

**PLANNING COMMISSION - REGULAR SESSION
OSBORN ROOM, BLOOMINGTON POLICE DEPARTMENT
305 S. EAST ST., BLOOMINGTON, IL 61701
WEDNESDAY, MARCH 6, 2024, 4:00 PM**

1. Call to Order

2. Roll Call

3. Public Comment

Individuals wishing to provide emailed public comment must email comments to publiccomment@cityblm.org at least 15 minutes before the start of the meeting. Individuals wishing to speak in-person may register at cityblm.org/register at least 5 minutes before the start of the meeting.

4. Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled from the Consent Agenda for discussion are listed and voted on separately.

- A. Consideration and action to approve the Minutes of the February 7, 2024, regular meeting of the Bloomington Planning Commission. (Recommended Motion: The proposed Minutes be approved.)

5. Regular Agenda

- A. Public hearing, review, and action on a request submitted by Laborers' Home Development Corporation, for approval of a Public Hearing Site Plan to allow Multiple-Family Dwellings in the D-2 (Downtown Transitional) District for the properties located at 408 E. Washington Street and 401 E. Jefferson Street, in Bloomington, PINs: 21-04-407-009 and 21-04-407-007. (Recommended Motion: Motion to establish findings of fact that the Site Plan meets the standards and objectives for which the Code is designed, and recommend that City Council **approve** the Site Plan, for the properties located at 408 E. Washington Street and 401 E. Jefferson Street.)
- B. Public hearing, review, and action on a request initiated by City of Bloomington, for approval of text amendments, modifications, and deletions to the Zoning Code of the City of Bloomington, Illinois (Chapter 44 of the Bloomington City Code, 1960), relating to 1) accessory uses, (2) accessory structures, (3) fencing requirements, (4) parking requirements, (5) administrative procedures, and (6) minor definition and figure clarifications. (Recommended Motion: Motion to establish findings of fact that the proposed text amendments meet the standards and objectives for which the Code is designed and are in the public interest, and to recommend that City Council **approve** the proposed text amendments.)

6. New Business

7. Adjournment

Individuals with disabilities planning to attend the meeting who require reasonable accommodations to observe and/or participate, or who have questions about the accessibility of the meeting, should contact the City's ADA Coordinator at 309-434-2468 or mhurt@cityblm.org.

REGULAR AGENDA ITEM NO. 4.A.

FOR PLANNING COMMISSION: March 6, 2024

WARD IMPACTED: City-Wide Impact

SUBJECT: Consideration and action to approve the Minutes of the February 7, 2024, regular meeting of the Bloomington Planning Commission.

RECOMMENDED MOTION: The proposed Minutes be approved.

STRATEGIC PLAN LINK:

Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: In compliance with the Open Meetings Act, Commission Minutes must be approved thirty (30) days after the meeting or at the second subsequent regular meeting whichever is later.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: N/A

FINANCIAL IMPACT: N/A

Respectfully submitted for consideration.

Prepared by: Alissa Pemberton

ATTACHMENTS:

PC Minutes DRAFT 2024-02-07

**DRAFT MINUTES
PLANNING COMMISSION - REGULAR SESSION
WEDNESDAY, FEBRUARY 7, 2024, 4:00 PM**

The Planning Commission convened in regular session at 4:02 PM, February 7, 2024. Chair Boyd called the meeting to order.

Roll Call

Attendee Name	Title	Status
Mary Ann Cullen	Commissioner	Present
Mark Muehleck	Commissioner	Absent
David Lewis	Commissioner	Present
Justin Boyd	Commission Chair	Present
Brady Sant Amour	Commissioner	Absent
Thomas Krieger	Commissioner	Present
Anna Patino	Commissioner	Absent
Goverdhan Galpalli	Commissioner	Present
Jackie Beyer	Commission Vice Chair	Present
William Peradotti	Commissioner	Present

Staff present included: Kelly Pfeifer, Assistant Economic & Community Development Director; Kevin Kothe, Director of Operations & Engineering Services; Jon Branham, City Planner; Alissa Pemberton, City Planner; and John Myers, Assistant City Planner.

Public Comment

No public comment was provided.

Consent Agenda

Items listed on the Consent Agenda are approved with one motion; Items pulled from the Consent Agenda for discussion are listed and voted on separately.

Item 4.A. Consideration and action to approve the Minutes of the January 3, 2024, regular meeting of the Bloomington Planning Commission.

Commissioner Krieger made a motion, seconded by Commissioner Lewis, to approve the Consent Agenda.

Roll call.

AYES: Commission Chair Boyd; Commissioner Lewis; Commissioner Krieger; Commissioner Peradotti; Commission Vice Chair Beyer; Commissioner Galpalli; Commissioner Cullen.

Motion passed.

Regular Agenda

The following item was presented:

Item 5.A. Z-02- 24 (BHP -01-24) - Public Hearing, consideration, and action on a request initiated by the Historic Preservation Commission for rescission of the Designation as a Local Landmark and the S-4 (Historic Preservation District) Overlay, for the property at 1002 S. Main Street, PIN 21-09-148-001.

Ms. Pemberton presented the Staff Report, with a recommendation for rescission of the Designation as a Local Landmark and the S-4 (Historic Preservation District) Overlay from the subject property. She stated this request was initiated by the Historical Preservation Commission (HPC). She stated the subject property was designated S-4 in 2008 (Ord. No. 2008-31) based upon the existing wood-framed storefront/residence that was planned for disassembly, salvage, and rebuild. The structure was approved for demolition in 2009, and demo completed in 2010. She noted the zoning restrictions of the S-4 Designation, associated with a nonexistent structure, are no longer appropriate and hinder the potential redevelopment of an infill property. She added that the property owner did not appear at HPC hearing and is not currently present either. However, the current property owner still has a chance to contest the action at City Council if they so choose.

