

Passed 7-0 (Flaherty absent) (Zulich out of the room)

Bloomington Common Council Ordinance 2026-08 - Technical Corrections to the Unified Development Ordinance

Preamble

Whereas, the Common Council by its Resolution 18-01, approved a new Comprehensive Plan for the City of Bloomington, which took effect March 21, 2018; and

Whereas, thereafter the Plan Commission initiated and prepared a proposal to repeal and replace Title 20 of the Bloomington Municipal Code, entitled "Unified Development Ordinance" (UDO); and

Whereas, on December 18, 2019, the Common Council passed Ordinance 19-24, to repeal and replace the UDO; and

Whereas, on January 14, 2020, the Mayor signed and approved Ordinance 19-24; and

Whereas, on April 15, 2020, the Common Council passed Ordinance 20-06 and Ordinance 20-07; and

Whereas, on April 18, 2020, the Unified Development Ordinance became effective; and

Whereas, on April 13, 2026, the Plan Commission voted to favorably recommend this amendment proposal to the Common Council, after providing notice and holding public hearings on the proposal as required by law; and

Whereas, the Plan Commission certified this amendment proposal to the Common Council on April 23, 2026; and

Whereas, in preparing and considering this proposal, the Plan Commission and Common Council have paid reasonable regard to:

- 1) The Comprehensive Plan;
- 2) Current conditions and character of current structures and uses in each district;
- 3) The most desirable use for which land in each district is adapted;
- 4) The conservation of property values throughout the jurisdiction; and
- 5) Responsible development and growth.

Be It Ordained by the Common Council of the City of Bloomington, Monroe County, Indiana, That:

Section 1:

Title 20, entitled "Unified Development Ordinance", is amended.

Section 2:

An amended Title 20 of the Bloomington Municipal Code, entitled "Unified Development Ordinance", including other materials that are incorporated therein by reference, is hereby adopted. Said replacement ordinance consists of the following documents which are attached hereto and incorporated herein:

1. The Proposal forwarded to the Common Council by the Plan Commission with a favorable recommendation, consisting of:
 - A. ZO2026-01-0019 Chapter 4: Development Standards & Incentives (hereinafter "Attachment A")
 - B. Any Council amendment thereto (Attachment "B").

Section 3:

The Clerk of the City is hereby authorized and directed to oversee the process of consolidating all of the documents referenced in Section 2 into a single text document for codification.

Section 4: Severability.

If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, or provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 5: Effective Date.

This Ordinance shall be in full force and effect from and after its adoption by the Common Council and approval by the Mayor.

Section 6: The Clerk of the City is directed to enter the effective date of the ordinance wherever it appears in the body of the ordinance.

Passed

Passed by the Common Council of the City of Bloomington, Monroe County, Indiana, upon the 20 day of May, 2026.

A handwritten signature in black ink, appearing to read 'Isak Nti Asare', written in a cursive style.

Signature of Common Council President Isak Nti Asare

Attestation of the Bloomington City Clerk:



Signature of Bloomington City Clerk Nicole Bolden

Presentation by Bloomington City Clerk:

Presented by me to the Mayor of Bloomington, Monroe County, Indiana, upon this 02 day of June, 2026.



Signature of Bloomington City Clerk Nicole Bolden

Approval by the Mayor:



Signature of Mayor Kerry Thomson

Returned with Mayor's signature on June 11, 2026 - NB

Synopsis:

This Ordinance contains technical corrections or clarifications in the UDO, including reference corrections, removal of unnecessary wording, and syncing references across the UDO. There are 22 amendments proposed.

Distributed to: Clerk, Council Attorney, Legal, Mayor, and Planning & Transportation.

Chapter 20.05 SUBDIVISION STANDARDS

20.05.010 Purpose.

This Chapter 20.05 (Subdivision Standards) establishes the minimum standards for the design and improvement of land subdivisions to:

- (a) Facilitate the orderly growth and harmonious development of the City to accomplish the goals of the Comprehensive Plan and to protect and promote public health, safety, and welfare;
- (b) Provide lots and parcels of sufficient size and appropriate design for the purposes for which they are to be used;
- (c) Protect the natural environment by promoting the use of good design, landscape architecture, and civil engineering to preserve and enhance natural topographic features, watercourses, drainage ways, floodplains, native vegetation, and trees and to control erosion and minimize runoff;
- (d) Provide safe ingress and egress for vehicular, bicycle, pedestrian, and all other types of traffic;
- (e) Ensure safe and efficient traffic circulation through coordinated and connected street systems with relation to major thoroughfares, adjoining subdivisions, adjoining streets, and public facilities;
- (f) Provide adequate water supply, sewage disposal, storm drainage and other utilities and facilities;
- (g) Provide for adequate sites for recreation areas, access to trail networks, and other public purposes;
- (h) Protect or enhance real property values;
- (i) Facilitate the transfer of lands having accurate legal descriptions and to establish and assure the rights, duties, and responsibilities of subdividers and developers with respect to land development;
- (j) Ensure that the costs of providing the necessary rights-of-way, street improvements, utilities and public areas and facilities for new developments are borne fairly and equitably;
- (k) Encourage the clustering of dwellings and other structures to preserve open space, preserve the natural terrain, minimize impervious surface area and resulting water runoff, minimize adverse visual impacts, minimize public infrastructure costs, and prevent public safety hazards; and
- (l) Provide a common ground of understanding and an equitable working relationship between public and private interests, so that both independent and mutual objectives can be achieved in the subdivision of land.

(Amd. of 1-14-2020)

20.05.020 Applicability.

This Chapter 20.05 (Subdivision Standards) shall apply to all subdivisions and land divisions located wholly or partially within the City. [Portions of the regulations, as designated below, shall also apply to major site plans.](#)

(Amd. of 1-14-2020)

Table 05-4. CI Subdivision Development Standards

General Standards	
Parent tract size (minimum)	None
Applicable base zoning districts	MS, MN, MM, MC, ME, MI, MD, MH, and EM
Open space required (minimum) [1]	Not required
Lots served by alleys (minimum percentage)	Not required
Block length (maximum)	1,320 feet
Cul-de-sac length (minimum)	200 feet
Cul-de-sac length (maximum)	600 feet
Right-of-Way Standards	
Transportation facilities	Required to meet Transportation Plan guidance
On-Street parking	Not required [2]
Tree plot width (minimum)	Per Transportation Plan
Sidewalk/multiuse path width (minimum)	

Notes:

- [1] Measured as a percent of gross acreage and shall be identified as common open space on the plat.
- [2] Where on-street parking is provided, it shall comply with the standards in Section 20.04.060(o) (On-Street Parking Standards for Private Streets).
- (Amd. of 1-14-2020; Ord. No. 21-19, § II (Att. A), 4-21-2021; Ord. No. 21-22, § II (Att. A), 4-21-2021)

20.05.040 Easements.

- (a) **Applicability.** All proposed plats submitted for approval under the provisions of this Chapter 20.05 (Subdivision Standards) shall comply with the standards in this Section 20.05.040 (Easements).
- (b) **General Standards.**
- (1) All easements and corresponding utility location plans shall be approved prior to the approval of the plat.
 - (2) All necessary easements shall be clearly identified on secondary plats and shall be recorded per processes as defined within Chapter 20.06 (Administration and Procedures), and shall include a definition consistent with Section 20.05.040(e) (Standards for Specific Easement Types).
 - (3) All proposed plats shall clearly identify all existing easements on the property, including dimensions, bearings, and recorded instrument numbers.
 - (4) Signs shall not be located within utility easements unless the sign is a public sign authorized by Section 20.04.100(c)(2)(A) (Public Signs), and is further authorized by the City.
 - (5) Each easement shall allocate sufficient areas for the utilities, infrastructure, amenities, or features that are the subject of the easement, including but not limited to drainage, utilities, tree preservation, environmental conservation, pedestrian access, vehicular access, and transit facilities, wherever necessary.
- (c) **Environmental Features.** The following environmental features that are determined to not be developable per Section 20.04.030 (Environment) shall be placed within the appropriate easements [\(1\)](#) on the secondary

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plat or [\(2\)](#) set aside in easements on a deed where no plat is required or proposed [but a major site plan is required or proposed](#), as identified in Section 20.04.030 (Environment).

- (1) All areas of excessive slope as defined in Section 20.04.030(c) (Steep Slopes).
- (2) All karst features and their required buffer zones as defined in Section 20.04.030(f) (Karst Geology).
- (3) All required riparian buffer areas as defined in Section 20.04.030(e) (Riparian Buffers).
- (4) All areas within regulatory floodways and flood fringes as defined in Section 20.04.040 (Floodplain).
- (5) All delineated wetlands and required wetland buffer areas as defined in Section 20.04.030(g) (Wetlands).
- (6) All trees required to be preserved by Section 20.04.030(h) (Tree and Forest Preservation).
- (d) Maintenance.
 - (1) For features required to be in an easement, maintenance shall generally be the responsibility of the lot owner, except as expressly provided otherwise in this UDO or in the development approval.
 - (2) A grant of authority to the City to enter upon an easement for purposes of inspection, maintenance and/or repair of a feature within the easement shall not be construed as relieving the owner or owners of such responsibility.
 - (3) A facilities plan shall also be provided in accordance with the administrative manual.
- (e) Standards for Specific Easement Types. Unless specifically defined on an approved plat or by condition of plat approval, the following requirements shall apply:
 - (1) Sanitary Sewer Easement.
 - (A) Shall allow the City utilities department exclusive access for installation, maintenance, repair, or removal of sanitary sewer facilities.
 - (B) Encroachment by other utilities is prohibited, unless such encroachment is approved by the City utilities department in conjunction with the primary plat. Upon written permission from the City utilities department, encroachments may be permitted after the recording of the secondary plat.
 - (C) Trees and structures including, but not limited to, buildings, fences, retaining walls, and light fixtures, shall not be located within sanitary sewer easements.
 - (D) Grading activity shall be prohibited within sanitary sewer easements without written permission from the City utilities department.
 - (2) Waterline Easement.
 - (A) Shall allow the City utilities department exclusive access for installation, maintenance, repair, or removal of potable water facilities.
 - (B) Encroachment by other utilities is prohibited, unless such encroachment is approved by the City utilities department in conjunction with the primary plat. Upon written permission from the City utilities department, encroachments may be permitted after the recording of the secondary plat.
 - (C) Trees and structures including, but not limited to, buildings, fences, retaining walls, signs, and light fixtures, shall not be located within waterline easements.
 - (D) Grading activity shall be prohibited within waterline easements without written permission from the City utilities department.
 - (3) Drainage Easement.

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public sign is required, regardless of easement size. The property owner shall be responsible for installing and maintaining required signage.

- (E) Any use of pesticides, herbicides, or fertilizers is prohibited within the easement area.
- (F) Allows, in cases where removal of exotic or invasive species is proposed, the restoration of disturbed areas with native plant material. Written approval from the Planning and Transportation Department is required prior to any proposed restoration.
- (8) Tree Preservation Easement.
 - (A) Prohibits the removal of any tree over six inches dbh within the easement area.
 - (B) Allows the removal of dead or diseased trees that pose a safety risk as well as allowing the removal of exotic or invasive species, only after first obtaining written approval from the Planning and Transportation Department.
 - (C) All tree preservation easements shall be identified with public signs located along the boundary of the easement. Public signs shall be placed at intervals of no more than two hundred feet, and each public sign shall be a maximum of one and one-half square feet in area. A minimum of one public sign is required, regardless of easement size. The property owner shall be responsible for installing and maintaining required signage.
 - (D) Allows, in cases where removal of exotic or invasive species is proposed, the restoration of disturbed areas with native plant material. Written approval from the Planning and Transportation Department is required prior to any proposed restoration.
- (9) Conservancy Easement.
 - (A) Prohibits any land-disturbing activities including the placement of a fence, or alteration of any vegetative cover, including mowing, within the easement area.
 - (B) Allows the removal of dead or diseased trees that pose a safety risk or impede drainage as well as allowing the removal of exotic or invasive species, only after first obtaining written approval from the Planning and Transportation Department.
 - (C) All conservancy easements shall be identified with public signs located along the boundary of the easement. Public signs shall be placed at intervals of no more than two hundred feet, and each public sign shall be a maximum of one and one-half square feet in area. A minimum of one public sign is required, regardless of easement size. The property owner shall be responsible for installing and maintaining required signage.
 - (D) Allows, in cases where removal of exotic or invasive species is proposed, the restoration of disturbed areas with native plant material. Written approval from the Planning and Transportation Department is required prior to any proposed restoration.
- (10) Riparian Buffer Easement.
 - (A) Prohibits any land-disturbing activities including the placement of a fence, or alteration of any ~~vegetative~~ vegetative cover, including mowing, within the easement area except for disturbance as allowed in Section 20.04.030(c).

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 - (B) Allows the removal of dead or diseased trees that pose a safety risk or impede drainage as well as allowing the removal of exotic or invasive species, only after first obtaining written approval from the Planning and Transportation Department.
 - (C) All riparian buffer easements shall be identified with public signs located along the boundary of the easement. Public signs shall be placed at intervals of no more than two hundred feet, and each public sign shall be a maximum of one and one-half square feet in area. A minimum of one

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- (g) Open Space.
- (1) Generally.
- (A) All residential developments shall have a percentage of the land set aside for open space.
- (B) Subdivisions shall provide the minimum required open space per Table 05-5 (Subdivision Development Standards).
- (2) Common Areas. In addition to easements required by Subsection 20.05.040: Easements, the following environmental features shall be placed within Common Areas on the plat:
- (A) Karst Features: All karst features and their required buffer zones that have a total area of one-half acre or greater.
- (B) Riparian Buffers: All riparian buffers defined as Streamside or Intermediate Zone.
- (C) Floodways: All areas within regulatory floodways.
- (D) Wetlands: All delineated wetlands and required wetland buffer areas.
- (E) Forested Areas: All contiguous areas of tree cover totaling one acre or greater that are required to be preserved.
- (3) Site Features that Qualify as Open Space. The following features count toward the minimum open space requirements as described:
- (A) Conservation Areas. Any required preservation/conservation area shall count toward open space requirements.
- (B) Man-Made Water Features. Any man-made water feature (including retention facilities) shall count toward minimum open space if it supports aquatic life and provides native habitat as follows:
- i. Surface Area. A surface area at normal pool elevation of at least thirty-two thousand six hundred seventy square feet (0.75 acres); and
- ii. Perimeter Access.
1. A buffer area around the full circumference of the water feature of at least fifty feet from the top of bank shall be available as open space.
2. This open space shall be planted and maintained as wildlife habitat. This includes use of native (no more than twenty percent lawn grass) species including prairie grasses and/or tree planting.
- (C) Dry Detention Facilities. Man-made stormwater detention facilities (dry) shall count toward the minimum open space if they meet the following standards:
- i. Area. The facility shall have at least ten thousand eight hundred ninety square feet of flat bottom (0.25 acres).
- ii. Depth. The man-made depth of the detention facility shall not exceed four feet from top of bank.
- iii. Slope. The man-made slopes within the detention facility shall not exceed a four to one ratio.
- iv. Perimeter Access.
1. A buffer area around the full circumference of the facility of at least twenty-five feet from the top of bank shall be available as open space.

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network, known as the Bloomington Digital Underground (BDU). Conduit installation shall be in accordance with BDU specifications and permit requirements of the City of Bloomington. This requirement shall not apply if the Planning and Transportation Director determines that the installation of underground telecommunications conduit is not necessary after review by the City's director of information and technology services.

