal noted the changes to the bulk standards, reminding Commissioners of the bulk analysis they performed which showed the huge number of nonconforming lots throughout the City. This finding prompted several changes to the lot size standards. He stated that the other setback standards seem to be consistent, that it largely lot size as a concern. He noted multifamily building heights were increased from 2.5 stories to 3 stories because 2.5 made no sense. He spoke about the importance of the front yard setback. Mr. Scritchlow obtained clarification on the issue of alleys and adjacency to a neighboring zoning district, noting current regulations requiring a greater rear yard setback; Mr. Houseal responded this was added protection when you have districts of different densities. Mr. Dabareiner stated the intent to protect the larger lot owners from the greater densities and reduced setbacks of the smaller lots.

Mr. Houseal began reviewing the Public Interest District section. Mr. Dabareiner called attention to the re-labelling of several S-districts to a P-district. Mr. Houseal noted a couple changes to the use table but very few other changes, such as adding hospitals and medical centers. Ms. Chlebek asked why miniature golf was removed as a use; Mr. Dabareiner stated it was rolled into a broader entertainment use category. Mr. Houseal noted the proposed ordinance extends the allowed non-active period from 6 months to 18 months before a special use expires. Mr. Scritchlow asked about the need for an administrative extension to the 18 month period; Mr. Houseal stated he is not familiar with such a process, reminding Commissioners the period was proposed to be extended from 6 months today to an 18 month period. He discussed the benefits of having a business license, even at a minimum fee, so a database is created and the City knows what it has.

Mr. Houseal began reviewing the use matrix. Mr. Balmer noted that most of the changes came from things the Commissioners have previously talked about. There was extensive discussion stemming from confusion over eliminating the old B-2 General Business category versus the purpose for a new B-2 Neighborhood Business category. The existing B-2 district shares all the same uses as C-1, so these uses, where currently labelled B-2, will be labelled C-1 in the future. The new B-2 is intended to allow for a category of smaller, neighborhood-friendly businesses currently not considered in the current ordinance. Many of these businesses exist in reality today but in a category that also allows larger, less-compatible activities adjacent to a residential neighborhood. Mr. Dabareiner stated this will be discussed in more detail at a future Planning Commission meeting. Mr. Houseal stated that the next meeting will cover the business districts.

NEW BUSINESS

None.

ADJOURNMENT: Mr. Scritchlow moved to adjourn; seconded by Mr. Pearson, which passed unanimously by voice vote. The meeting was adjourned at 5:29 PM.

Respectfully,

Tom Dabareiner AICP
Community Development Director