Commission Chair Boyd inquired about voting procedures. Ms. Pemberton stated that two-thirds of the Commission members *present* is required to recommend this removal.

Commissioner Krieger made a motion, seconded by Commissioner Cullen, to establish findings of fact that the property no longer meets the criteria to be classified as a Historic Landmark, and to rescind such status.

Roll call.

AYES: Commission Chair Boyd; Commissioner Lewis; Commissioner Krieger; Commissioner Peradotti; Commission Vice Chair Beyer; Commissioner Galpalli; Commissioner Cullen.

Motion passed.

Commissioner Lewis made a motion, seconded by Commissioner Krieger, to establish findings of fact that the Zoning Map Amendment is in the public interest and not solely for the benefit of the Applicant and to recommend removal of the S-4 (Historic Preservation District) Overlay zoning for the property located at 1002 S. Main Street to City Council.

Roll call.

AYES: Commission Chair Boyd; Commissioner Lewis; Commissioner Krieger; Commissioner Peradotti; Commission Vice Chair Beyer; Commissioner Galpalli; Commissioner Cullen.

Motion passed.

Commission Vice Chair Beyer made a motion, seconded by Commissioner Cullen, to approve the proposed Resolution.

AYES: Commission Chair Boyd; Commissioner Lewis; Commissioner Krieger; Commissioner Peradotti; Commission Vice Chair Beyer; Commissioner Galpalli; Commissioner Cullen.

Motion passed.

The following item was presented:

Item 5.B. PS-01-24 - Public Hearing, review and action on a request submitted by Bloomington 77 Developments, for approval of a Preliminary Plan for Bloomington 77 Development, for the property commonly located north of W. Market St. (State Rte. 9) near the eastern termination of Old Peoria Court, consisting of approximately 77 acres (PIN: 13-36-326-002).

Ms. Pemberton presented the Staff Report, with a recommendation for approval of the Preliminary Plan, and associated waivers, with the Conditions that all items noted as missing or requiring amendment/update in the discussion of the Standards of Review shall be addressed prior to review of this item by City Council. Ms. Pemberton explained that the Preliminary Plan is significantly sized, which requires extensive discussion with multiple Departments. She noted that the goal of a Preliminary Plan is to establish the appropriateness of essential elements required by the Subdivision Code. She noted that the major components of the Annexation Agreement are represented, but some smaller components that are missing in the current iteration will be established during Engineering review. She explained the key requirements of the Annexation Agreement and Concept Plan are present, such as the single access from Market Street, secondary temporary access of Old Peoria Ct., and stormwater management infrastructure. She added that the Preliminary Plan ensures surrounding properties will have access to the infrastructure that will be constructed. Finally, she noted the Conditions that Staff recommends are met prior to the item going before City Council.

Commission Vice Chair Beyer asked for confirmation on which streets the waiver for a reduced Right-of-Way is being requested. Ms. Pemberton explained that it would only be for the local roads. She noted that the subject property will be zoned M-1 (Restricted Manufacturing) District, however, the proposed development does not have the type of large truck traffic typically associated with M-1 (Restricted Manufacturing) District, making the waiver appropriate according to both Planning and Engineering.

Commission Vice Chair Beyer asked if there will be expansion room for pedestrian infrastructure. Ms. Pemberton stated the 60-foot Right-of-Way already includes required pedestrian infrastructure, but 60-feet should be plenty of space for expanded walks if they are determined to be preferred at a future date.

Commission Vice Chair Beyer asked about on-street parking. Ms. Pemberton stated there have not been discussions regarding on-street parking on the local roads and she would not expect it to be planned in this situation. The main roads within the Plan are local roads, but function more as Collectors for the proposed development; on-street parking would not be appropriate.

Commission Vice Chair Beyer expressed concerns about traffic calming measures. Ms. Pemberton stated that the reduction of Right-of-Way and the curved design of the streets should have some traffic calming effects, as compared to 70-foot widths and straight-away design that is common in the M-1 District.

Commissioner Cullen asked about the timeline for Enterprise Drive. Ms. Pemberton stated that Enterprise Drive has the possibility of being extended within the next 20 years, but is not currently planned and does not yet have all of the required right-of-way dedicated.

Commission Chair Boyd asked about crosswalks. Ms. Pemberton stated there will be crosswalks within the development, at all required locations.

Commissioner Krieger made a motion, seconded by Commissioner Cullen, to approve the item as presented.

Roll call.

AYES: Commission Chair Boyd; Commissioner Lewis; Commissioner Krieger; Commissioner Peradotti; Commission Vice Chair Beyer; Commissioner Galpalli; Commissioner Cullen.

Motion passed.

New Business

Mr. Branham presented proposed text amendments for the next meeting. He noted Staff is looking to remove the Special Use Permit requirement for chicken keeping, modify parking reductions and exceptions, modify fence requirements, and modify accessory structure height restrictions.

Commissioner Chair Boyd explained why the Planning Commission originally made Chicken-Keeping a Special Use. He added that the public originally had many concerns, but the number of approved applications seem to have tested the waters sufficiently.

Adjournment

Commissioner Krieger made a motion, seconded by Commissioner Beyer, to adjourn the meeting.

Roll call.

AYES: Commission Chair Boyd; Commissioner Lewis; Commissioner Krieger; Commissioner Peradotti; Commission Vice Chair Beyer; Commissioner Galpalli; Commissioner Cullen.