- (5) Street Design.
 - (A) General Street Layout. Streets shall be laid out on the parent tract:
 - i. In an orderly and logical manner;
 - ii. To provide connectivity to adjacent parcels;
 - iii. To provide pedestrian and vehicular safety; and
 - iv. To provide reasonably direct access to the primary circulation system.
 - (B) Topographical Consideration. Streets shall be adjusted to the contour of the land so as to minimize cutting and filling activity on natural terrain.
 - (C) Design Speed. The maximum design speed for streets shall be in accordance with AASHTO and City Planning and Transportation Department requirements.
 - (D) Connectivity. All developments shall provide stub streets to connect to adjacent properties.
 - i. Where the development abuts undeveloped land, the final number and location of stub streets shall be determined by the Plan Commission.
 - ii. Where the development abuts land that has established stub streets, built or platted, the petitioner shall design the street system to connect to those stub streets.
 - (E) Stub Streets. Stub streets shall be constructed at the same time the other streets are built within the development.
 - i. Temporary turnaround areas that can be surfaced with asphalt, concrete, or permeable pavers, may be required to provide safe turnaround for emergency vehicles. Such areas shall be located within dedicated street rights-of-way and shall be removed when stub streets are further extended.
 - ii. A permanent public sign shall be installed at the terminus of the stub street stating clearly that the street will connect to future development.
 - (F) Gated Entrances. Gated entrances are not permitted.
 - (G) Intersections. All intersections of two streets shall be within fifteen degrees of perpendicular as measured at the street centerlines. Intersections of more than two streets at one point shall not be permitted. Local street intersections with centerline offsets of less than one hundred twenty-five feet shall not be permitted.
 - (H) Right-of-Way Width.
 - i. The minimum right-of-way width shall be as indicated on the Transportation Plan unless specified otherwise in this UDO.
 - ii. The minimum right-of-way dimensions established in the Transportation Plan may be reduced upon approval of the City [Engineer](#) ~~traffic and transportation engineer~~ and fire chief, or designee if:
 - 1. The reduction will mitigate environmental impacts; or

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2. The reduction will result in alignment with adjacent streets.
- (I) Street Width.
- i. The minimum street pavement width shall be as indicated on the Transportation Plan. Street width shall be determined by measuring from back of curb to back of curb unless specified otherwise in this UDO.
- ii. The minimum street width dimensions established in the Transportation Plan may be reduced upon approval of the City ~~Engineer~~ traffic and transportation engineer and fire chief, or designee if:
1. The reduction will mitigate environmental impacts; or
2. The reduction will result in alignment with adjacent streets.
- (J) Curb Type. All subdivisions shall use vertical curbs.
- (K) Cul-de-sac Length. The maximum cul-de-sac length shall be as indicated in Table 05-5 (Subdivision Development Standards).
- (L) Cul-de-sac Terminus. The terminus of each cul-de-sac shall be a round bulb, large enough to accommodate the largest fire truck in service within the City.
- (M) Permanent Dead-End Streets. Dead-end streets are prohibited. Dead-end streets do not include culs-de-sac or stub streets.
- (N) Eyebrows. Eyebrow street designs shall not be permitted.
- (O) Block Length. The maximum block length shall be as indicated in Table 05-5 (Subdivision Development Standards).
- (P) Pavement Thickness. The minimum street pavement thickness shall conform to City of Bloomington standards based on the street's classification in the Transportation Plan.
- (6) Alleys. Alleys are considered an essential part of a traditional neighborhood design; therefore, they shall be integrated into the overall design of traditional neighborhood subdivisions. In other types of subdivisions, alleys may be utilized where they are compatible with surrounding residential development patterns.
- (A) Alleys shall be public with a minimum of twenty feet of right-of-way.
- (B) Alleys shall have a minimum of fourteen feet of pavement width.
- (C) Alleys are not required to have a curb.
- (D) Alley intersections with public streets shall not exceed twenty degrees from perpendicular to said streets.
- (E) The minimum corner radius at any alley intersection with a public street shall be ten feet. The corner radius may be reduced upon a determination by the City Planning and Transportation Department that such a reduction is not expected to have a significant impact on vehicle, bicycle, or pedestrian safety at the intersection and such a reduction is within engineering standards or guidelines for vehicle, bicycle, or pedestrian modes.
- (F) All alleys are to be constructed per standards of the City Planning and Transportation Department.
- (7) Arterial Frontages.

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- (A) Residential. All residential subdivisions shall be designed so that no residential lot directly borders an arterial level street unless those lots use alley access, an access street, or obtain access from a street other than an arterial and provide a buffer to screen the visual impacts of homes along arterial level streets.
- i. Alley Access. Individual single-family (attached and detached), duplex, triplex, or fourplex residential lots may directly front arterial streets if rear alleys are used for all lots fronting the arterial street.
1. Front setbacks for these lots shall be increased to a minimum of forty feet from the proposed right-of-way indicated on the Transportation Plan.
2. Alleys shall be constructed to standards of Section 20.05.050(j)(6) (Alleys).
- ii. Access Street. Individual single-family (attached and detached), duplex, triplex, or fourplex residential lots may front arterial level streets if an access street is used.
1. This access street must be separated from the proposed right-of-way indicated on the Transportation Plan by a grass strip of at least twenty feet in width.
2. An access street shall be designed to accommodate two-way traffic.
3. An access street shall be designed to generally run parallel to the arterial level street.
4. Access streets shall be placed within additional right-of-way or an access easement.
5. Access streets shall be paved to a minimum width established in the most recent Transportation Plan for that street type.
6. In addition to the required pedestrian facility along the arterial level street, a sidewalk five feet in width shall be installed adjacent to the residential lots on the access street.
7. Access streets must provide two points of ingress/egress to the arterial street if they give access to ten or more residential lots or if they exceed five hundred feet in length.
8. No more than two ingress/egress points are permitted for an access street.
- iii. Buffer. Through lots may be used with the rear of the lots facing the arterial level street if a buffer is established between the residential lots and the arterial level street and such buffer is maintained as common area through a recorded easement.
1. The buffer shall be a minimum of thirty feet in width measured from the proposed right-of-way indicated on the Transportation Plan.
2. The buffer shall include one of the following features:
- a. A solid wall or combination of walls a minimum of three feet in height, combined with landscaping sufficient to achieve a nonlinear, dense buffer of evergreen and deciduous trees, that together equal to at least seventy-five percent of the subdivision's lineal frontage along an arterial street.
- b. A landscaped berm a minimum of three feet in height and ten feet in width installed in a nonlinear manner. Landscaping within the buffer area shall be equal to one large canopy tree, two small/medium ornamental.

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- (D) No application [and inspection](#) fees shall be required for any petition or permit by a not-for-profit community service organization with a current 501(c)(3) federal tax exemption or unit of government.
- (E) The Plan Commission may waive the application fee for any proposal that is actively being promoted by a unit of local government or quasi-public organization or that involves a local subsidy.
- (F) No refunds shall be permitted after a Plan Commission or plat committee hearing on the petition has been held, regardless of whether or not the Plan Commission or plat committee has taken action on the petition.
- (4) Completeness of Petition.
- (A) On receiving a petition, the Planning and Transportation Director shall determine whether the petition is complete. A complete petition is one that contains all information and materials required by the administrative manual and this UDO for submittal of the particular petition, and that has sufficient detail and readability to evaluate the petition for compliance with applicable review standards of this UDO.
- (B) No petition shall be considered complete until all pre-submittal requirements of Section 20.06.040(b) (Pre-Submittal Activities) have been satisfied and all required fees have been paid.
- (C) Upon determining that the petition is incomplete, the Planning and Transportation Director or designee, shall notify the petitioner of the submittal deficiencies. The petitioner may correct the deficiencies and resubmit the petition for a determination of completeness until the Planning and Transportation Director determines the petition is complete.
- (D) No development petition shall be reviewed for compliance with this UDO or scheduled for a public hearing by any review or advisory body until it is determined to be complete.
- (E) Upon determining that the petition is complete, the Planning and Transportation Director shall accept the petition for review in accordance with the procedures and standards of this Chapter 20.06 (Administration and Procedures).
- (5) Minor Petition Revisions.
- (A) A petitioner may revise a petition after receiving notice of compliance deficiencies following staff review according to Section 20.06.040(d) (Staff Review and Action), or upon requesting and receiving permission from an advisory or decision-making body after that body has reviewed, but not yet taken action on, the petition.
- (B) Revisions shall be limited to changes that directly respond to specific requests or suggestions made by staff or the advisory or decision-making body, as long as they constitute only minor additions, deletions, or corrections and do not include significant substantive changes to the development proposed in the petition, as determined by the Planning and Transportation Director.
- (C) All other petition revisions shall be processed as a new petition.
- (6) Abandoned Petitions. If a petition has not been resubmitted to address staff-noted deficiencies within ninety days after notification of those deficiencies, the petition shall be deemed abandoned and all fees forfeited. The petitioner may request an additional ninety days to address staff-noted deficiencies. Restarting an abandoned petition shall require a new pre-submittal meeting and may be subject to additional fees.
- (7) Petition Withdrawal.

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- i. After expiration of the waiting period, which shall include early termination of the waiting period, a certificate of zoning compliance authorizing demolition shall be issued if the property owner has submitted a complete petition and all other requirements of the Bloomington Municipal Code and this UDO are met.
 - ii. For any structure that is exempt from the waiting period of this section, a certificate of zoning compliance authorizing release of a demolition or partial demolition permit shall be issued within a reasonable time following receipt by the Planning and Transportation Department of a complete petition, provided all other requirements of the Bloomington Municipal Code and this UDO are met.
 - iii. If within the ninety- or one-hundred-twenty-day waiting period the property is placed under interim protection or is locally designated as a historic or conservation district pursuant to Chapter 8.08 (Historic Districts and Standards) of the Bloomington Municipal Code, then no certificate of zoning compliance authorizing demolition or partial demolition may be issued except:
 - 1. Upon termination of interim protection without historic or conservation district designation being placed upon the property; or
 - 2. Where historic or conservation district designation is placed upon the property, in accordance with and after all approvals required by Chapter 8.08 (Historic Districts and Standards) of the Bloomington Municipal Code.
- (F) Post-Decision Actions and Limitations. Post-decision actions and limitations in Section 20.06.040(h) (Post-Decision Actions and Limitations) shall apply with the following modifications:
- i. The recipient of a permit or other approval subject to this section shall be bound to the details of the elevations, and the design, type, and location of materials depicted in the submission and may not deviate from such depiction, except as modified and approved at one or more public meetings of the Historic Preservation Commission, without applying for a new certificate of zoning compliance, petition for which shall commence a new waiting period.
 - ii. No action of the Historic Preservation Commission may prevent issuance or effect revocation of such certificate of zoning compliance, or a demolition permit issued in reliance upon such certificate of zoning compliance, for a period of one year from the end of the waiting period. The demolition delay approval by the Historic Preservation Commission shall expire one year after the approval is issued.
- (d) Floodplain Development Permit.
- (1) Purpose. The floodplain development permit procedure is intended to minimize public and private losses due to flood conditions in specific areas and to provide a mechanism to ensure compliance with this UDO by providing a thorough permitting and inspection process for all floodplain development activities.
 - (2) Applicability.
 - (A) No development shall occur in any special flood hazard area (SFHA) and known flood prone areas, unless a required stormwater management permit per Title 13 (Stormwater) of the Bloomington Municipal Code for such activity has been issued. ~~In cases where a stormwater management permit is not required, no development shall occur unless a site development permit has been issued.~~
 - (B) Compliance with the standards in this UDO shall not relieve any person of the independent obligation to comply with all applicable standards and practices established in federal and state

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- make correction required shall be cause to issue a stop-work order for the project.
- c. Upon completion of construction, an elevation certification (FEMA elevation certificate form 81-31 or any future updates) which depicts the "as-built" lowest floor elevation is required to be submitted to the floodplain administrator. If the project includes a floodproofing measure, floodproofing certification (FEMA floodproofing certificate form 81-65 or any future updates) is required to be submitted by the applicant to the floodplain administrator.
3. Stop Work Orders.
- a. Upon notice from the floodplain administrator, work on any building, structure or premises that is being done contrary to the provisions of this UDO shall immediately cease.
- b. Such notice shall be in writing and shall be given to the owner of the property, or to his agent, or to the person doing the work, and shall state the conditions under which work may be resumed.
- iv. Revocation of Permits.
1. The floodplain administrator may revoke a permit or approval, issued under the provisions of this UDO, in cases where there has been any false statement or misrepresentation as to the material fact in the application or plans on which the permit or approval was based.
2. The floodplain administrator may revoke a permit upon determination that the construction, erection, alteration, repair, moving, demolition, installation, or replacement of the structure for which the permit was issued is in violation of, or not in conformity with, the provisions of this UDO.
- (e) Site Development Permit.
- (1) Purpose. The site development permit procedure is intended to provide a mechanism to ensure compliance with this UDO by providing a thorough permitting and inspection process for all site development activities.
- (2) Applicability. No site development activity shall occur on platted or unplatted lands in any zoning district, unless a site development permit for such activity has been issued.
- (A) Exemptions.
- i. Site development activity on lots containing the uses: dwelling, single-family (attached); dwelling, single-family (detached); dwelling, duplex; dwelling, triplex; or dwelling, fourplex.
- ii. Site development activity containing only new buildings or changes, alterations, or additions to an existing building or site, with no additional improvements required.
- iii. Site development activity containing only new signs, or changes, alterations, or additions to a sign.
- iv. Site development activity containing related to an approved temporary use.
- (3) Site Development Permit Review Process. Figure 06.05-6 identifies the applicable steps from 20.06.040 (Common Review Procedures) that apply to site development permit review. Additions or modifications to the common review procedures are noted below.

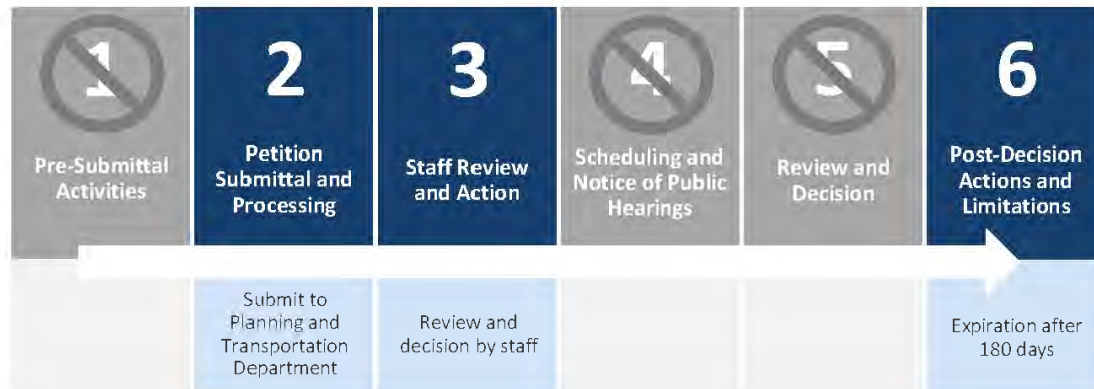


Figure 06.05-6: Summary of Site Development Permit Procedure

- (A) Petition Submittal and Processing. The site development permit petition shall be submitted, accepted, and revised, and may be withdrawn, in accordance with Section 20.06.040(c) (Petition Submittal and Processing) with the following modifications:
- i. Petition Submittal Requirements. The petition shall include, but not be limited to, the following documents:
 1. Verification of site plan approval when such approval is required;
 2. Construction plan including all proposed site improvements;
 3. Topography of the site - proposed and existing two-foot contours;
 4. Identification of environmental features, including but not limited to karst, water, trees, and steep slopes.
- (B) Staff Review and Action. The planning and transportation staff shall review the site development permit petition and approve, approve with conditions, or deny the petition within twenty working days of the receipt of a complete petition and all supportive documents in accordance with Section 20.06.040(d) (Staff Review and Action), based on the general approval criteria in 20.06.040(d)(6)(B) (General Compliance Criteria) and the following specific approval criteria.
- i. Construction Plan. The construction plans shall include all required and proposed environmental protections including but not limited to: tree protection zones, easements and setbacks from environmental features and conservation areas; as well as all required and proposed site improvements. The requirements are further detailed in the Administrative Manual.
 - ii. Planned Unit Development Approval. An approved final plan shall be in place prior to the issuance of a [site developmentgrading](#) permit.
 - iii. Stormwater Permit. If required by Title 13 (Stormwater) in the Bloomington Municipal Code, petitioner must submit an application for a stormwater management permit to the City of Bloomington Utilities Department at the time of application for the site development permit.
- (C) Post-Decision Actions and Limitations. Post-decision actions and limitations in Section 20.06.040(h) shall apply with the following modifications:
- i. Duration.

-
- a. Installation of required public and internal sidewalk improvements;
 - b. Installation of required parking areas surfaced and striped, including installation of upright ADA signage; and
 - c. Safe ingress and egress from all principal buildings.
2. All recommendations for a temporary certificate of occupancy are contingent upon approvals from the Monroe County Building Department, Monroe County Health Department, City of Bloomington Fire Department, City of Bloomington Housing and Neighborhood Development Department, City of Bloomington Engineering Department, and City utilities department, if applicable.
 3. A recommendation for a final certificate of occupancy shall be obtained within six ~~months~~weeks of the date of the recommendation for the temporary certificate of occupancy. Due to weather or other circumstances, this period may be extended once for a period of up to six months at the discretion of the Planning and Transportation Director or designee.
- ii. Final Certificate of Occupancy.
 1. For a recommendation for a final certificate of occupancy to be issued, the installation of all required site lighting, landscaping, and elevations as approved by the certificate of zoning compliance(s) shall be successfully completed.
 2. All recommendations for a final certificate of occupancy are contingent upon approvals from the Monroe County Building Department, Monroe County Health Department, City of Bloomington Fire Department, City of Bloomington Housing and Neighborhood Development Department, City of Bloomington Engineering Department, and City utilities department, if applicable.
 - (C) Post-Decision Actions and Limitations. Post-decision actions and limitations shall be pursuant to Monroe County standards and procedures.

~~(h) Certificate of Final Acceptance.~~

- ~~(1) Purpose. The certificate of final acceptance procedure is intended to provide a mechanism for the City to ensure that public facility improvements and installations conform to the standards of this UDO.~~
- ~~(2) Applicability. A certificate of final acceptance shall be required for any project for which a performance bond has been submitted and upon the completion of any required public facility improvements and installations.~~
- ~~(3) Certificate of Final Acceptance Review Process. Figure 06.05-9 identifies the applicable steps from Section 20.06.040 (Common Review Procedures) that apply to certificate of final acceptance review. Additions or modifications to the common review procedures are noted below.~~

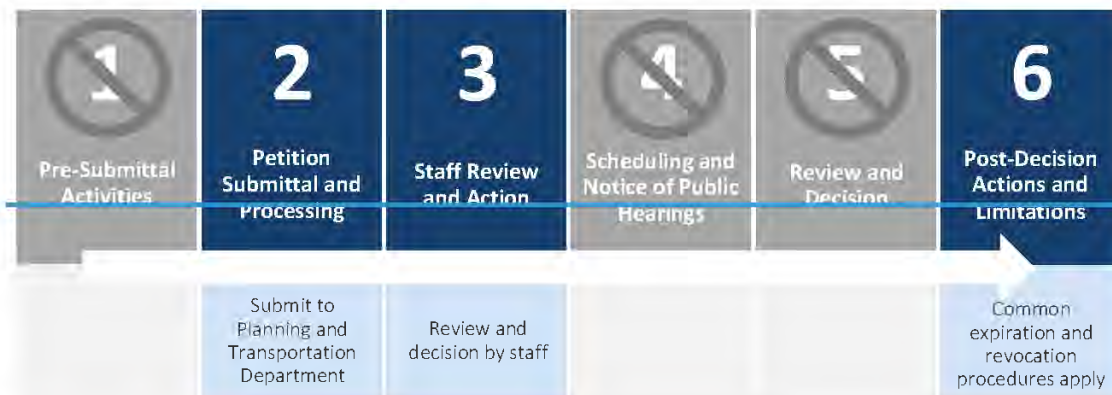
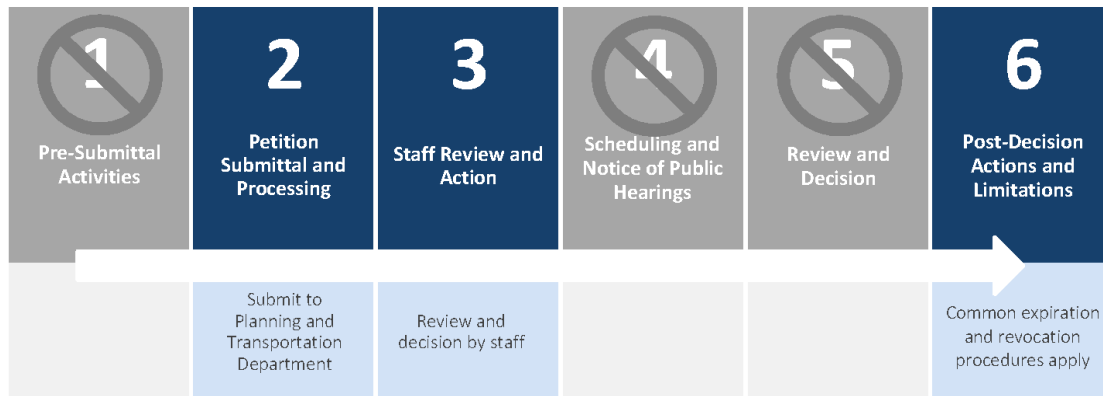


Figure 06.05-9: Summary of Certificate of Final Acceptance Procedure

- (A) ~~Petition Submittal and Processing. The certificate of final acceptance petition shall be submitted, accepted, and revised, and may be withdrawn, in accordance with Section 20.06.040(c) (Petition Submittal and Processing).~~
- (B) ~~Staff Review and Action.~~
- i. ~~Inspection. The Planning and Transportation Department and Engineering Department staff shall inspect the improvements for compliance with this UDO and any other applicable City Planning and Transportation Department and City Engineering Department requirements.~~
 - ii. ~~Recommendation. The City Engineering Department shall recommend that the performance bond be released, extended, reduced, or declared in default based on the results of the inspection of improvements, and the City Engineer shall act on the recommended release, extension, reduction, or default of the performance bond after acceptance of the improvements by the Board of Public Works.~~
 - iii. ~~Improvements. The Board of Public Works will consider acceptance of public improvements that meet the following conditions:~~
 1. ~~The completed public improvements shall comply with this UDO; have been constructed in accordance with City Engineering Department standards and specifications; and have been installed in accordance with the approved plans; and~~
 2. ~~All inspections required by the Bloomington Municipal Code have been completed and the improvements found to be acceptable by the City Engineering Department.~~
- (C) ~~Post-Decision Actions and Limitations. The City Planning and Transportation Department and City Engineering Department shall maintain records of all petitions, plans, and permits filed for a certificate of final acceptance.~~
- (h) Certificate of Nonconforming Use.
- (1) Purpose and Applicability. A person who owns or operates a nonconforming use that has not been deemed abandoned pursuant to Section 20.06.090(c)(3) (Abandonment of a Nonconforming Use), may request a certificate of nonconforming use to protect the lawful nonconforming status.

- (2) Certificate of Nonconforming Use Review Process. Figure 06.05-10 identifies the applicable steps from Section 20.06.040 (Common Review Procedures) that apply to certificate of nonconforming use review. Additions or modifications to the common review procedures are noted below.

Figure 06.05-10: Summary of Certificate of Nonconforming Use Review Procedure



- (A) Petition Submittal and Processing. The certificate of nonconforming use petition shall be submitted, accepted, and revised, and may be withdrawn, in accordance with Section 20.06.040(c) (Petition Submittal and Processing).
- (B) Staff Review and Action. The Planning and Transportation Director shall review the certificate of nonconforming use petition, and shall approve, approve with conditions, or deny the petition in accordance with Section 20.06.040(d) (Staff Review and Action), based on the general approval criteria in Section 20.06.040(d)(6)(B) (General Compliance Criteria) and the following criteria:
- i. The petitioner shall demonstrate that the use is a lawful nonconforming use prior to the issuance of the certificate.
- (C) Post-Decision Actions and Limitations. Post-decision actions and limitations in Section 20.06.040(h) (Post-Decision Actions and Limitations) shall apply with the following modifications:
- i. Effect of Approval.
 1. A certificate of nonconforming use authorizes the continuation of an existing use of a property or building with any additional terms and conditions of the certificate and shall be valid as long as the use of the building or land remains in effect and is not abandoned.
 2. The certificate of nonconforming use shall clearly state that the existing use of the building or property was legally established prior to the effective date of the current UDO.
 - ii. Revocation of a Certificate of Nonconforming Use.
 1. A certificate of nonconforming use may be revoked by the Planning and Transportation Director if the use of the property or building is inconsistent with the authorized use of the certificate of nonconforming use.
 2. The Planning and Transportation Director shall notify the certificate holder in writing and provide thirty days from the date of the letter for the certificate holder to bring the use of the property into compliance with the certificate of nonconforming use, or the certificate shall be revoked.

(i) Sign Permit.

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- i. The planning and transportation staff shall review the sign permit petition and approve, approve with conditions, or deny the petition in accordance with Section 20.06.040(d) (Staff Review and Action), based on the general approval criteria in Section 20.06.040(d)(6)(B) (General Compliance Criteria).
 - ii. A staff decision on the petition shall be made within thirty days of receipt of a complete petition.
 - iii. If a petition for a sign permit is denied, and the denial is appealed to the Board of Zoning Appeals pursuant to Section 20.06.080(d) (Administrative Appeal), the Board of Zoning Appeals shall make a decision on the appeal at the next regularly scheduled hearing.
- (C) Post-Decision Actions and Limitations. Post-decision actions and limitations in Section 20.06.040(h) (Post-Decision Actions and Limitations) shall apply with the following modifications:
- i. **Duration.** The sign authorized by a sign permit shall be completed and erected within six months of the date of issuance; otherwise, the sign permit shall lapse and become null and void, unless good cause for an extension of time for completion is approved by the Planning and Transportation Director.
 - ii. **Extension.** One extension of up to six months may be authorized by the Planning and Transportation Director for reason/cause. The petitioner shall submit the request for extension in writing to the Planning and Transportation Director, and the Planning and Transportation Director shall make a written determination regarding his or her decision to extend or deny extension. Both the request and the determination shall be made part of the sign permit record.
 - iii. **Changes or Amendments.** When a sign permit has been issued, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms and conditions of the sign permit without prior approval of the Planning and Transportation Director. When granted, a written record of such amendment shall be entered upon the original sign permit petition and maintained in the files of the Planning and Transportation Department.

(j) Temporary Use Permit.

- (1) **Purpose.** The temporary use procedure is intended to provide a mechanism for enforcement of the temporary use regulations of this UDO, in order to allow short-term and minor deviations for uses which are temporary in nature, which will not adversely impact surrounding properties and land uses, and which can be terminated and removed at will.
- (2) **Applicability.**
 - (A) **Generally.** A temporary use permit shall be required prior to the establishment of any temporary use, unless otherwise exempted in subsection (B) below.
 - (B) **Exemptions.** The following uses are permitted and shall not be regulated as temporary uses under this UDO.
 - i. Garage or yard sales, tent meetings, nonprofit events and political rallies, provided they meet the following standards:
 - 1. The event is allowed for a maximum of seven consecutive days;
 - 2. No property shall hold more than three such events in a single calendar year; and
 - 3. The hours of operation of such events shall be limited to between the hours of seven a.m. and eleven p.m.

- ii. Temporary structures used for collection of donation items by a non-profit organization, provided they are displayed for a maximum of ninety days.
 - iii. Any business activity licensed by Title 4 (Business Licenses and Regulations), of the Bloomington Municipal Code.
- (3) Temporary Use Permit Review Process. Figure 06.05-12 identifies the applicable steps from Section 20.06.040 (Common Review Procedures) that apply to temporary use permit review. Additions or modifications to the common review procedures are noted below.

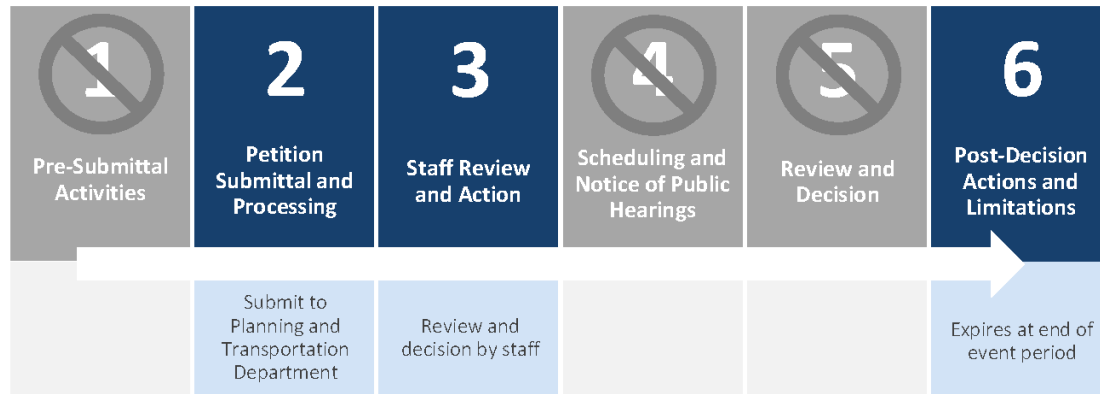
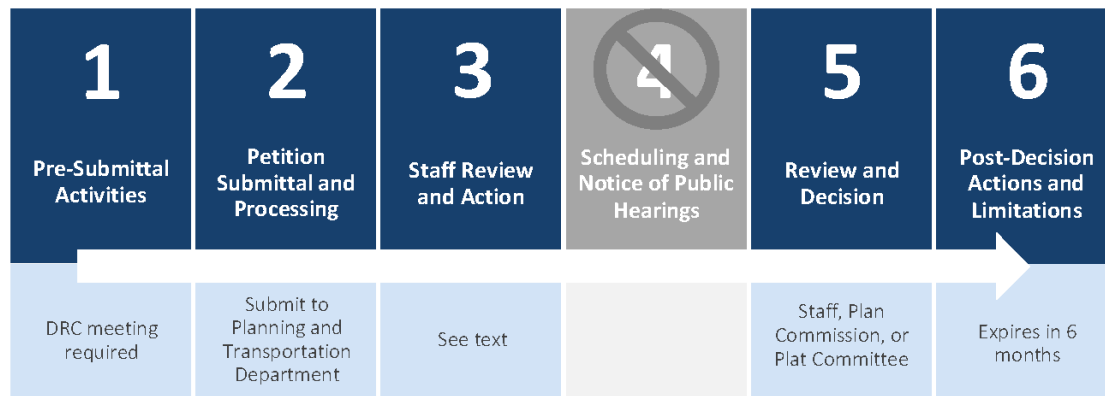


Figure 06.05-12: Summary of Temporary Use Permit Review Procedure

- (A) Petition Submittal and Processing. The temporary use permit petition shall be submitted, accepted, and revised, and may be withdrawn, in accordance with Section 20.06.040(c) (Petition Submittal and Processing).
 - (B) Staff Review and Action. The planning and transportation staff shall review the temporary use permit petition and approve, approve with conditions, or deny the petition in accordance with Section 20.06.040(d) (Staff Review and Action), based on the general approval criteria in Section 20.06.040(d)(6)(B)i. (Compliance with this UDO), and Section 20.03.030(h) (Temporary Uses).
 - (C) Post-Decision Actions and Limitations. Post-decision actions and limitations in Section 20.06.040(h) (Post-Decision Actions and Limitations) shall apply with the following modifications:
 - i. Temporary uses shall be terminated and removed at the end of the event period unless otherwise specified in Section 20.03.030(h) (Temporary Uses).
 - ii. A temporary use permit may be granted only one time per year on any individual zoning lot and is nonrenewable. For purposes of this standard, fireworks, Halloween pumpkin, and Christmas tree sales are considered separate uses.
- (k) Easements.
- (1) Purpose. The purpose of this section is to outline the procedures for obtaining and recording easements, modifying platted or unplatted easements, terminating unplatted easements, and vacating platted easements and to ensure that the statutory requirements of the Indiana Code are met.
 - (2) Applicability. This Section 20.06.050(l) (Easements) governs easements that are:
 - (A) Required and/or granted pursuant to a provision of this UDO;
 - (B) Permitted or required as a commitment;
 - (C) Permitted or required as a condition of approval; or

- (1) Purpose. The secondary plat procedure provides a mechanism for the City to review a petition for the secondary platting of a subdivision and ensures that the statutory requirements established in the Indiana Code for the subdivision of land are met.
- (2) Applicability. No secondary plat of a subdivision of land located within the jurisdiction of the Plan Commission shall be recorded in the office of the Monroe County Recorder until the plat has been approved by the Plan Commission in accordance with the following requirements, standards, and specifications, and such approval has been entered in writing on the plat by the president of the Plan Commission, chair of the plat committee, or the Planning and Transportation Director.
- (3) Secondary Plat Review Process. Figure 06.06-2 identifies the applicable steps from Section 20.06.040 (Common Review Procedures) that apply to secondary plat review. Additions or modifications to the common review procedures are noted below.