Motion passed.

The Meeting Adjourned at 4:36PM

CITY OF BLOOMINGTON

Commission Chair, Justin Boyd

Staff Liaison, Alissa Pemberton

REGULAR AGENDA ITEM NO. 5.A.

FOR PLANNING COMMISSION: March 6, 2024

WARD IMPACTED: Ward 6

SUBJECT: Public hearing, review, and action on a request submitted by Laborers' Home Development Corporation, for approval of a Public Hearing Site Plan to allow Multiple-Family Dwellings in the D-2 (Downtown Transitional) District for the properties located at 408 E. Washington Street and 401 E. Jefferson Street, in Bloomington, PINs: 21-04-407-009 and 21-04-407-007.

RECOMMENDED MOTION: Motion to establish findings of fact that the Site Plan meets the standards and objectives for which the Code is designed, and recommend that City Council *approve* the Site Plan, for the properties located at 408 E. Washington Street and 401 E. Jefferson Street.

STRATEGIC PLAN LINK:

Goal 4. Strong Neighborhoods

Goal 5. Great Place - Livable, Sustainable City

STRATEGIC PLAN SIGNIFICANCE:

Objective 6d. Healthy adjacent neighborhoods linked to Downtown

Objective 5e. More attractive city: commercial areas and neighborhoods

BACKGROUND: The Applicant, Laborers' Home Development Corporation, requests approval of a Public Hearing Site Plan Review to allow Multiple-Family Dwellings at the subject properties. A Variance (V-01-24) to allow for reduced required parking in conjunction with the current request is scheduled to be reviewed by the Zoning Board of Appeals on March 20, 2024.

Summary of Request:

- Public Hearing Site Plan Review is required in the D-2 (Downtown Transitional) District.
- Construct a three-story, 69,921 square foot multiple-family residential facility (51 total dwelling units), with associated vehicle parking (66 total spaces).
- Stormwater will be handled on-site and pedestrian circulation has been accommodated appropriately.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Notice was published in *The Pantagraph* on Tuesday, February 20, 2024. Courtesy notices were mailed to 92 property owners within 500 feet of the subject property.

FINANCIAL IMPACT: N/A

Respectfully submitted for consideration.

Prepared by: Jon Branham

ATTACHMENTS:

PR-01-24 - Staff Report - 408 E Washington St (Laborers) Updated.docx

PLANNING COMMISSION

TO:	Planning Commission
FROM:	Economic & Community Development Department
DATE:	March 6, 2024
CASE NO:	PR-01-24, Public Hearing Site Plan Review
REQUEST:	Public hearing, review, and action on a petition submitted by Laborers' Home Development Corporation, requesting approval of a Public Hearing Site Plan to allow Multiple-Family Dwellings in the D-2 (Downtown Transitional) District for the properties located at 408 E. Washington Street and 401 E. Jefferson Street, in Bloomington, PINs: 21-04-407-009 and 21-04-407-007.

BACKGROUND

Request:

The Applicant is requesting a Public Hearing Site Plan Review to develop a Multiple-Family Dwellings use on the subject properties. A Variance (V-01-24) to allow for reduced required parking in conjunction with the current request is scheduled to be reviewed by the Zoning Board of Appeals on March 20, 2024.

The Applicant proposes a construction plan to develop a 51-unit, three-story, 69,921 square foot multiple-family residential facility with associated vehicle parking and various amenities at the site. Public Hearing Site Plan Review is required in the D-2 (Downtown Transitional) District.

Property Characteristics:

The subject property consists of two parcels, totaling roughly 1.55 ± acres (67,440 ± square feet) of land, located between E. Washington Street and E. Jefferson Street, on the east side of N. Gridley Street. A Place of Worship operates on one parcel and the other is vacant (formerly utilized as a Hotel). Demolition of the existing structure at 401 E. Jefferson Street was approved by the Historic Preservation Commission in July, 2023 (BHP-38-23). The parcels are or were currently accessible by vehicles at various curb cuts along the surrounding streets. The surrounding properties are all located within the D-2 (Downtown Transitional) District zoning. The surrounding land uses consist of a mix of parking areas, Office uses, Multiple-Family Dwellings, and a Place of Worship auxiliary service building.

Notice:

The application was filed in conformance with applicable procedural and public notice requirements. Notice was published in *The Pantagraph* on Tuesday, February 20, 2024. Courtesy notices were mailed to 92 property owners within 500 feet of the subject property.

Surrounding Zoning and Land Uses

	Zoning	Land Uses
North	D-2 (Downtown Transitional)	Parking Lot
South	D-2 (Downtown Transitional)	Parking Lot / Place of Worship
East	D-2 (Downtown Transitional)	Multiple-Family Dwellings
West	D-2 (Downtown Transitional)	Offices / Multiple-Family Dwellings

ANALYSIS

Description of Current Zoning District

The D-2 (Downtown Transitional) District is intended to complement and support the uses located in the D-1 Central Business District. Office, service and civic uses, as well as residential apartments and multiple-family dwelling units, are appropriate in this district. Due to its transitional location between the central business district and outlying residential areas, the D-2 District permits development at a lower intensity and density than the downtown core. Pedestrian circulation is prioritized. To this end, buildings should be located close to the sidewalk with on-site parking located to the rear of the parcel and accessed from secondary roadways or alleys, though modest setbacks for courtyards, gardens and other similar amenities may be provided.

Subject Code Requirements

§ 44-503A. Site dimensions table. All development in Business Districts must comply with the requirements in Tables 503A and 503B and Diagram 503A unless otherwise expressly stated. These items have been met. The site does not adjoin any residential district.