[Figure 06.06-2 to be edited to remove “DRC meeting required” from the first step.](#)

Figure 06.06-2: Summary of Secondary Plat Procedure

- (A) Pre-Submittal Activities. ~~A development review committee meeting shall be held in accordance with Section 20.06.040(b)(2) (Development Review Committee (DRC) Meeting).~~
- (B) Petition Submittal and Processing. The secondary plat petition shall be submitted, accepted, and revised, and may be withdrawn, in accordance with Section 20.06.040(c) (Petition Submittal and Processing).
- (C) Staff Review and Action. Staff review and action standards in Section 20.06.040(d) (Staff Review and Action) shall apply with the following modifications:
 - i. Review and Decision by Staff.
 1. If Table 06-1 (Summary Table of Review Procedures) authorizes the plat committee or Plan Commission to make a decision on a secondary plat, and the plat committee or Plan Commission determines that the application is not unusually complex or does not raise potentially unique or serious impacts on the City or the surrounding neighborhoods, the plat committee or Plan Commission may, at their discretion, refer the decision to the staff for decision pursuant to the same criteria that the plat committee or Plan Commission would have been required to apply to that decision.
 2. Prior to approval of a secondary plat, the Plan Commission or plat committee shall have approved the primary plat; and the primary plat must not be expired.

-
1. Purpose. In conjunction with the approval of a secondary plat, the petitioner shall be required to provide a financial performance guarantee, by performance bond or an irrevocable, unconditional, acceptable letter of credit issued by a financial institution acceptable to the City, that ~~all~~ public facility improvements and installations required under the provisions of this UDO and Planning and Transportation and Engineering Departments requirements shall be completed.
 2. Applicability.
 - a. A performance agreement between the petitioner and the City, supported by a performance surety or irrevocable letter of credit, shall be required ensuring the timely and proper installation of required public facility improvements; provided, however, that any improvements to be dedicated to Monroe County within the City of Bloomington shall be bonded in accordance with Monroe County bonding policy.
 - ~~b. The performance guarantee for each individual public facility improvement or installation may be handled separately and shall in no way be contingent on the completion of any other individual public facility improvements and installations or their performance guarantees.~~
 - b.e. The posting of a performance guarantee may be accepted for incomplete requirements that will be completed as per a written agreement with the City. The time period and amount of the performance guarantee shall be determined by the Board of Public Works and shall comply with Indiana Code § 36-7-4-709(i).
 - c.d. The posting of a performance guarantee is not required when the petitioner is the City of Bloomington.
 3. Review. The ~~City~~ Engineering Department shall review the estimate upon receipt of a complete petition and supportive documents. The City Engineering Department shall verify that the performance bond or letter of credit shall:
 - a. Be in a sum of not less than one hundred twenty-five percent of the approved estimate of the total improvement construction cost ~~of the project~~ in order to be sufficient to complete the improvements and installations in compliance with this UDO and ~~City~~ Engineering Department requirements;
 - ~~b. Provide bond satisfactory to the City or to the county;~~
 - b.e. Run to and be in favor of the City ~~or the county~~;
 - c.d. Specify the time for the completion of the improvements and installations (both on site and off site);
 - d.e. Be in effect and shall not terminate until a period of two years after the date of substantial completion of the public improvements, but in no situation shall the performance bond or letter of credit be permitted to have an effective period greater than three years;
 - e.f. Notwithstanding any partial release of the performance bond or letter of credit pursuant to subsection [d]e above, the City shall require a maintenance bond to remain in effect for a period of two years after the certificate of final acceptance is approved by the Board of Public Works. The maintenance bond shall be in the amount of five percent of the

original performance bond, or ten thousand dollars, whichever is greater, or as determined by the City Engineer; and

fg.

Be in a form approved by the ~~City~~ Legal Department.

4. Report. The ~~City~~ Engineering Department shall recommend approval or rejection of the performance bond to the Board of Public Works.
5. Record. The ~~City~~ Planning and Transportation and Engineering Departments shall maintain records of all petitions, plans, and permits filed for a performance bond.
6. Time Limit. The completion of public facility improvements and installations shall be within two years of the approval of the project. The approval date of the project is the date of the Plan Commission or Plat Committee hearing at which the Secondary Plat was approved or the date the Planning and Transportation Director signed the Secondary Play (if the Plat was delegated to staff approval).
7. Extension of Completion Time. Should the petitioner not complete the public facility improvements and installations as herein required within a two year period, the ~~City Planning and Transportation~~ Engineering Department may approve the petitioner's written request for an extension of time for up to one additional year, ~~granted at six month intervals and conditioned in every case upon extension or renewal of the bond accordingly, for completion of the required public facility improvements and installations, but in no situation shall an extension of a performance bond or letter of credit be permitted to have an effective period greater than three years. Additional one year extensions beyond the effective period of three years may be considered by the Board of Public Works based on the following criteria:~~
 - a. The petitioner remains responsive and responsible;
 - b. The petitioner continues to make progress on the required public facility improvements;
 - c. There are no other approved subdivisions that require use of the public facility improvements;
 - d. There are no other property owners or residents within the subdivision that are served by insufficient public facilities as determined by the Engineering Department;
 - e. The extension is in the public's best interest and will not jeopardize the health, safety, or welfare of the public.

Extensions beyond an effective period of three years may require an increase in the bond amount and may require modifications to the public facility improvements in order to ensure compliance with current standards. All extension requests must be made in writing at least 3 months prior to the end of the approved effective period.
8. Nonperformance. Should the petitioner not complete the public facility improvements and installations as required by this UDO within the two year period or within any time extension approved by the ~~Engineering~~ City Planning and Transportation Department, the City may take the necessary steps to

proceed with the completion of the public facility improvements and installations, making use of the performance bond or letter of credit.

9. Expiration. The performance bond or letter of credit shall be in effect and shall not terminate until ~~thirty calendar days~~ after the certificate of final acceptance is approved ~~by the City Engineering Department~~, and the maintenance bond has been accepted.

10. Performance Bond Reductions.

- a. ~~P~~Annual partial releases of performance sureties held by the City ~~may~~shall be approved by the ~~Board of Public Works~~City Engineering Department in accordance with a partial release schedule agreed to in a signed written document, after that document has been signed by the City Engineer or his or her designee, and the developer or his or her designee.

- b. The following standards shall apply to any request for a bond reduction:

- i. No more than three reductions shall be permitted within any twenty-four-month period.
- ii. No performance bond shall be reduced beyond seventy-five percent of the original bond amount.
- iii. Periodic partial releases shall not occur before completion of at least thirty percent of the improvements covered by the performance bond.

- (d) Vacating Plat.

- (1) Purpose. The vacating plat procedure provides a mechanism for the City to review a petition for the vacation of a subdivision and ensures that the statutory requirements established in the Indiana Code for the subdivision of land are met.

- (2) Applicability.

- (A) Secondary Plat.

- i. The owner of land in a secondary plat may file with the Plan Commission or plat committee a petition to vacate all or part of the secondary plat pertaining to the land owned by the petitioner.
- ii. In a case in which not all the owners of land in a secondary plat are in agreement regarding a proposed vacation, one or more owners of the land in the secondary plat may file with the Plan Commission or plat committee a petition to vacate all of the secondary plat or only that part of the secondary plat that pertains to land owned by the petitioner or petitioners. A petition under this subsection shall:
1. State the reasons for and the circumstances prompting the request;
2. Specifically describe the property in the secondary plat proposed to be vacated; and
3. Give the name and address of every other owner of land in the secondary plat.

- (B) Rights-of-way. This plat vacation procedure shall not be used to vacate rights-of-way, regardless of whether they are platted. Rights-of-way shall be vacated pursuant to Indiana Code § 36-7-3-12.

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- (B) Petition Submittal and Processing.
- i. Only the members of the Common Council or the Plan Commission shall have standing to initiate a proposal to amend the text of this UDO.
 - ii. The staff shall prepare the proposal upon the direction of either the Plan Commission or the Common Council. The staff shall prepare the proposal so that it is consistent with Indiana Code § 36-7-4-601.
- (C) Staff Review and Action. The Planning and Transportation Director shall review the petition and prepare a staff report and recommendation in accordance with Section 20.06.040(d) (Staff Review and Action).
- (D) Scheduling and Notice of Public Hearings. Within sixty days of initiating a proposal to amend the text of this UDO or of receiving a proposal from the Common Council, the zoning text amendment petition shall be scheduled for a public hearing before the Plan Commission and Common Council, and noticed in accordance with Section 20.06.040(e) (Scheduling and Notice of Public Hearings).
- (E) Review and Decision.
- i. Plan Commission Review and Recommendation. The Plan Commission shall review the zoning text amendment petition and shall forward its recommendation to the Common Council in accordance with Section 20.06.040(g) (Review and Decision), based on the specific approval criteria in Section 20.06.070(d)(4) (Approval Criteria for Zoning Text Amendment).
 1. The Plan Commission shall certify and forward the proposal to the Common Council with:
 - a. A favorable recommendation;
 - b. A negative recommendation;
 - c. No recommendation; or
 - d. Continue the proposal to a definite future meeting date.
 - ii. Common Council Review and Decision. The Common Council shall vote on the proposal within ninety days of certification by the Plan Commission in accordance with Indiana Code § 36-7-4-607.5, which governs whether the proposal is adopted or defeated.
- (F) Post-Decision Actions and Limitations. If the proposal is adopted by the Common Council pursuant to Indiana Code § 36-7-4-607, the Plan Commission shall arrange for the inclusion of the amended text in this UDO printed by the City.
- (4) Approval Criteria for Zoning Text Amendment. In reviewing the proposal, the Plan Commission and Common Council shall pay reasonable regard to:
- (A) The Comprehensive Plan;
 - (B) Current conditions and the character of current structures and uses in each zoning district;
 - (C) The most desirable use of land in each zoning district;
 - (D) The conservation of sensitive environmental features;
 - (E) The conservation of property values throughout the jurisdiction; and
 - (F) Responsible development and growth.

20.06.080 Flexibility and relief procedures.

(a) Minor Modification.

- (1) Purpose. The minor modification procedure is intended to allow relatively small adjustments or deviations from the dimensional or numeric standards of this UDO where strict application of the UDO would result in practical difficulty or undue hardship preventing the use of the land as otherwise allowed by the UDO. Minor modifications are intended to provide greater flexibility when necessary, without requiring a formal zoning amendment or variance. The minor modification procedure is not a waiver of current standards of this UDO and shall not be used to circumvent the variance procedure.

(2) Applicability.

- (A) Other Incentives are Prerequisite. All available incentives and allowances in this UDO shall be used before a minor modification may be considered, including but not limited to the exceptions in Section 20.04.020 (Dimensional Standards). (For example, a petitioner shall apply all available alternate standards for increased height before applying for a minor modification for increased height.)
- (B) Table of Allowable Minor Modifications. A petition for a minor modification that is not related to a request for "reasonable accommodation" under the Federal Fair Housing Act or the Religious Land Use and Institutionalized Persons Act may request only the types of adjustments shown in Table 06-2 (Allowable Minor Modifications).

Table 06-2. Allowable Minor Modifications

UDO Standard	Allowable Modification (maximum percentage)
Subdivision Standards	
Parent tract size, minimum	10
Open space required, minimum	5
Block length, minimum or maximum	10
Lot width, minimum	10
Lot area, minimum	10
Lot Dimensional Standards	
Front building setback, minimum	Lots 6,000 square feet or smaller, 25
	Lots larger than 6,000 square feet, 15
Front parking setback, minimum	25
Front build-to range, minimum	25
Front building facade at build-to range, minimum	25
Side building setback, minimum	Lots 6,000 square feet or smaller, 25
	Lots larger than 6,000 square feet, 15
Rear building setback, minimum	Lots 6,000 square feet or smaller, 25
	Lots larger than 6,000 square feet, 15
Encroachment into setback pursuant to Table 04-6	10
Impervious surface coverage, maximum	5
Building Standards	
Primary structure height, maximum	10
Primary structure height, minimum	10

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- iii. For petitions subject to review and decision by the board of zoning appeals, a development review committee meeting may be required at the discretion of the Planning and Transportation Director, in accordance with Section 20.06.040(b)(2) (Development Review Committee (DRC) Meeting).
- (B) Petition Submittal and Processing. The variance petition shall be submitted, accepted, and revised, and may be withdrawn, in accordance with Section 20.06.040(c) (Petition Submittal and Processing).
- (C) Staff Review and Action. The planning and transportation staff shall review the petition and prepare a staff report and recommendation in accordance with Section 20.06.040(d) (Staff Review and Action).
- (D) Scheduling and Notice of Public Hearings. The variance petition shall be scheduled for a public hearing before the Board of Zoning Appeals or hearing officer and noticed in accordance with Section 20.06.040(e) (Scheduling and Notice of Public Hearings).
- (E) Review and Decision. The hearing officer or Board of Zoning Appeals shall review the variance petition and approve, approve with conditions or commitments, or deny the petition in accordance with Section 20.06.040(g) (Review and Decision), based on the following approval criteria.
- i. Development Standards Variance. Pursuant to Indiana Code § 36-7-4-918.5, the Board of Zoning Appeals or hearing officer may grant a variance from the development standards of this UDO if, after a public hearing, it makes findings of fact in writing, that:
1. General Approval Criteria.
- a. The approval will not be injurious to the public health, safety, morals, and general welfare of the community; and
- b. The use and value of the area adjacent to the property included in the development standards variance will not be affected in a substantially adverse manner; and
- c. The strict application of the terms of this UDO will result in practical difficulties in the use of the property; that the practical difficulties are peculiar to the property in question; that the development standards variance will relieve the practical difficulties.
2. Affordable Housing Incentive Criteria. In addition to the general approval criteria in subsection (1) above, the Board of Zoning Appeals or hearing officer may grant a variance from Section 20.04.070(d)(5) (Neighborhood Transition Standards) for any project that qualifies for the affordable housing incentives established in Section 20.04.110(c) (Affordable Housing) if the petitioner can demonstrate that:
- a. The neighborhood transition standards substantially reduce or eliminate the building height incentive that would otherwise be allowed through the affordable housing incentive; and
- b. The development impact to abutting and adjacent properties is minimized through building placement, design, and massing.
3. ~~Determinate Sidewalk Variance Approval Criteria. While not to be included as separate findings of fact, items to consider when determining the practical~~

difficulties or peculiar conditions associated with a determinate sidewalk variance include, but are not limited to:

- a. That the topography of the lot or tract together with the topography of the adjacent lots or tract and the nature of the street right-of-way make it impractical for construction of a sidewalk; or
- b. That the pedestrian traffic reasonably to be anticipated over and along the street adjoining such lot or tract upon which new construction is to be erected is not and will not be such as to require sidewalks to be provided for the safety of pedestrians; or
- c. The adjacent lot or tracts are at present developed without sidewalks and there is no reasonable expectation of additional sidewalk connections on the block in the near future; or
- d. The location of the lot or tract is such that a complete pedestrian network is present on the other side of the street on the same block; or
- e. Uniformity of development of the area would best be served by deferring sidewalk construction on the lot or tract until some future date.

ii. Floodplain Variance.

- 1. Review Considerations. In reviewing floodplain variance requests, the Board of Zoning Appeals or the hearing officer shall consider all technical evaluations, all relevant factors, all standards specified in other sections of this ordinance, and the following:
 - a. The danger of life and property due to flooding or erosion damage.
 - b. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - c. The importance of the services provided by the proposed facility to the community.
 - d. The necessity of the facility to a waterfront location, where applicable.
 - e. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage.
 - f. The compatibility of the proposed use with existing and anticipated development.
 - g. The relationship of the proposed use to the Comprehensive Plan and floodplain management program for that area.
 - h. The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - i. The expected height, velocity, duration, rate of rise, and sediment transport of the floodwaters at the site.
 - j. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

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2. Review Criteria. The Board of Zoning Appeals or the hearing officer may grant a floodplain variance if, after a public hearing, it makes findings of fact in writing, that there is:
 - a. A showing of good and sufficient cause;
 - b. A determination that failure to grant the variance would result in exceptional hardship;
 - c. A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief; and
 - d. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with existing laws or ordinances.
 - iii. Commitments.
 1. The board of zoning appeals or the hearing officer may allow or require the owner of a parcel of real property to make a written and recorded zoning commitment concerning use and/or development of that parcel in connection with approval of a variance pursuant to Section 20.06.040(d)(8) (Commitments).
 - ~~2. Upon approval of a determinate sidewalk variance, the Planning and Transportation Department staff shall prepare a zoning commitment indicating that the determinate sidewalk variance was approved, and that future installation of sidewalk may be required. The petitioner shall record the zoning commitment in the office of the Monroe County Recorder before a certificate of zoning compliance is issued.~~
 23. If the owner of a parcel of real estate fails to accept a condition imposed, or to make a commitment allowed or required, by the hearing officer, then the owner's petition shall be considered withdrawn or, if requested by the owner, shall be transferred to the Board of Zoning Appeals.
 - (F) Post-Decision Actions and Limitations.
 - i. Effect of Approval.
 1. The granting of a variance from the development standards authorizes the development and establishes the terms of use.
 2. Variances are also subject to site plan requirements, all necessary permits and approvals, and other applicable requirements. All required permits shall be obtained before any grading, construction, or use commences.
 - ii. Signature and Notice.
 1. Generally.
 - a. The findings of fact shall be signed by the chair of the Board of Zoning Appeals or the hearing officer.
 - b. The staff shall furnish the petitioner with a copy of the decision of the Board of Zoning Appeals or hearing officer.
 2. Floodplain Variance.

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- a. Any applicant to whom a variance is granted that allows the lowest floor of a structure to be built below the flood protection grade shall be given written notice over the signature of a community official that:
- i. Specifies the difference between the flood protection grade and the elevation to which the lowest floor is to be built and stating that the cost of the flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation;
- ii. Clarifies the issuance of a variance to construct a structure below the flood protection grade will result in increased premium rates for flood insurance up to amounts as high as twenty-five dollars for one hundred dollars of insurance coverage; and
- iii. Such construction below the flood protection grade increases risks to life and property.
- b. The floodplain administrator shall maintain a record of all variance actions, including justification for their issuance.
- iii. Duration. Unless otherwise specified at the time of approval or before expiration, any variance granted by the Board of Zoning Appeals or hearing officer shall expire:
1. In cases where new construction or modifications to an existing structure are required, three years after the date that the variance was granted, unless a building permit has been obtained and construction of the structure or structures has commenced; or
2. In cases where new construction or modifications to an existing structure are not required, three years after the date that the variance was granted, unless a certificate of occupancy has been obtained and the use commenced; or
3. At the date of termination as established by the Board of Zoning Appeals or hearing officer as a condition or commitment if different from (iii)(1) or (iii)(2) above.
- (c) Administrative Interpretation.
- (1) Purpose. The administrative interpretation procedure is intended to provide a uniform mechanism for rendering formal written interpretations of this UDO.
- (2) Authority. Responsibility for making interpretations of provisions of this UDO is assigned as follows:
- (A) The Planning and Transportation Director shall be responsible for all interpretations of the zoning and subdivision provisions in the text of this UDO, including, but not limited to: interpretations as to which is the stricter and thus controlling provision in case of conflict with this UDO and other provisions of the Bloomington Municipal Code; interpretations of compliance with a condition of approval; and interpretations of whether an unspecified use falls within a use classification, use category, or use type allowed in a zoning district. The Planning and Transportation Director shall also be responsible for interpretations of the zoning district boundaries on the Official Zoning Map.
- (B) The City engineer shall be responsible for all interpretations of the floodplain and engineering provisions in the text of this UDO.
- (3) Interpretation Procedure. Figure 06.08-2 identifies the applicable steps from Section 20.06.040 (Common Review Procedures) that apply to administrative interpretation review. Additions or modifications to the common review procedures are noted below.

Figure 06.08-2: Summary of Administrative Interpretation Review Procedure

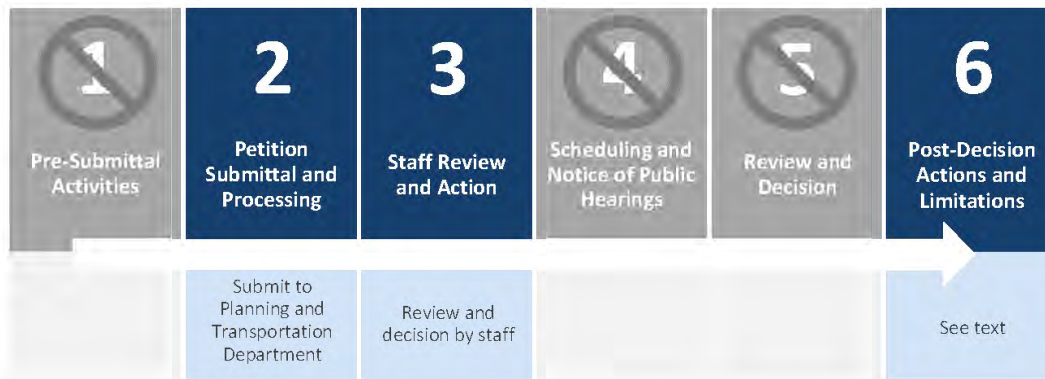


Figure 06.08-2: Summary of Administrative Interpretation Review Procedure

- (A) Petition Submittal and Processing.
- i. A request for administrative interpretation shall be submitted, accepted, and revised, and may be withdrawn, in accordance with Section 20.06.040(c) (Petition Submittal and Processing).
 - ii. A request for administrative interpretation may be filed by any person having a legal or equitable interest in property that gives rise to the need for an interpretation; provided that interpretations shall not be sought by any person based solely on hypothetical circumstances or where the interpretation would have no effect other than as an advisory opinion.
- (B) Staff Review and Action. The Planning and Transportation Director or City traffic and transportation Engineer (as applicable) shall review the request for interpretation, shall consult with the Legal Department City attorney and affected City officials, and shall render a decision based on the following specific approval criteria:
- i. General Interpretation. The interpretation shall be consistent with:
 1. The purposes of this UDO; and
 2. The purposes of the zoning district (and overlay district(s), if applicable) in which the property is located; and
 3. If the interpretation is based on the meaning of specific words that are not defined in this UDO, adopted City regulations, or the Indiana Code, with common use of words in the English language; and
 4. Prior interpretations of the UDO on similar or related topics, to the maximum extent practicable, unless a modification or replacement of a prior interpretation would be more consistent with criteria 1. through 3. above.
 - ii. Use Interpretation.
 1. The Planning and Transportation Director shall determine if the proposed use is included in the definition of a listed use or is so similar to a listed use that it should be treated as the same use.

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2. When determining the level of permission or associated Use-Specific Standards, the size, scale, operating characteristics, multi-modal traffic impacts, storm drainage impacts, utility impacts, and neighborhood impacts of the proposed use shall be considered.
 3. The Planning and Transportation Director shall consult with the City attorney and affected City officials before rendering the interpretation.
- (C) Post-Decision Actions and Limitations. Post-decision actions and limitations in Section 20.06.040(h) (Post-Decision Actions and Limitations), shall apply, with the following modifications:
- i. Notice.
 1. The Planning and Transportation Director shall inform the petitioner in writing of his or her interpretation, stating any specific precedent, the reasons, and the analysis upon which the determination is based.
 2. The decision shall be in the form of a written interpretation and shall be made available to the public.
 - ii. Effect of Approval.
 1. The interpretation shall be binding on subsequent decisions by the Planning and Transportation Director, ~~City Engineer~~[traffic or transportation engineer](#), or other City administrative officials (as applicable) in applying the same provision of this UDO or the Official Zoning Map in the same circumstance, unless the decision-making body makes a different interpretation, or this UDO is amended to treat the interpretation differently, or the interpretation is reversed or modified on appeal to the Board of Zoning Appeals or a court of law.
 2. No written interpretation shall authorize the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of petitions for any permits and approvals that may be required by the ordinances of the City.
 3. A land use determination finding a particular use to be permitted, or allowed as a Conditional Use in a particular zoning district, shall be deemed to authorize only the particular use for which it was issued, and such interpretation shall not be deemed to authorize any allegedly similar use for which a separate land use determination has not been issued.
 - iii. Official Record of Interpretations. The Planning and Transportation Department shall maintain a record of written interpretations that shall be available for public inspection, on reasonable request, during normal business hours.
 - iv. Board of Zoning Appeals. The Board of Zoning Appeals shall, pursuant to Section 20.06.080(d) (Administrative Appeal), hear and decide appeals from any administrative interpretation by the Planning and Transportation Director or ~~City Engineer~~[traffic and transportation engineer](#) acting pursuant to his or her authority and duties under this UDO.
- (4) Criteria for Interpretations.
- (A) Text Provisions. Interpretation of text provisions and their petition shall be based on the following considerations:

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- is available, the number of parking spaces provided may be decreased enough to provide adequate ADA-accessible aisles.
- vi. Bicycle Parking. All required bicycle parking must be installed per Section 20.04.060(1) (Minimum Bicycle Parking Required) and Section 20.04.060(m) (Bicycle Parking Location and Design).
 - vii. Landscaping. If full compliance with Section 20.04.080 (General Landscaping) cannot be achieved due to lack of adequate planting area, all yard areas must be landscaped to the maximum practicable density with a priority given to shade tree installation.
 - viii. Pedestrian Facilities. Any street frontage without existing pedestrian facilities shall be required to install pedestrian facilities per Section 20.04.050(d) (Pedestrian and Bicycle Circulation). If substandard pedestrian facilities exist, new facilities shall not be required if existing facilities are in functional condition, except that curb ramps shall comply with the Americans with Disabilities Act.
 - ix. Signage. All signage must be brought into compliance with Section 20.04.100 (Signs) to the extent practicable, although freestanding signs may use existing setbacks where the sign is not located within a restricted vision clearance area.
 - x. Dumpster Enclosures. All outdoor waste collection facilities must be brought into compliance with Section 20.04.080(m) (Screening).
 - xi. Lighting. All lighting shall be brought into compliance with Section 20.04.090 (Outdoor Lighting).
 - xii. Entrances and Drives. All entrances and drives shall be brought into compliance with Section 20.04.050(c) (Driveways and Access), with the exception of driveway location requirements.
 - xiii. Minimum Landscape Area. If a site can be brought closer to compliance with the Minimum Landscape Area standards through the removal of excess asphalt gravel, parking, or other impervious surfaces necessary to achieve the minimum amount of landscape area requirement, then such impervious area shall be removed and landscape area and vegetation installed.
 - xiv. Fencing. Any fence or wall that contains prohibited components as outlined in Section 20.04.080(n)(4)(A) must remove the prohibited components only.
- (g) Nonconforming Signs.
- (1) Generally.
 - (A) Notwithstanding any other provision of this chapter or this UDO, a lawful nonconforming sign may not be altered, relocated or expanded, which includes any increase in height or area [or change in sign face type to electronic reader board](#), except as expressly provided in this Section 20.06.090(g) (Nonconforming Signs).
 - (B) Ordinary maintenance is permitted and shall include replacement of supports with different materials or design from the previous supports but shall not include any increase in the dimensions or numbers of supports.
 - (C) A lawful nonconforming sign may be relocated only where the sign cannot be left in its existing location as a result of right-of-way acquisition and/or construction, widening or other improvement to any public sidewalk, path, trail, street, road, alley, or other public right-of-way or facility, by the City. For purposes of this section, a sign cannot be left in its existing location where it would be within the new public right-of-way; or would physically obstruct the public

Site and building design	20.04.070		✓	✓			✓	✓	
Landscape, buffering, and fences	20.04.080		✓	✓		✓		✓	
Outdoor lighting	20.04.090	✓		✓			✓	✓	
Signs	20.04.100	✓		✓		✓		✓	

(Amd. of 1-14-2020; Ord. No. 21-15, § II (Att. A), 4-21-2021; Ord. No. 21-18, § II (Att. A), 4-21-2021)

20.04.020 Dimensional standards.

- (a) Purpose. This section is intended to provide dimensional standards and uniform methods of measurement for interpretation and enforcement of the lot and building standards in this UDO.
- (b) Applicability. Compliance with this Section 20.04.020 (Dimensional Standards) shall be required pursuant to Section 20.04.010 (Applicability).
- (c) General Dimensional Standards. The following tables, Table 04-2 through Table 04-5, establishes the dimensional standards for Residential, Mixed-Use, and other zoning districts contained in Chapter 20.02 (Zoning Districts). In case of a conflict between the dimensions shown in this Section 20.04.020 and the dimensions shown for individual districts in Chapter 20.02 (Zoning Districts), the provisions of this Section 20.04.020 shall govern.
 - (1) Residential Zoning Districts. Dimensional standards for Residential zoning districts are shown in Table 04-2 (Residential District Dimensional Standards).
 - (2) Mixed-Use Zoning Districts. Dimensional standards for Mixed-Use zoning districts are shown in Table 04-3 (Mixed-Use District Dimensional Standards).
 - (3) Downtown Character Overlays. Dimensional standards for the Downtown Character Overlays are shown in Table 04-4 (Downtown Character Overlay Dimensional Standards).
 - (4) Nonresidential Zoning Districts. Dimensional standards for Nonresidential zoning districts are shown in Table 04-5 (Nonresidential District Dimensional Standards).

Table 04-2. Residential District Dimensional Standards

Dimensional Standards		R1	R2	R3	R4	RM [1]	RH [1]	RMH [1]	
Lot Dimensions (minimum, only for lots created after the effective date)								Entire Development	Dwelling Site
Lot area	sq. ft.	20,000 [2]	7,200 [2]	5,000 [2]	4,000 [2]	5,000	5,000	43,560	3,000
	acres	0.459 [2]	0.165 [2]	0.115 [2]	0.092 [2]	0.115	0.115	1.00	0.069

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Lot width	100 feet [2]	60 feet [2]	50 feet [2]	35 feet [2]	50 feet	50 feet	200 feet	40 feet
Building Setbacks (minimum)							Entire Development	Dwelling Site
Front build-to line	None	None	15 feet [3]	None	None	None	None	None
Front	15 feet	15 feet [3]	None	15 feet [3]	15 feet	15 feet	25 feet	10 feet
Attached front-loading garage or carport	25 feet [4]	25 feet [4]	10 feet behind the primary structure's front building wall		25 feet [4]		None	None
Side	First floor: 8 feet Each story above the ground floor: 10 feet [2]	First floor: 8 feet Each story above the ground floor: 10 feet [2] [5] [7]	First floor: 6 feet Each story above the ground floor: 10 feet [2] [5] [7]	5 feet [2] [7]	10 feet [6]	10 feet [6]	20 feet	Primary structure: 7 feet Accessory structure: 2 feet
Rear	25 feet [2]	25 feet [2] [7]	25 feet [2] [7]	25 feet [2] [7]	15 feet [6]	15 feet [6]	20 feet	
Other Standards							Entire Development	Dwelling Site
Front parking setback (minimum)	None	None	None	None	20 feet behind the primary structure's front building wall		None	None
Side parking setback (minimum)	None	None	None	None	8 feet	8 feet	None	None
Rear parking setback (minimum)	None	None	None	None	8 feet	8 feet	None	None
Impervious surface coverage (maximum)	30%	40%	45%	50%	60%	65%	None	65%
Landscape area (minimum)	None	None	None	None	40%	35%	None	None