Compliance with the Comprehensive Plan

The subject properties are identified as “Mixed Use” in the Future Land Use Map. The Land Use Priorities map does not specifically identify the sites, although vacant and under-utilized land available for infill development is generally considered “Tier 1”. Approval of the Site Plan aligns with the following goals of the Comprehensive Plan: Goal N-1 (Enhance the livability of all Bloomington neighborhoods) and Goal ED-4.2 (Prioritize infill and redevelopment to spur growth and reinvestment in the City).

Parking Requirements

The Applicant has indicated a total of 66 overall parking spaces at the site, including eight accessible spaces. Section 44-1208 of the Code requires 99 spaces for the proposed multiple-family dwellings use (1.5 spaces per efficiency or one-bedroom dwelling unit; 2 spaces per 2 or more-bedroom dwelling units). The Applicant was able to reduce the required parking by several spaces per § 44-1209 by providing pedestrian access, proximity to a public transit route, and bicycle spaces, but the overall requirement was still unable to be met, therefore the Applicant will seek a Variance for the under-provided parking. Public street parking is located along portions of E. Washington Street, E. Jefferson Street, and N. Gridley Avenue.

Mobility and Circulation

Pedestrian circulation has been addressed within the scope of the project area by the Applicant by providing direct pedestrian access along the public sidewalks on all three street frontages as well as from the parking area located behind the proposed building. Internal vehicle circulation should be adequate, and all parking spaces and aisles meet standard requirements. The project area should also benefit from the reduction of several existing vehicle curb cuts surrounding the site, as the proposed site will have only one curb cut. As previously stated, bicycle parking has been provided.

Building Characteristics in the D-2 District

Section 44-505-B provides for various design-based items to be addressed, including these applicable items, which have all been addressed:

- The primary ground-floor entrance shall face a public street.
- For residential buildings: clear, non-reflective windows shall comprise at least 20% of the front facade between three and nine feet above the sidewalk.
- A building facade shall occupy at least 60% of the front setback line.
- Loading docks, overhead doors and other service entry areas are prohibited on street-facing building facades.
- Exterior storage and refuse facilities shall not adjoin a public street or sidewalk. Such facilities shall be fully screened on all sides by an opaque enclosure.

Landscaping & Screening

Landscaping and screening shown, including perimeter parking lot landscaping, complies with § 44-1307. Also, the proposed trash enclosure is shown to be appropriately screened in accordance with section § 44-1308-E.

Other Items

The Applicant will be required to meet all Public Works and Engineering requirements, including stormwater detention. The proposed vehicular curb cut will also need to be approved by the Department of Engineering and Operations Services (DOES). Engineering staff reviewed the site plan and expressed no concern for compliance.

STANDARDS FOR REVIEW - PUBLIC HEARING SITE PLAN

Ch. 44, 17-9 Public hearing site plan review

The Planning Commission shall hold at least one public hearing on any proposed Public Hearing Site Plan and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the Site Plan is in the public interest and not solely for the benefit of the applicant, based upon considering the factors listed in § 44-1706E(2) and discussed below.

- 1. The extent to which potential incompatibilities between the proposed development and surrounding existing development and/or zoning is minimized by such design features as placement of buildings, parking areas, access driveways and existing or proposed topography.**

The proposed development is not incompatible with the existing development in the area. The site design is consistent with required design criteria and features a lower density and height than the adjacent multiple-family residential building to the east. A portion of the site has been vacant for several years and formerly existed as a Hotel use.

- 2. The extent to which the proposal minimizes any adverse impact of the development upon adjoining land.**

The proposed use will not have adverse impacts on the development of adjoining land. The use is permitted within the zoning district and will be compatible with the uses of the surrounding properties. The building and landscaping shall comply with Code requirements.

3. **The extent to which adequately improved streets connected to the improved arterial street system are available or can be reasonably supplied to serve the uses proposed in the development.**

The site is accessible by existing improved streets connected to the existing street system. The proposed curb cut along E. Jefferson Street will need to meet Public Works requirements. Several existing curb cuts will be removed as part of the project.

4. **The extent to which the proposed development will favorably or adversely affect other persons or property and, if so, whether because of circumstances peculiar to the location the effect is likely to be greater than is ordinarily associated with the development of the type proposed.**

The surrounding properties contain the same zoning designation. Establishing a multiple-family dwellings use at the site would be complementary to the existing surrounding uses.

STAFF RECOMMENDATION

Staff finds that the application generally meets the standards for site plan review and recommends its approval. Staff recommends that the Commission take the following actions:

Motion to establish findings of fact that the Site Plan meets the standards and objectives for which the Code is designed, and recommend that City Council approve the Site Plan, subject to approval of the Variance for less than the Code-required parking, for the property located at 408 E. Washington Street & 401 E. Jefferson Street.

Respectfully submitted,
Jon Branham
City Planner

Attachments:

1. Zoning Map
2. Aerial Image
3. Ground Level View
4. Applicant Submittals, including Architectural Rendering, Site Plan, & Landscape Plan
5. Neighborhood Notice Map

Attachment 1 - Zoning Map

Attachment 2 - Aerial Map

Attachment 3 - Ground Level View

Attachment 4 - Applicant Submittal - Architectural Rendering

Attachment 4 - Applicant Submittal - Landscape Plan

Attachment 5 - Neighborhood Notice Map

REGULAR AGENDA ITEM NO. 5.B.