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- (D) For lots of record with no street frontage, a minimum building setback of ten feet is required from the property line where access is gained. All other lot lines shall be considered side lot lines for the purposes of setbacks.
- (E) The minimum front building facade 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.
- (2) Single-Family Attached and Multifamily Dwellings.
- (A) Multifamily dwellings on one lot shall be construed as one structure for purpose of measuring setbacks.
- (B) For purposes of setback calculations for side-by-side single-family attached or multifamily dwellings, only those dwelling units that do not share a common wall with an adjacent unit (end units) shall observe the required side setback for the district.
- (3) Exceptions to Setback Requirements.
- (A) The setback exceptions established in Table 04-6 shall not authorize the encroachment of any development across property lines or into a public right-of-way.
- (B) Every part of a required setback shall be unobstructed from ground level to the sky, except as follows:

Table 04-6. Authorized Exceptions to Setback Requirements

Type of Exception	Extent of Exception
Air conditioners (ground)	Up to 5 feet if screened by a fence, wall, or appropriate landscaping.
Air conditioners (window)	Up to 30 inches.
Architectural features	Up to 18 inches.
Awning, balconies, canopies, patios, and attached exterior stairs	Up to 6 feet.
Bay windows, chimneys, eaves	Up to 3 feet.
Decks	Up to 6 feet into the side or rear setback provided that no deck is closer than 2 feet to a side property line.
Fire escapes	Up to 6 feet into side and rear setbacks.
Front entry	For existing and new primary structures in the R1, R2, R3, and R4 zoning districts, an entry or covered front addition a maximum of 6 feet deep and with a width not to exceed one-third the width of the primary facade of the structure is permitted to encroach into the front building setback, however a minimum 4' setback is required from the front property line.
Accessible ramps	Exempt from all setback requirements.
Satellite dishes	Up to 5 feet into the front setback and no closer than one foot to the side and rear property lines.
Detached garages or carports	Where a rear alleyway provides access to a detached garage or carport, the setback from the property line that runs parallel to the alleyway to the detached garage or carport may be reduced to 3 feet.
Additions to existing primary structures	For single-family, duplex, and triplex structures, additions to the first floor footprint of existing primary structures may use existing side or rear setbacks already established on the lot, provided that the gross floor area of the existing structure is not increased by more than 50 percent. In no case shall the setback be less than 10 feet (rear) or 4 feet (side). Vertical additions to existing primary structures may utilize existing front setbacks

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	provided that the existing structure is equal to, or has a greater front setback than, the median front setback of abutting residential structures.
Additions to structures that don't meet build-to ranges	Additions may be added that move the building closer to build-to range compliance, even if compliance is not achieved.
DU = dwelling unit	

- (C) Where this UDO establishes a maximum setback from the front property line, that maximum setback may be increased by up to five feet to accommodate access required by the Americans with Disabilities Act, utility or access easements, or to prevent encroachment of building projections over the public right-of-way.
- (D) For parking and building setback purposes, Interstate 69 is not considered a front.
- (4) Through Lots. On a through lot, the Planning and Transportation Director shall determine which lot line shall be deemed the front lot line based on the existing and/or proposed building orientation of surrounding lots. Through lots adjacent to an arterial street shall comply with the standards established in Section 20.05.050(j)(7)(A)iii. (Buffer).
- (f) Building Height.
- (1) Measurement. Maximum building heights are expressed in both overall dimension and the number of stories, where applicable.
- (A) Stories. Story height is measured between the floor of a story to the floor of the story above it. For single-story buildings and the uppermost story of a multistory building, the measurement shall be from the floor of the story to the ceiling.
- (B) Overall Dimension. The height of buildings shall be measured as the vertical distance from the average finished grade surface of the building, structure, or wall exposed above the ground surface to the highest point of the roof, parapet wall, or uppermost part.

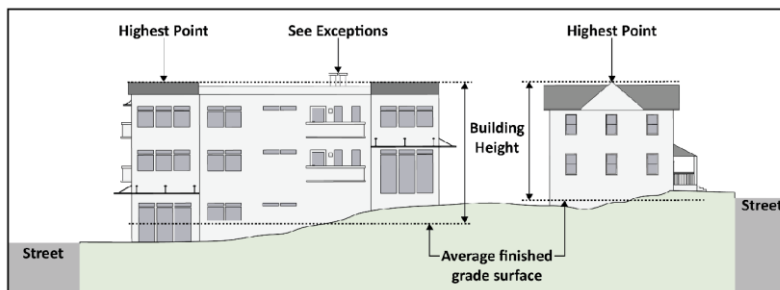


Figure 50: Building Height

- (2) Exceptions to Height Requirements. No building or structure or part of a building or structure shall exceed the maximum building height within any zoning district unless authorized in Table 04-7, or elsewhere in this UDO.

Table 04-7. Authorized Exceptions to Height Requirements

Type of Exception	Extent of Exception
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- (B) Buffer Width.
- i. For the main branches of Jackson Creek south of 2nd Street and Clear Creek south of Grimes Lane, the width of this zone shall be a minimum of fifty feet on each side of the stream, measured from the centerline of the stream.
 - ii. For all other streams, the width of this zone shall be a minimum of twenty-five feet on each side of the stream, measured from the centerline of the stream.
- (C) Vegetation Requirements. All vegetative cover within this zone shall consist of undisturbed, existing vegetation, except that invasive and nonnative plants may be removed with permission from the Planning and Transportation Department. In cases where little or no existing vegetation is present, only native, water tolerant species shall be planted. Acceptable species for planting within buffer zones are listed in Section 20.04.080(d) (Permitted Plant Species). Plant spacing and density for new vegetation within buffer zones shall comply with current preferred practices for each plant type.
- (D) Disturbance Activities. Only the following land disturbance activities may be allowed within this zone, subject to approval of the City Planning and Transportation Department:
- i. Utility installation; if no alternative location is available;
 - ii. Street crossings, where necessary to achieve connectivity;
 - iii. Bicycle and/or pedestrian crossings, where necessary to achieve connectivity;
 - iv. Connector path and multi-use trail constructed with a permeable surface;
 - v. Demolition of existing buildings or structures, provided that the disturbance does not extend more than ten feet from the building's or structure's footprint, does not impact the shoreline or bed of a stream or creek, and a remediation plan is submitted to and approved by the Senior Environmental Planner prior to disturbance.-
- (6) Intermediate Zone Design. The intermediate zone (Zone 2) shall be designed as follows:
- (A) Location. Immediately outside the streamside zone (Zone 1).
- (B) Buffer Width. The required width shall be a minimum twenty-five feet on each side, measured perpendicularly from the outer boundary of Zone 1.
- (C) Vegetation Requirements. All vegetative cover within this zone shall consist of undisturbed, existing vegetation, except that invasive and nonnative plants may be removed with permission from the Planning and Transportation Department. In cases where little or no existing vegetation is present, only native, water tolerant species shall be planted. Acceptable species for planting within buffer zones are listed in Section 20.04.080(d) (Permitted Plant Species). Plant spacing and density for new vegetation within buffer zones shall comply with current preferred practices for each plant type.
- (D) Disturbance Activities. Only the following land disturbance activities may be allowed within this zone, subject to approval of the City Planning and Transportation Department:
- i. Utility installation; if no alternative location is available;
 - ii. Street crossings, where necessary to achieve connectivity;
 - iii. Bicycle and/or pedestrian crossings, where necessary to achieve connectivity;
 - iv. Connector path and multi-use trail constructed with a permeable surface.
- ~~(6) Intermediate Zone Design. The intermediate zone (Zone 2) shall be designed as follows:~~

-
- (A) ~~Location. Immediately outside the streamside zone (Zone 1).~~
- (B) ~~Buffer Width. The required width shall be a minimum twenty-five feet on each side, measured perpendicularly from the outer boundary of Zone 1.~~
- (C) ~~Vegetation Requirements. Vegetative cover within this zone shall consist of undisturbed, existing vegetation, supplemented by native, groundcover and edge vegetation except that invasive and non-native plants may be removed with permission from the Planning and Transportation Department. In cases where little or no existing vegetation is present, only native, water tolerant species shall be planted. Appropriate species for planting within buffer zones are listed in Section 20.04.050(d) (Permitted Plant Species). Plant spacing and density for new vegetation within buffer zones shall comply with current preferred practices for each plant type.~~
- (D) ~~Disturbance Activities. Only the following land-disturbing activities may be allowed within this zone, subject to approval of the Planning and Transportation Department:~~
- i. ~~All activities allowed in Zone 1 (streamside zone); and~~
- ii. ~~Stormwater management facilities.~~
- (7) Fringe Zone Design. The fringe zone (Zone 3) shall be designed as follows:
- (A) Location. Immediately outside the intermediate zone (Zone 2).
- (B) Buffer Width. The required width shall be a minimum of twenty-five feet measured perpendicular from the outer boundary of Zone 2.
- (C) Vegetation Requirements. The vegetative cover for the outer zone shall be native grasses, sedges, and forbs that perform phytofiltration, except that invasive and non-native plants may be removed with permission from the Planning and Transportation Department. In addition, woody plants may be utilized where appropriate. Appropriate species for planting within buffer zones are listed in Section 20.04.080(d) (Permitted Plant Species). Plant spacing and density for new vegetation within buffer zones shall comply with current preferred practices for each plant type.
- (D) Disturbance Activities. Only the following land-disturbance activities may be allowed within this zone, subject to approval of the City Planning and Transportation Department:
- i. All activities allowed within Zones 1 and 2.
- ii. Streets, as needed to achieve connectivity where no reasonable alternative route can be identified and where a need for new streets has been established, as required by adopted City regulations and Common Council policy.
- (8) Additional Riparian Buffer Design Standards.
- (A) Riparian buffer design shall be fitted to the topography and soil conditions of the site. Preference shall be given to preserving existing vegetation within riparian buffer areas. Protection of tree crowns and root zones within the dripline shall be required for all trees planned for retention.
- (B) Temporary vegetation, sufficient to stabilize the soil, may be required on all disturbed areas as needed to prevent soil erosion. New plantings shall be given sufficient water and protection to ensure reestablishment.
- (C) In order to ensure vegetative diversity, a minimum of nine different plant species shall be used within the overall riparian buffer area. At least three of these species shall be trees selected from Section 20.04.080(d) (Permitted Plant Species).

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- (8) Disturbance. No land-disturbing activity, mowing, or temporary or permanent structure shall be allowed within the sinkhole nor within twenty-five feet of the last closed contour of the sinkhole.
- (9) Spring or Cave Entrances. Spring or cave entrances shall not be modified except for the placement of a gate to prevent human access.
- (g) Wetlands.
- (1) Applicability. This section shall apply to all land-disturbing activities on properties containing wetlands.
- (2) Adjacent Properties. Where wetlands are present on adjacent properties, and where required buffer areas for such wetlands would extend onto the subject property, the buffer zones required by this subsection (g) shall be established.
- (3) Compliance with Other Regulations Also Required. In addition to the standards of this UDO, all determined and delineated jurisdictional wetlands subject to disturbance shall be governed by Indiana Department of Natural Resources (DNR), Indiana Department of Environmental Management (IDEM), and Army Corps of Engineers regulations.
- (4) Disturbance. No land-disturbing activity, mowing, or temporary or permanent structure shall be allowed within twenty-five feet of a wetland.
- (5) Wetland Conservancy Easement. A wetland buffer area extending twenty-five feet from a delineated wetland shall be placed within a conservancy easement consistent with the standards of Section 20.05.040 (Easements) and shall be protected with silt fencing, tree protection fencing, or both, during the entire period of construction.
- (6) Draining. Draining of a delineated wetland is prohibited.
- (7) Stormwater Discharge. Stormwater discharge into a wetland shall not be increased over, or substantially reduced below, its preexisting rate.
- (h) Tree and Forest Preservation.
- (1) Applicability. This section shall apply to all land-disturbing activities on properties containing closed-canopy wooded areas.
- (2) Retention of Existing Canopy. The following table shall be used to determine the minimum amount of existing vegetation canopy that must be retained during land-disturbance activity.

Table 04-8. Minimum Required Vegetation Canopy

Baseline Canopy Cover	Retained Canopy Cover
80—100%	0.50 × Baseline canopy cover
60—79%	0.60 × Baseline canopy cover
40—59%	0.70 × Baseline canopy cover
20—39%	0.80 × Baseline canopy cover
0—19%	0.90 × Baseline canopy cover
Example: For a property of 20 acres with 50 percent canopy cover (i.e., 10 acres), a development would be required to maintain at least 7 acres (10 acres × 0.70) of canopy cover	

Example: For a property of 20 acres with 50 percent canopy cover (i.e., 10 acres), a development would be required to maintain at least 7 acres (10 acres × 0.70) of canopy cover

- (3) Preference to Stands of Vegetation. The retention standards outlined above shall be applied to retain high-quality stands of native trees, undisturbed woodlands, and corridors of contiguous vegetation in priority over individual specimen trees, or younger stands of vegetation. No more than ten percent of

the canopy retention standard shall be met by preserving individual trees not included within preferred wooded areas as defined in this subsection (h). Where individual specimen trees are to be preserved, preference shall be given to protecting heritage trees that are of particular value due to their type, size or age.

- (4) Smaller Parcels. For parcels of land less than ~~one~~two acres, the preservation standards in Table 04-8 (Minimum Required Vegetation Canopy) may be altered by the City Planning and Transportation Director; preference may be given to protecting and/or preserving heritage trees that are of particular value due to their type, size or age, to allow preservation of individual specimen trees or tree lines along property borders in lieu of the minimum required vegetation canopy.
- (5) Overlapping Preservation Areas. Where acreage set aside to fulfill the conservation or buffer requirements found in Sections 20.04.030(c) (Steep Slopes), 20.04.030(d) (Drainage), 20.04.030(f) (Karst Geology), and 20.04.030(g) (Wetlands) also meets the requirements for tree and forest preservation under Section 20.04.030(h)(2) (Retention of Existing Canopy), such acreage shall be counted toward fulfillment of all applicable requirements.
- (6) Conservancy or Tree Preservation Easement. Where contiguous areas of at least eight thousand seven hundred twelve feet (one-fifth acre) of tree cover are required to be preserved, a conservancy and/or tree preservation easement shall be required per Section 20.05.040 (Easements). The edges of such easements shall be delineated ten feet beyond the driplines of the trees to be preserved.
- (7) Tree Protection During Construction. A tree protection zone shall be installed per Section 20.04.080(c)(3) and inspected by the Planning and Transportation Department prior to any land-disturbing activities. The tree protection zone and the tree protection barrier shall remain undamaged and unmoved during the entire duration of construction. If a petitioner believes the conditions of a tree protection zone cannot be established, they shall contact the Planning and Transportation Department and the Urban Forester in order to develop an individual plan for tree protection.
- (i) Lake Watershed Areas.
 - (1) Applicability. This section shall apply to all land-disturbing activities on properties located within the watersheds of Lake Monroe and Griffy Lake as delineated on the City's Geographic Information System (GIS).
 - (2) Exception. Single-family, duplex, triplex, fourplex, mobile home, and manufactured home dwellings on existing lots of record shall not be subject to the requirements of this section.
 - (3) Geotechnical Report. When required by the Planning and Transportation Director, based on potential development impacts, site plans, subdivision plats, and Planned Unit Development plans shall include a report prepared by a geotechnical consultant that addresses soil stabilization, erosion/siltation control and stormwater runoff quality. The geotechnical consultant who prepares the required report shall be a licensed professional engineer.
 - (4) Site Design. Site design shall locate structures and land-disturbing activities so as to avoid tree concentrations. Streets, parking areas, and building pads shall conform closely to existing contours and minimize grading.
 - (5) Steep Slopes. The maximum slope on which buildings may be constructed shall be ~~twenty~~twentytwo percent. No disturbance shall occur on any slope greater than ~~twenty~~twentytwo percent, measured as described in Section 20.04.020 (Dimensional Standards).
 - (6) Redundant Stormwater Quality Measures. Sites greater than one acre shall incorporate redundant stormwater runoff quality mitigation measures. The ongoing maintenance of these measures shall be ensured through a binding, recordable commitment that provides for all the following:
 - (A) Periodic third-party inspection and report;

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- (B) Right to Submit New Technical Data. The Floodplain Administrator may request changes to any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevations, such as labeling or planimetric details. Such a submission shall include appropriate supporting documentation made in writing by the City of Bloomington Planning and Transportation Department Director and may be submitted to FEMA at any time.
- (C) Annexation/Detachment. Upon occurrence, the Floodplain Administrator shall notify FEMA in writing whenever the boundaries of the Bloomington have been modified by annexation or the community has assumed authority over an area, or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that the City of Bloomington's Flood Insurance Rate Map accurately represent Bloomington's boundaries, include within such notification a copy of a map of Bloomington suitable for reproduction, clearly showing the new corporate limits or the new area for which Bloomington has assumed or relinquished floodplain management regulatory authority.
- (e) Provisions for Flood Hazard Reduction. All development shall comply with the provisions of this Section 20.04.040(e). Petitions for new or revised subdivisions shall also comply with the standards in Section 20.05.050(c).
- (1) Conditional Uses. The following are conditional uses in the floodway and floodway fringe, subject to approval under Section 20.06.050(b) (Conditional Use Permit).
- (A) The following are conditional uses in the floodway and floodway fringe, subject to approval under Section 20.06.050(b) (Conditional Use Permit).
- (i) Transportation facilities, including, but not limited to, bridges, streets or drives;
- (ii) Any other flood-tolerant or open space uses, such as storage of materials not subject to flood damage that do not contain hazardous pollutants;
- (iii) Parking lots constructed solely of permeable pavers;
- (iv) Recreational equipment; and
- (v) Buildings/structures.
- (B) Any activity exempted from a floodplain development permit does not need a conditional use approval.
- (2) Floodplain Status Standards.
- (A) Standards for Identified Floodways (Riverine). Located within SFHAs, established in Section 20.04.040(c)(1), are areas designated as floodways. The floodway is an extremely hazardous area due to the velocity of floodwaters, which carry debris, potential projectiles, and has erosion potential. Under the provisions of the Flood Control Act (IC 14-28-1) a permit for construction in a floodway from the Indiana Department of Natural Resources is required prior to the issuance of a local building permit for any excavation, deposit, construction, or obstruction activity located in the floodway. This includes land preparation activities such as filling, grading, clearing, and paving undertaken before the actual start of construction of the structure. General licenses and exemptions to the requirements of the Flood Control Act (IC 14-28-1 and 312 IAC 10) may apply to qualified additions/improvements to existing lawful residential structures, rural bridges, logjam removals, wetland restoration, utility line crossings, outfall projects, creek rock removal, and prospecting.
- (i) If the site is in a regulatory floodway as established in Section 20.04.040(c)(1), the Floodplain Administrator shall require the applicant to forward the application, along with all pertinent plans and specifications, to the Indiana Department of Natural Resources and

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- iii. Dedication. All multiuse trails shall be dedicated to the City parks and recreation department within rights-of-way of at least fifty feet in width. Right-of-way width for multiuse trails may be reduced by the City Planning and Transportation Department after approval by the City parks and recreation department.
- (G) Connector Paths. Where a development is adjacent to a public park, school, commercial area, or existing or proposed multiuse trail as identified in the Transportation Plan, connector paths shall be provided as follows:
- i. The design of any required connector path that will connect to a public park or multiuse trail shall be subject to the approval of the City parks and recreation department. The parks and recreation department may waive the connector path requirement if it determines that the proposed connection to a public park or multiuse trail is not desirable or is redundant to existing facilities.
- ii. Minimum Width. Connector paths shall be a minimum of ten feet in width.
- iii. Surface. Connector paths shall be constructed of asphalt or concrete. Alternative surface materials may be authorized by the City Planning and Transportation Department to mitigate environmental impacts.
- iv. Easement. Connector paths shall be contained within pedestrian easements of at least twenty feet in width pursuant to Section 20.05.040 (Easements).
- v. Undeveloped Properties. Where vacant or undeveloped properties are adjacent to a property under development, connector paths shall be stubbed to the property line to allow for future connection when adjacent properties are developed.

(11) Payment-in-Lieu of Pedestrian and Bicycle Circulation Construction

- (A) Purpose: The City of Bloomington supports the installation of paths, sidewalks, and trails by the development community at the time of development. However, there are circumstances when current site conditions or other considerations justify the acceptance of a payment-in-lieu of the installation of new infrastructure. It is the purpose of this section, and rules and regulations set forth, to establish a payment-in-lieu of path, sidewalk, or trail construction requirements and to establish a process to facilitate the construction, improvement, and maintenance of those facilities within the City.
- (B) General: Any project required to install paths, sidewalks, trails, multiuse paths, bike lanes, or multiuse trails as required in this Section 20.04.050 may request to pay a payment-in-lieu of said physical improvements. Requests to pay a payment-in-lieu of physical improvements shall be reviewed and approved or denied in accordance with this Section 20.04.050(d)(11)(D). All funds derived from sums paid-in-lieu of the physical improvements shall go into the alternative transportation fund. The alternative transportation fund shall be for the purpose of reducing our community's dependence upon the automobile. Expenditures from the fund shall be approved by the council.
- (C) Evaluation Criteria: Any site plan, portion of a site plan, or subdivision required by Section 20.04.050 to install paths, sidewalks, and trails may request payment-in-lieu of said physical improvements where the Planning and Transportation Department has determined that a required path, sidewalk, and trail is not reasonable due to existing practical difficulties associated with the property including, but not limited to:
- (i) The topography of the lot or tract together with the topography of the adjacent lots or tracts and the nature of the street right-of-way make it impractical for construction of physical improvements; and/or

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- (ii) The adjacent lots or tracts are at present developed without paths, sidewalks, and trails and there is no reasonable expectation of additional connections on the block in the near future; and/or
- (iii) Uniformity of development of the area would best be served by deferring path, sidewalk, and trail construction on the lot or tract until some future date.
- (D) Review and Decision
- (i) All requests for payments-in-lieu of the construction of paths, sidewalks, and trails shall be heard by the City of Bloomington Transportation Commission and evaluated based on the criteria set forth in this section.
- (E) Fee Calculation: The fee calculation for approved payments-in-lieu of paths, sidewalks, and trails shall be based on the adopted Planning and Transportation Fee Schedule and shall be paid in full prior to:
 - (i) Release of a secondary plat for recording for applicable projects; or
 - (ii) Issuance of a Certificate of Zoning Compliance for a building permit for applicable projects; or
 - (iii) Issuance of a Certificate of Zoning Compliance for any other projects requiring said physical improvements in which secondary plat or building permit issuance does not apply.
- (F) Future Site Improvements or Changes: Any fee paid-in-lieu of the construction of paths, sidewalks, and/or trails that is approved by the Transportation Commission shall apply only to the requirements in effect at the time of the development. This provision shall not be construed to grant an exception from the installation of paths, sidewalks, and/or trails for any future subdivision or development of the site that would otherwise require such improvements under the standards of the UDO at the time of approval.

(e) Public Transit.

(1) General Standards.

(A) For the purposes of this section, transit facilities shall include:

- i. Benches;
- ii. Shelters; or
- iii. Other similar transit stop amenities.

(B) Where a development is required to install one or more transit facilities, the type and location of such facilities shall be as determined by the Bloomington Public Transportation Corporation. Where such facilities are proposed within the public right-of-way, approval by the City Board of Public Works shall also be required.

(C) The Bloomington Public Transportation Corporation may waive a required transit facility if that corporation deems it unnecessary based on existing facilities.

(2) Existing Public Transportation Routes.

(A) Transit Facility. For any development of at least twenty dwelling units, or for any nonresidential development of at least twenty thousand square feet gross floor area, developed adjacent to one or more public transportation routes, a transit facility shall be constructed on all routes for which one or more of the following criteria are met:

- i. The proposed development is expected to generate public transit usage; or

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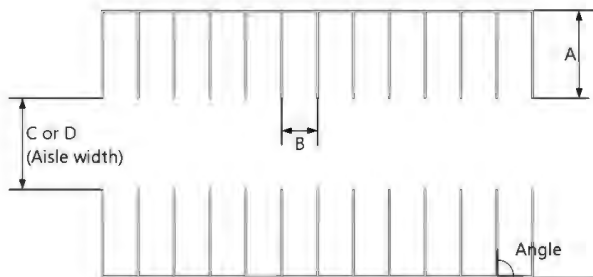


Figure 52: Illustrative Scale and Character

Table 04-11. Parking Dimensions (in feet) [2]

Angle	Parking Space A	Parking Space B	One-Way Aisle C	Two-Way Aisle D
0° (parallel)	8.0	22.5 [1]	12.0	20.0
30°	15.0	8.5	12.0	20.0
45°	17.0	8.5	12.0	20.0
60°	17.5	8.5	16.0	20.0
90°	16.0	8.5	20.0	20.0

Notes:

[1] End spaces may be a minimum of twenty feet in length where no obstruction exists.

[2] Parking spaces for motorcycles may be provided and must be a minimum of three feet in width and six feet in length.

(B) If the petitioner can provide different acceptable standards based on a professionally recognized source of parking lot design, the City Planning and Transportation Department may approve alternative standards pursuant to the minor modification process outlined in Section 20.06.080(a) (Minor Modification).

(4) Stacked Parking. Stacked parking arrangements are permitted.

(5) Back-Out Parking.

(A) Generally. All on site vehicle parking areas shall be designed to avoid the need for vehicles to back onto public streets when exiting the parking space, unless otherwise stated in this UDO.

(B) Exceptions. Single-family, duplex, triplex, and fourplex uses in any zoning district shall be permitted to back-out directly onto an alley or a public street, other than an arterial street.

(C) Back-Out Parking Waiver. Back-out parking within the required side or rear setback may be allowed onto adjacent alleys subject to the following standards:

- i. The lot in question does not exceed twenty thousand feet in area;
- ii. A maximum of eight back-out parking spaces are permitted per site;
- iii. Parking shall directly access an improved alley; and
- iv. Parking spaces shall be designed to be no less than forty-five degrees to the alley.

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- (6) Stormwater Drainage.
- (A) Water draining from a parking lot shall not flow across a sidewalk.
- (B) All parking lots, excluding drives that do not afford direct access to abutting parking spaces, shall have a slope of five percent or less.
- (7) Surface Material.
- (A) Except for dwelling, single-family (detached), dwelling, single-family (attached), dwelling, duplex, dwelling, triplex, and dwelling, fourplex residences or as stated in subsection (6) above, or an exception is provided elsewhere in this UDO, all areas used for parking shall be hard surface of concrete, asphalt, brick pavers, or other approved material. Where crushed stone parking surfaces are approved, they shall be contained within a raised, permanent border.
- (B) All new driveway aprons onto a street shall be surfaced with concrete. Enlargement or modification of an existing driveway shall require the driveway apron to be surfaced with concrete, except that the driveway apron for a single-family, duplex, triplex, or fourplex use on a local street may use asphalt or concrete.
- (C) Areas using permeable parking pavers shall not count towards impervious surface calculations.
- (D) Except for single-family, duplex, triplex, fourplex, mobile home, and manufactured home residential uses, ~~and display areas for vehicle sales and rental uses,~~ all off-street parking spaces shall be striped or otherwise designated to clearly mark each space.
- (E) All driving lanes and parking aisles in parking lots shall be curbed, unless an alternative design allowing for adequate stormwater management is approved.
- (8) Electric Vehicle Charging. Parking areas with fifty or more parking spaces shall provide a minimum of one parking space dedicated to electric vehicles for every twenty-five parking spaces provided on site. [For auto sales, the electric vehicle charging requirements are only based on customer and employee parking spaces.](#) If more than six EV charging stations are required, at least one shall be an ADA van accessible parking space. The provision of three or fewer electric vehicle parking spaces shall not count toward the maximum allowed number of parking spaces. The provision of four or more electric vehicle parking spaces shall count toward the maximum allowed number of parking spaces. The electric vehicle parking space shall be:
- (A) Located on the same lot as the principal use;
- (B) Signed in a clear and conspicuous manner, such as special pavement marking or signage, indicating exclusive availability to electric vehicles; and
- (C) Outfitted with a standard electric vehicle charging station.
- (9) Parking Area Landscaping. All development shall comply with Section 20.04.080(h) (Parking Lot Landscaping).
- (10) Parking Area Lighting. All development shall comply with Section 20.04.090 (Outdoor Lighting).
- (11) Pedestrian and Bicycle Circulation. All development shall comply with Section 20.04.050 (Access and Connectivity).
- (j) Loading Area Location and Design.
- (1) Applicability. This Section 20.04.060(j) (Loading Area Location and Design) shall apply to all loading areas.
- (2) Location. Loading berths shall be located at the rear of a structure.

- (3) Design.
- (A) Loading berths shall be paved with asphalt or concrete.
- (B) Loading berths shall be effectively screened from view from adjacent public streets and residential uses by solid building walls, constructed of similar building materials as the primary structure and not less than six feet in height.
- (C) The design of loading berth areas shall prevent any portion of any vehicle using the loading facility from projecting into a public right-of-way.
- (k) Drive-Through Facilities and Vehicle Stacking Areas.
- (1) Applicability. The following standards apply for all uses with vehicle stacking and/or drive-through facilities.
- (2) Minimum Number of Vehicle Stacking Spaces. All uses with drive-through facilities shall provide the minimum number of on-site stacking spaces indicated in Table 04-12 (Minimum Vehicle Stacking Space Requirements), and shall comply with the standards in this Section 20.04.060(k) (Drive-Through Facilities and Vehicle Stacking Areas).

Table 04-12. Minimum Vehicle Stacking Space Requirements

Use	Required Stacking Spaces
Car wash	4 spaces per bay or lane
Food and beverage uses	3 spaces per service lane
Other uses	3 spaces per service lane
Financial institutions	2 spaces per service lane

- (l) Minimum Bicycle Parking Required.
- (1) Applicability. The following standards shall apply to all uses except for single-family, duplex, triplex, fourplex, mobile home, and manufactured home residential uses.
- (2) Required Bicycle Parking Spaces.
- (A) Generally.
- i. Each development subject to this Section 20.04.060(l) (Minimum Bicycle Parking Required) shall provide a minimum of six bicycle parking spaces or the number of bicycle parking spaces required in Table 04-13 (Minimum Bicycle Parking Requirements), whichever is more.
- ii. The minimum number of bicycle parking spaces required in Table 04-13 (Minimum Bicycle Parking Requirements) shall be based on the total number of vehicle parking spaces provided on site or in a permitted off site location to serve the principal uses.

Table 04-13. Minimum Bicycle Parking Requirements

(Percentage of vehicle parking spaces provided on-site or in a permitted off-site location to serve the principal uses)

Use	All Other Zoning Districts	MD Zoning District
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- i. Otherwise allowed pursuant to Section 20.04.060(g)(1) (Shared Parking Facilities); or
 - ii. A vehicle parking garage is listed as a permitted or Conditional Use in the zoning district where the parking lot or parking garage is located pursuant to Table 03-1 (Allowed Use Table).
- (2) Storage of Vehicles or Equipment. Vehicle parking spaces, including both required and excess parking spaces, shall not be used for storing vehicles that are not used in conjunction with the primary use of the lot. In addition, all outdoor parking of vehicles in all zoning districts shall comply with the following standards:
- (A) Vehicles and trailers shall not be stored or parked on an unimproved surface.
 - (B) Stored or parked vehicles shall not block, impede, or otherwise encroach upon a sidewalk.
 - (C) Stored or parked vehicles shall not be used for other purposes, including, but not limited to, living quarters, or storage of materials.
- (3) Motor Vehicle Repair.
- (A) Motor vehicle repair work in parking areas shall be permitted in residential districts, provided that the vehicle under repair is owned by the occupant of the residential property; the frequency, duration, and scope of such use is reasonable and customary as accessory to the residential use; and no business is being conducted in conjunction with such repair use.
 - (B) Motor vehicle repair work in parking areas, including both required and excess parking spaces, shall be prohibited in all other zoning districts.
 - (C) A maximum of three wrecked or inoperable vehicles awaiting repair may be stored on site at one time. No such vehicle shall be stored on site in excess of thirty days.
- (4) Vehicles and Trailers. Except for uses where auto repair is authorized, the parking of vehicles or trailers of any type without current license plates or in an inoperable condition shall be prohibited for periods in excess of thirty days, unless such vehicle or trailer is completely enclosed within a building or within an approved salvage or scrap yard.
- (5) Storage, Occupancy, or Similar Uses. Vehicles, campers or tractor/trailers of any type shall not be used for the purpose of storage, occupancy, or similar use.
- (o) On-street Parking Standards for Private Streets. The following standards related to on-street parking apply to all developments where the City has approved the use of private streets that have not been dedicated to the City.
- (1) No Parking Signs. Any side of a street where parking is not permitted shall be clearly delineated with yellow curbs or no parking signs noting such restrictions.
 - (2) Bump-outs.
 - (A) Bump-outs may be required at street intersections where on-street parking is used. Where required, bump-outs shall use a six-inch standing curb, unless the City determines that a curb and gutter is required based on considerations of public safety, utility design, or site constraints.
 - (B) Bump-outs shall be designed to extend a minimum of eight feet from the curb line and may not reduce the travel lane widths below the standards of the Transportation Plan. The City may allow alternative bump-out widths based on considerations of public safety, utility design, or site constraints.
 - (C) Bump-outs shall be installed at angles greater than ninety degrees away from the street curb to facilitate street maintenance and shall use designs approved by the [Engineering](#)

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~~Department Transportation and Traffic Engineer~~ based on considerations of pedestrian and traffic safety and efficient maintenance.