FOR PLANNING COMMISSION: March 6, 2024

WARD IMPACTED: City-Wide Impact

SUBJECT: Public hearing, review, and action on a request initiated by City of Bloomington, for approval of text amendments, modifications, and deletions to the Zoning Code of the City of Bloomington, Illinois (Chapter 44 of the Bloomington City Code, 1960), relating to 1) accessory uses, (2) accessory structures, (3) fencing requirements, (4) parking requirements, (5) administrative procedures, and (6) minor definition and figure clarifications.

RECOMMENDED MOTION: Motion to establish findings of fact that the proposed text amendments meet the standards and objectives for which the Code is designed and are in the public interest, and to recommend that City Council ***approve*** the proposed text amendments.

STRATEGIC PLAN LINK:

Goal 5. Great Place - Livable, Sustainable City

Goal 1. Financially Sound City Providing Quality Basic Services

STRATEGIC PLAN SIGNIFICANCE:

Objective 5b. City decisions consistent with plans and policies

Objective 1c. Engaged residents that are well informed and involved in an open governance process

BACKGROUND: The Applicant, City of Bloomington, requests approval of text amendments to update the Zoning Code.

Summary of Request:

- Removal of Special Use Permit requirement for chicken-keeping as an accessory use; add administrative text to outline application requirements and compliance.
- Update fencing requirements to allow increased fence height in portions of Front Yards on residential corner lots.
- Update various off-street parking requirements to streamline and add flexibility within Code.

COMMUNITY GROUPS/INTERESTED PERSONS CONTACTED: Notice was published in *The Pantagraph* on Tuesday, February 20, 2024.

FINANCIAL IMPACT: N/A

Respectfully submitted for consideration.

Prepared by: Jon Branham

ATTACHMENTS:

Z-03-24_- _Text_Amendments_-_Staff_Report_-_Updated__2_.docx

Text_Amendments_-_Combined_Package__3_.docx

PLANNING COMMISSION

TO: Planning Commission

FROM: Economic & Community Development Department

DATE: March 6, 2024

CASE NO: Z-03-24, Text Amendments

REQUEST: Public hearing, review, and action on a request initiated by the City of Bloomington, for the approval of text amendments, modifications and deletions to the Zoning Code of the City of Bloomington, Illinois (Chapter 44 of the Bloomington City Code, 1960), relating to 1) accessory uses, (2) accessory structures, (3) fencing requirements, (4) parking requirements, (5) administrative procedures, and (6) minor definition and figure clarifications.

BACKGROUND

Over the past several months Staff has reviewed the Zoning Code and identified items for potential update. These items have been shared with the Zoning Board of Appeals and Planning Commission under New Business at recent meetings. Notice was published in The Pantagraph on Tuesday, February 20, 2024. Additional items will be presented at the April regular meeting, and it is expected all proposed items will be finalized for approval at the second City Council meeting in April.

IDENTIFIED ISSUES

(1) Accessory Uses

Since the 2019 Zoning Code update, a list of “Accessory uses” has been included in § 44-908, as allowable “in addition to those uses permitted in a[ny] zoning district”, including Beekeeping and Chicken keeping. Chicken-Keeping was first restricted as requiring a Special Use Permit through the inclusion of the Use in certain zoning district use tables. While treated as a Special Use, there have been a total of 21 Special Use Permits issued; all but one permit was ultimately approved. All were unanimously recommended for approval by the Zoning Board of Appeals. A total of 14 persons have spoken against the requests. Staff proposes removing the Special Use requirements for Chicken-Keeping, while implementing a permitting and registration system for accessory uses. Standards will be created standards in Section 17-16, including application requirements and processing, annual registration, non-compliance, complaints and penalties, and discontinuation. Clarification has been provided that chickens shall be provided, and always kept within, a covered or fenced enclosure. A note has been added that this does not include a standard privacy fence which encloses the yard area along the property lines. The City’s Schedule of Fees (§ 1-125) will also be updated to reflect a \$100.00 initial registration fee and a \$25.00 annual registration fee, thereafter. Beekeeping is also proposed for removal from the Use Tables, since it is also an accessory use.

(3) Fencing Requirements

On corner residential lots, the Required Front Yard occupies both street frontages, limiting residents to four-foot-tall fences on a larger portion of their property. Recently approved Variance

cases have illustrated the need to allow for taller fencing in “corner side” yard areas which are adjacent to Rear Yards. Staff proposes to update Table 44-910 to allow six-foot-tall fences in Required Front Yards in the “corner side” area, directly adjacent to the rear corner of the principal structure, which would allow residents to fence in a greater area of space behind the primary structure. Staff acknowledges a three-foot setback from the public sidewalk will alleviate any pedestrian conflicts and to maintain appropriate sighting for vehicles; a footnote to this affect has been added.

(4) Parking Requirements

The proposed changes to Off-Street Parking Requirements include the following:

- Shared Parking Facilities - increase the Shared Parking Facility distance for residential and non-residential uses to 1,000 feet. The intent is to assist downtown locations in meeting parking requirements, while other areas of the City would continue to be self-regulating within the context of the increased distance.
- “Shared On-Street and Public Parking” - relocate this section, that discusses credits and reductions, to Table 44-1209, to remove duplication and confusion by addressing the content in “Adjustments to Required Parking”.
- Location and Yard Requirements - allow required parking to be located on a lot of common ownership with the primary use lot located within 1,200 feet of the property. This would allow for a location to utilize a parking area they own which is not directly adjacent to the property.
- Parking Design Standards - correct a scrivener’s error to indicate 24 feet, rather than 12 feet, as the required aisle width for two-way traffic.
- Off-Street Parking Requirements - allow Off-Street Parking Requirements to be modified in accordance with National Industry Standards for different uses, at the discretion of the Economic & Community Development Director and the Director of Operations & Engineering Services. The standard square-footage-based model does not always equate adequately for every use and this would allow site plans for more unique uses to reflect more accurate and well-demonstrated parking needs.
- Off-Street Parking Requirements - waive Off-Street Parking Requirements for non-residential uses in the D-2 (Downtown Transitional) District (currently allowed in D-1). This would support businesses located near the downtown area that cannot comply with on-site parking requirements but have proximity to multiple public parking opportunities.
- Off-Street Parking Requirements (Table 44-1208E) - decrease total number of required parking spaces for Libraries, from 1 space per 250 square feet to 1 per 500 square feet. Staff identified a National Standard which supports this update.
- Off-Street Parking Requirements (Table 44-1208E) - separate *Museums* from *Libraries and Cultural Institutions* in Table 44-1212. Local empirical evidence, as well as national research, indicates these uses have very different requirements and standards.
- Off-Street Parking Requirements (Table 44-1208E) - remove *Mobile Food and Beverage Vendor* from the required parking table as this item is no longer a primary/stationary use within the Zoning Code.
- Adjustments to [Off-Street] Required Parking (Table 44-1209) - increase the distance from 900 feet to 1,320 feet for the Transit credit, as this is commonly considered a reasonable “Pedestrian Shed” for walkable cities (where people are willing to walk before opting to drive), which equates to a 5-minute walk or about ¼ of a mile.
- Adjustments to [Off-Street] Required Parking (Table 44-1209) - include Public Parking Lots as an adjustment to the required parking for residential uses, and increase credit for all uses, by stating three public parking lot spaces can be substituted for every one required off-street parking space. This item was previously only available for nonresidential uses at a 10% reduction.

- Adjustments to [Off-Street] Required Parking (Table 44-1209) - adjust the parking reduction for On-Street Parking spaces by stating on-street parking within 500 feet of any lot line may be credited to the parking requirement at a rate of one credit for every two on-street parking spaces. This eliminates the distinction between uses and removes the 50% credit cap for multi-family and nonresidential uses. This language mimics language already present in the GAP Districts of the Code (§ 44-1407).
- Other Parking Credits - eliminate carpool and car sharing service spaces as a way to reduce on-site parking. These are difficult to enforce and are not widely used locally.
- Bicycle Parking Requirements (Table 44-1212E) - modify bicycle parking requirements to reflect that off-street parking may be reduced by one off-street parking space for every four bicycle parking spaces provided in excess of the minimum required by Table 44-1212E. This still requires bicycle parking for projects, but requires the minimum be met prior to further reductions. Currently, bicycle parking results in “double dipping” of credits which complicates calculations and does not reflect true need.

(6) Definition and Figure Clarifications

The “Bloomington-Normal Airport Authority” will become the “Central Illinois Regional Airport Authority” as of May, 1, 2024 and this name change must be reflected in the appropriate locations in City Code. This primarily impacts § 44-802.

STANDARDS FOR REVIEW

The Planning (PC) shall hold at least one public hearing on any proposed text amendment and report to the Council its findings of fact and recommendations. Recommendations shall be made upon the determination that the text amendment meets all of the Standards of Approval listed in § 44-1706-E and discussed below.

- 1. The extent to which the proposed amendments are consistent with the public interest, giving due consideration for the purpose and intent of this code as set forth in § 44-1701 herein.**

The proposed amendments are consistent with the public interest and follow the purpose and intent of the Code. Items have been studied over a period of time and have been identified as more appropriate local standards that achieve flexibility within the Code and balance the needs of current and future residents. Standard is met.

- 2. The extent to which property values are diminished by the proposed particular zoning restriction.**

Property values should not be diminished by any of the proposed text amendments. While the form of regulation and enforcement is changing for some items, no item is being exempted from regulation, and additional tracking or enforcement mechanisms will be created when appropriate. Pathways to taking advantage of the opportunities for flexibility are structured to require supporting evidence and appropriate review. Standard is met.

- 3. The extent to which the destruction of property values promotes the health, safety, morals, or general welfare of the public.**

There will not be an expected destruction of property values by any of the proposed amendments. The amendments are designed to support residences and businesses. Standard is met.

4. Whether a Comprehensive Plan for land use and development exists, and whether the amendment is in harmony with it.

The proposed amendments are in harmony with the 2035 Comprehensive Plan, including the following Goals, Objectives, or Policies:

- N-1.1a (Update the ordinances and regulations as needed to accomplish the goals of the comprehensive plan);
- N-1.2d (Identify and eliminate the barriers for infill development);
- N-1.4 (Identify opportunities to gradually transition the low density residential developments in the Stable Areas into mixed use, walkable neighborhoods that appeal to all residents);
- N-1.5b (Incentivize subdivisions that follow sustainable neighborhood designs such as transit oriented development, mixed use development, traditional neighborhood design, cluster development and green building practices);
- H-1.1a (Review and improve the current ordinances, codes, regulations, and permitting processes and fees, as needed and desirable, to provide more efficient mechanisms for new developments and redevelopment opportunities);
- H-1.3e (Ensure neighborhoods are walkable and have access to alternative modes of transportation and other amenities to make them attractive to aging populations);
- ED-1.2h (Promote regeneration area infill sites on the west side of Bloomington to take advantage of existing infrastructure and attract quality jobs closer to residents);
- ED-4.3 (Facilitate and enhance pedestrian-friendly neighborhood centers to support mixed use developments);
- D-1.1 (Strengthen business recruitment and retention activities);
- D-1.4e (Improve parking access/facilities for Downtown residents);
- D-5.1b (Evaluate parking ordinance standards and requirements); and
- HL-5.1 Encourage local food production).

Standard is met.

5. Whether the City needs the additional types of uses or development allowed by the proposed amendment.

The proposed modifications would benefit the City by allowing greater flexibility to residents and business owners and also setting appropriate standards. Standard is met.

RECOMMENDATION

Staff finds that the application generally meets the standards for text amendments and recommends its approval. Staff recommends that the Commission take the following actions:

Motion to establish findings of fact that the proposed text amendments meet the standards and objectives for which the Code is designed and are in the public interest, and to recommend that City Council approve the proposed text amendments.

Respectfully Submitted,
Planning Division Staff

Attachments: Proposed Text Amendment (strikethrough, underline format)

(1) ACCESSORY USES

§ 44-402B. Allowed Uses Table

Table 402A: Residential Districts - Permitted and Special Uses										
Agricultural	R-1A	R-1B	R-1C	R-1H	R-2	R-3A	R-3B	R-4	R-D	Reference
Urban Agriculture						S	S		S	
Urban Garden			P	P	P	P	P	P	P	

§ 44-702B. Allowed Uses Table

Table 702A: Public Interest Districts - Permitted and Special Uses				
Agricultural	P-1	P-2	P-3	Reference
Agricultural		P	S	
Forestry		P	P	
...				

§ 44-1011. [Ch. 44, 10-11] Chicken-keeping.

- A. On lots less than or equal to one acre with a primary use of a single-family or two-family dwelling, or primary use of 1) preschools, 2) private and public schools, and 3) boarding schools, the keeping of up to four chickens may be permitted as an accessory use and shall comply with Chapter 8 and Chapter 22 of the Bloomington Code, 1960, as amended. **[Amended 10-24-2022 by Ord. No. 2022-99]**
- B. On lots greater than one acre with a primary use of a single-family or two-family dwelling, or primary use of 1) preschools, 2) private and public schools, and 3) boarding schools, the keeping of up to four chickens plus one additional chicken per half acre in excess of one acre may be permitted as an accessory use and shall comply with Chapter 8 and Chapter 22 of the Bloomington Code, 1960, as amended. **[Amended 10-24-2022 by Ord. No. 2022-99]**
- C. Neither the keeping of roosters nor the keeping of chickens for slaughter shall be permitted.
- D. Chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or a fenced enclosure at all times.
- E. Enclosures are not permitted in any front or side yard and shall be set back a minimum distance of 10 feet from all property lines.
- F. All feed and other items associated with the keeping of chickens that are likely to attract or

to become affected by pests shall be protected and stored.

NOTE: Two fees will be added to § 1-125 (Schedule of Fees) to facilitate initial permitting (\$100.00) and annual registration (\$25.00)

(3) FENCING REQUIREMENTS

Ch.44, 9010 Fence Regulations.

B. Fence materials.

(1) Residential fences shall not be constructed of wire mesh, barbed wire, electrically charged fence, or topped with sharp-edged material. In residential districts, chain fence may be allowed in the rear yard when not visible from the street.

...

C. Maximum Fence Height

Table 910: Maximum Permitted Fence Height				
Districts	Required Front Yard	Required Side Yard	Required Rear Yard	Any Location No Fence Taller Than
Agricultural Districts	8 feet	8 feet	8 feet	
Residential Districts	4 feet	6 feet	6 feet	
Business Districts	4 feet	8 feet	8 feet	
Manufacturing Districts	-	-	-	
Public Interest Districts	4 feet	8 feet	8 feet	

(4) PARKING REQUIREMENTS

§ 44-1204 [Ch. 44, 12-4] Shared parking facilities.

A. Shared parking.

- (1) Purpose. Shared parking is encouraged as a means of conserving land resources, reducing stormwater runoff, reducing the heat island effect caused by large paved areas and improving community appearance.
- (2) Authorization. Shared parking facilities for off-street parking of two or more buildings or uses may be approved by the Economic and Community Development Director subject to compliance with this section. **[Amended 10-26-2020 by Ord. No. 2020-69]**
- (3) Location.
 - (a) Shared parking facilities for residential uses shall be located within _____ linear feet of the _____.
 - (b) Shared parking facilities for all other uses shall be located within _____ linear feet of the _____.
 - (c) A shared parking facility shall only be authorized in a Residential District if it serves one or more residential uses exclusively.

(4) General requirements.

...

(7) Agreement. The applicant(s) shall provide a copy of the executed shared parking lease or agreement prior to the City's authorization of a shared parking facility.

- (a) Shared parking leases or agreements shall have a term of not less than five years, including any renewals at the option of the lessee.
- (b) Authorization of the shared parking facility will continue in effect only as long as the agreement, binding on all parties, remains in force. Should the agreement cease to be in force, parking must be provided as otherwise required by this section.

§ 44-1205 [Ch. 44, 12-5] Location and yard requirements.

- A. Parking spaces required for all nonresidential and multifamily uses shall be located on the same lot or an adjoining lot, here 10 or more parking spaces
are required, such parking spaces may be provided in a shared parking facility subject to
requirements of § 44-1204.

§ 44-1206 [Ch. 44, 12-6] Parking design standards.

...

H. Dimensional standards.

- (1) Off-street parking spaces shall be designed in accordance with Table 1206I: Dimensional Standards for Parking Spaces and Aisles.
- (2) All parking spaces shall have a minimum vertical clearance of seven feet.
- (3) Compact spaces. Up to 30% of all provided parking spaces may be compact vehicle

parking spaces. Dimensions for compact spaces are shown in Table 1206I.

- (4) All parking spaces and aisles shall comply with the following minimum requirements.

Table 1206I: Dimensional Standards for Parking Spaces and Aisles								
	0° (Parallel)		45°		60°		90°	
	Typical	Compact	Typical	Compact	Typical	Compact	Typical	Compact
A - Width of Aisle: One-Way	11 feet	11 feet	12 feet	12 feet	16 feet	16 feet	20 feet	20 feet
B - Width of Aisle: Two-Way	feet	- feet	20 feet	19 feet	20 feet	19 feet	24 feet	23 feet
C - Width of Space	8.5 feet	8 feet	8.5 feet	8 feet	8.5 feet	8 feet	8.5 feet	8 feet
D - Depth of Space	20 feet	19 feet	19 feet	18 feet	20 feet	19 feet	18 feet	17 feet
...								

§ 44-1208 [Ch. 44, 12-8] Off-street parking requirements.

- A. Minimum requirements. Except as otherwise expressly provided herein, off-street parking spaces shall be provided in accordance with the parking ratio requirements of Table 1208E.
- B. Parking demand study. For the purposes of determining required parking for an unlisted use or in consideration of application for shared or reduced parking,
a parking demand study
that analyzes parking demand
, and includes relevant data collected from uses or combinations of uses that are the same or comparable to the proposed use in terms of density, scale, bulk, area, type of activity and location.

[Amended 10-

26-2020 by Ord. No. 2020-69]

- C. Exemptions.
 - (1) When the application of the off-street parking regulations specified hereinafter results in a requirement of not more than three parking spaces for any nonresidential use, such parking spaces need not be provided. However, where two or more uses are located on a single lot, only one of these uses shall be eligible for the above exemption. In no instances shall this exemption apply to dwelling units.
 - (2) The minimum number of off-street parking spaces required by Table 1208E of this Code

shall be waived for nonresidential uses in the D-1 Central Business District established by § 44-501 of this Code.

...

- E. The minimum number of motor vehicle parking spaces shall be provided in accordance with Table 1208E, Motor Vehicle Parking Space Requirements, below. [Amended 12-16-2019 by Ord. No. 2019-89; 10-26-2020 by Ord. No. 2020-69; 10-24-2022 by Ord. No. 2022-99]

Table 1208E: Off-Street Parking Requirements		
Use Category	Specific Use	General Requirement
AGRICULTURAL		
Agriculture	Aquaculture, aquaponics, hydroponics; horticultural services; medical marijuana cultivation; animal breeding services; fish hatcheries; poultry hatcheries	1 space per 600 GFA
...	...	...
Other Institutional and Cultural Uses	Clubs and lodges	1 space per 200 GFA
	Food pantry	Off-street parking requirements will be based upon the principal use of the structure containing the food pantry
	Libraries institutions	1 space per GFA
...	...	...
Retail and Service	Adult-use cannabis dispensing organization	1 space per 250 GFA
	Artisanal/craft production and retail	1 space per 250 GFA
	Bars, taverns, and nightclubs	1 space per 50 GFA
	Building materials and supplies	1 space per 300 GFA
	Catering services	1 space per 1,000 GFA
	Furniture sales	1 space per 600 GFA

...

§ 44-1209 [Ch. 44, 12-9] Adjustments to required parking.

Notwithstanding Table 1208E, the following adjustments to required parking are permitted upon approval of the Director of Economic and Community Development. In no instance shall adjustments to required parking result in single-family or two-family uses providing fewer than one legal off-street parking space.

Table 1209: Adjustment to Required Parking		
Adjustment Type	Criteria	Adjustment Amount
Transit	Resident or nonresident use (other than an after-hours establishment) is located within feet of a public transit route.	10% reduction
Pedestrian Access	Nonresidential use is located where residents of all residential and mixed-use areas within 1,320 feet of the subject property can walk to and from the nonresidential use on a continuous sidewalk system (ignoring intervening streets).	10% reduction
Public Parking Lots	Nonresidential use is located within 900 feet of a parking lot that is available for use by the public.	
On-Street Parking	is located along one or more public street frontages where public parking is permitted.	

§ 44-1210 [Ch. 44, 12-10] Other parking uses.

- A. Electric vehicle charging. Any parking space may be equipped with a power outlet or similar apparatus for electric vehicle charging. Electric vehicle charging stations for public use may provide non-illuminated directional signage, subject to approval by the Economic and Community Development Director, to identify the location of charging stations.
[Amended 10-26-2020 by Ord. No. 2020-69]

§ 44-1213 [Ch. 44, 12-13] Bicycle parking requirements.

- A. Purpose. This section is established to ensure provision of bicycle parking facilities in furtherance a safe, complete, and efficient network of streets, bicycle-pedestrian facilities and other infrastructure to serve users in any surface transportation mode.
...
- F. Motor vehicle parking reduction. Parking requirements may be reduced by one off-street parking space for every four bicycle parking spaces
- G. The provisions of this section may be waived or modified through Site Plan Review procedures if a determination is made that it is infeasible to fulfill bicycle parking requirements due to site constraints, proximity to existing bicycle parking, and the nature of the proposed building or use.

(6) DEFINITION AND FIGURE CLARIFICATIONS

§ 44-802. S-1 Aircraft Noise Impact District

- C. **Variations.** The City shall consult and obtain a written recommendation from the Airport Authority prior to consideration of any variation to this § 44-802. The Construction Board of Appeals shall be responsible for reviewing variations of the provisions of this § 44-802 pertaining to building construction and/or acoustical insulation. The Zoning Board of Appeals shall be responsible for reviewing all other variations of this § 44-802 not pertaining to building construction or sound insulation.