- (p) Outdoor Storage. In all zoning districts, except for the MI zoning district, outdoor storage of equipment, materials, waste or scrap materials, and pallets is prohibited. Shipping containers, cargo containers, ~~dumpsters~~, and portable on-demand storage units may not be used for long-term storage, and may only be located on a lot or parcel, unless otherwise approved by the Municipal Code:
- (1) To provide storage for construction projects during the period of an approved construction project on the same lot or parcel; or
 - (2) During the process of being loaded or unloaded, the duration of which may not exceed seventy-two consecutive hours.

(Amd. of 1-14-2020; Ord. No. 20-07, § I(Att. B), 4-15-2020; Ord. No. 21-15, § II (Att. A), 4-21-2021; Ord. No. 21-18, § II (Att. A), 4-21-2021; Ord. No. 21-22, § II (Att. A), 4-21-2021; Ord. No. 22-08, § II(Att. A), 5-18-2022; Ord. No. 22-10, § II(Att. A), 5-18-2022; Ord. No. 23-06, § 2(Att. A), 4-19-2023; Ord. No. 23-10, § 2(Att. A), 6-21-2023; Ord. No. 2024-03, § II(Att. A), 4-10-2024; Ord. No. 2024-04, § II(Att. A), 4-10-2024; Ord. No. 2024-04, § II(Att. A), 4-10-2024; Ord. No. 2024-17, § II(Att. A), 9-18-2024; Ord. No. 2025-11, § II(Att. A), 5-21-2025; Ord. No. 2025-12, § II(Att. A), 5-21-2025; Ord. No. 2025-29, § II(Att. A), 8-6-2025; Ord. No. 2025-41, § II(Att. A), 11-19-2025)

20.04.070 Site and building design.

- (a) Purpose. The intent of this Section 20.04.070 (Site and Building Design), is to establish site and building design standards that foster high-quality, attractive, and sustainable development that is compatible with Bloomington's principles and policies. The standards are further intended to:
- (1) Protect and enhance the character and quality of Bloomington's neighborhoods;
 - (2) Protect and enhance the long-term market value of property within Bloomington;
 - (3) Enhance the human and pedestrian scale of new developments and ensure compatibility between residential neighborhoods and adjacent nonresidential uses;
 - (4) Mitigate negative visual impacts arising from the scale, bulk, and mass of large buildings and centers;
 - (5) Promote building designs and construction practices that are sustainable and adaptable to multiple uses for extended building lifecycles;
 - (6) Minimize negative impacts of on-site activities to adjacent uses; and
 - (7) Balance the community's economic and aesthetic concerns.
- (b) Applicability.
- (1) Compliance with this Section 20.04.070 (Site and Building Design) shall be required pursuant to Section 20.04.010 (Applicability) and the specific applicability criteria established in Sections 20.04.070(c) (MD District) through 20.04.070(e) (Projects Abutting to Historic Buildings).
 - (2) Any exterior renovation of a building shall comply with this Section 20.04.070 (Site and Building Design) for the portions of the building affected by the renovation. If the renovation is proposed for only a portion of a building, the Planning and Transportation Director may waive compliance with the site and building design standards if that renovation would be inconsistent with the overall design of the existing structure.
- (c) MD District.
- (1) Generally. Notwithstanding subsections (d) and (e) below, all construction activity shall be subject to the design standards set forth in the applicable Downtown Character Overlay as specified in Section

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20.02.030(g) (MD: Mixed-Use Downtown) and Section 20.02.060(a) (DCO: Downtown Character Overlay District).

- (2) Street Lighting Plans in the MD District. All certified street lighting plans proposed for the MD district shall be consistent with the design recommendations of the City of Bloomington Downtown Vision and Infill Strategy Plan and shall comply with the following:

(A) Generally.

- i. Pedestrian scaled street lighting shall be provided as approved by the Board of Public Works.
- ii. Pedestrian scaled street lighting shall not exceed fifteen feet in height. [Additional street lighting may be required, as determined to be necessary by the City Engineer and approved by the Board of Public Works.](#)

(B) Lighting Fixture Styles.

- i. Lighting fixture styles shall generally conform to the prevailing pattern of street lighting found on adjacent properties and street block faces.
- ii. All pedestrian scaled street lighting in the MD district shall be of a traditional design style (gas lamp, acorn, or similar decorative style) except as otherwise provided below.
- iii. Properties in the following Downtown Character Overlays may use traditional or contemporary design styles:
 1. Downtown core;
 2. University village (excluding Kirkwood Corridor and Restaurant Row);
 3. Downtown gateway; and
 4. Showers technology.

(d) Building Design.

- (1) Third-Party Review. The Planning and Transportation Director may retain an independent third-party consultant to review any proposed building design in order to assist with review of compliance with the standards in this Section 20.04.070(d) (Building Design). Where the decision on an application is made by the Plan Commission or City Council (as shown in Table 06-1), the consultant may offer alternative compliant design option(s) that addresses each element of building design addressed in this Section 20.04.070(d) (Building Design). The body making the final decision on the application may approve some or all of the suggested design options if it determines that the suggested option:

- (A) Significantly enhances the visual appeal of the building;
- (B) Significantly enhances the perceived quality of the building facades visible from public streets;
- (C) Creates no adverse impacts on surrounding properties beyond those that would be permitted if the standards in this Section 20.04.070(d) (Building Design) were applied; and
- (D) Strengthens the public-private interaction at the street level.

(2) Mixed-Use and Nonresidential.

- (A) Applicability. The following standards shall apply to parcels in the MN, MM, MC, MS, ME, MI, and MH zoning districts.
- (B) Exceptions. Single-family detached, duplex, triplex, and fourplex dwellings shall not be subject to the architectural standards of this Section 20.04.070(d)(1) (Third Party Review). Such residential

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- iii. Variations in texture and color elements shall repeat vertically a minimum of every thirty feet.
 - (F) Eaves and Roofs. Buildings with sloped roofs (those greater than three to twelve pitch) visible from any roadway shall contain overhanging eaves, extending no less than two feet past the supporting walls, and consist of shingles, shakes, tile, standing-seam metal, or V-rib metal. Flat roofs (those less than three to twelve pitch) shall include a parapet on supporting walls and may use a flat roof with a rubber membrane or other similar approved material.
 - (G) Three-Hundred-Sixty-Degree Architecture. Those sides of a building that are not visible from the street frontage shall have a finished facade that is similar to the visible facades in terms of materials and architectural detailing.
 - (H) Primary Pedestrian Entry.
 - i. One primary pedestrian entrance shall be provided for every facade facing a street. This includes a sidewalk connection to the adjacent public or private right-of-way.
 - ii. On corner or through lots, the facade facing the higher classified street shall have the primary pedestrian entrance. For purposes of this section, I-69 shall not be used as the higher classified street.
 - iii. The pedestrian entry shall contain at least three of the following architectural details:
 - 1. Pilasters, change in building mass, or a distinct facade module projection;
 - 2. Public art display;
 - 3. Prominent building address, building name, and eEnhanced exterior light fixtures, such as wall sconces or light coves;
 - 4. Raised corniced entryway parapet; or
 - 5. Recessed or framed sheltered element of at least three feet in depth to protect pedestrians from weather;
 - 6. Integral planters or wing walls that incorporate landscaping or seating.
 - (I) Windows on Primary Facades. All first-story windows on the facade of a primary structure shall be transparent and shall not make use of dark tinting or reflective glass.
 - (J) Anti-Monotony Standards. In the case of new construction of multifamily units, any development containing more than three individual buildings shall incorporate the following variations to break up monotony in design:
 - i. Differences in rooflines;
 - ii. Differences in building footprint;
 - iii. Differences in the number of floors per building.
 - (K) Street Addresses.
 - i. Street address displays shall consist of Arabic numerals (e.g., one, two, three...) no less than eight inches in height. For multifamily uses, the address display shall be a minimum of five inches and a maximum of ten inches in height.
 - ii. Street address displays shall be placed above all exterior entrances visible from a public street, private drive, or parking lot.

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- iii. All street addresses shall contrast with the color of the surface on which they are mounted, shall consist of reflective materials, and shall be clearly visible and identifiable from the street.
- (3) Residential.
- (A) Applicability. The following standards shall apply to the construction, expansion, addition, or alteration of any building in the R1, R2, R3, R4, RM, RH and RMH zoning districts.
- (B) Materials. Primary exterior finish building materials used on residential dwellings shall consist of any of the following:
- i. Horizontal lap siding (e.g., vinyl, cementitious, wood);
 - ii. V-grooved tongue-and-groove siding;
 - iii. Wood-grained vertical siding materials in a board-and-batten or reverse batten pattern;
 - iv. Cedar or other wood materials;
 - v. Stucco, plaster, or similar systems (excluding EIFS);
 - vi. Stone;
 - vii. Split face block, ground face block, or brick;
 - viii. Cast or cultured stone;
 - ix. Cast in place concrete;
 - x. Earthen structural materials;
 - xi. Metal panel or siding (minimum twenty-fix gauge) factory fabricated and finished system with smooth, embossed, or consistent rib pattern and concealed fasteners (except corrugated); or
 - xii. Other materials that replicate the look and durability of the above materials, as approved by the staff.
- (C) Minimum Coverage. Exterior finish building materials listed above, or a combination of such materials, shall extend from roofline to within six inches of finished grade.
- (D) Foundations. All buildings shall be placed on permanent foundations.
- (E) Roofs.
- i. For attached and detached single-family dwellings, duplex, triplex, fourplex, and multifamily dwelling units that have sloped roofs, the roof shall consist of shingles, shakes, tile, standing-seam metal, or V-rib metal. Additions to attached or detached single-family dwelling units may use flat roofs (less than a three to twelve roof pitch) [with a rubber membrane or other similar approved material](#).
 - ii. Primary structures larger than one thousand square feet of gross floor area may use a flat roof (less than three to twelve roof pitch) with a parapet and shall comply with any applicable standards established in Section 20.03.030 (Use-Specific Standards).
- (F) Rain Gutters and Downspouts. Rain gutters and downspouts are required.
- (G) Uniform Architecture. When the rear or side facade of a newly constructed building is adjacent to a street, the architecture of these facades shall be made to match that of the front facade. Such matching shall occur through use of similar materials, window/doorway openings, variation in rooflines, or fenestration.

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- (B) Utility Infrastructure.
- i. Trees shall be located to avoid significant interference with overhead or underground utilities, including lateral connections.
 - ii. Large canopy trees shall be planted at least ten feet from public sanitary sewer, water service lines, and natural gas lines. Medium and small trees shall be planted at least five feet from public sanitary sewer, water service lines, and natural gas lines, except that medium and small trees planted less than five feet from public sanitary sewer, water service lines, and natural gas lines may be approved by the Planning and Transportation Director.
 - iii. A tree crown may project over a right-of-way or easement.
 - iv. All landscape plans shall also be reviewed by the utilities department to ensure that there are no conflicts between proposed landscape and utility lines.
 - v. Where utility lines pass overhead of a tree plot, medium or small trees may be used with approval of the Urban Forester.
 - vi. Where utility lines or ~~tree plot~~~~tree plot~~ widths are an impediment to planting large, canopy trees in a tree plot, the Urban Forester may approve medium or small trees.
- (C) Vehicular and Pedestrian Movement. Plant materials shall be located to avoid interference with vehicular and pedestrian movement and shall not project over sidewalks, paths, or trails below a height of eight feet. Plant materials shall not project over street curbs or pavement within rights-of-way or access easements below a height of fifteen feet.
- (D) Vision Clearance. Landscape materials shall be located to avoid interference with visibility per Section 20.04.050(c)(4) (Vision Clearance Triangle).
- (E) Green Infrastructure. All green infrastructure facilities, including detention basins, bioswales, and raingardens shall be planted with only native seed and/or plugs.
- (F) Installation Prior to Occupancy. All landscaping required by the approved site plan shall be installed and inspected prior to issuance of a recommendation for final occupancy, unless an extension is approved by the Planning and Transportation Department for weather-related or unique circumstances.
- (2) Plant Material Standards.
- (A) Live Plantings. All plant material shall be living and healthy. Dead, diseased or artificial plants shall not be recognized as contributing to required landscape treatments.
- (B) Species Identification. New plantings shall have species identification tags on the plant or paid purchase identification labels on the plants during the final inspection. A receipt with purchase order for plantings may be submitted prior to inspection in lieu of tags or labels on site.
- (C) Prohibited Plant Species. Species identified as invasive, detrimental, or noxious shall not be planted under any circumstances and will not be counted toward landscape requirements. Unless specifically approved by the City Urban Forester or Senior Environmental Planner, the use of columnar trees is not permitted.
- (D) Species Diversity.
- i. On sites that require an aggregate total of twenty or more new trees, any given genus of tree shall be limited to a maximum of twenty percent of the total number of newly planted trees on site. On sites that require an aggregate total of forty or more shrubs, any given genus of shrubs shall be limited to a maximum of thirty percent.

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- ii. Where shrubs are required to be planted, up to fifteen percent of the total number of required shrubs may be substituted with perennial forb species, graminoids, or ferns. [If substitutions are intended for use in stormwater management facilities, a maximum of 30 percent may be substituted or as approved by the Planning and Transportation Director.](#) This does not apply to shrubs required as part of a landscape buffer requirement per Section 20.04.080(g). Any substituted plants used toward parking lot perimeter requirements shall be species that typically grow to be at least four feet in height, and shall be maintained in accordance with Section 20.04.120(a) (Landscaping).

(E) New Planting Sizes. The following minimum sizes shall apply to all required plant material:

- i. Deciduous Trees. All newly planted deciduous trees shall be at least two-inch caliper. [The size for street tree plantings may be reduced to one and a half inch caliper if approved by the Urban Forester.](#)
- ii. Evergreen Trees. All newly planted evergreen trees shall be at least six feet in height.
- iii. Shrubs. Shrubs shall be at least three-gallon container size and a minimum of eighteen inches in height.

(F) Substitution.

- i. Public Art. The Planning and Transportation Department may allow up to five percent of the minimum landscape area requirement to be replaced with public art. Public art shall not replace required buffer yard landscaping as required by Section 20.04.080(g) or required parking lot landscaping required by Section 20.04.080(h) and shall not count towards impervious surface area on the lot.
- ii. Existing Vegetation.
 - 1. The City Planning and Transportation Department may permit the substitution of required on-site landscape with existing vegetation provided that the existing vegetation is in good health and quality and is found on the permitted plant list in this UDO. Existing street trees can be used to meet street tree requirements on a one-to-one basis, no credit for DBH shall be given for street trees to be preserved.
 - 2. Vegetation preserved to meet the requirements of Section 20.04.030(h), (Tree and Forest Preservation), may be substituted for required landscaping, provided it meets the requirements of Section 20.04.080(c)(2).
 - 3. Existing vegetation listed in Section 20.04.080(d), shall be credited towards required landscaping based on the following values:
 - [a] Deciduous Trees. A credit of one tree per every four inches DBH of an existing qualified deciduous tree is earned. No single existing tree shall count towards more than four individual required trees.
 - [b] Evergreen Trees. A credit of one tree per every twelve feet in height of an existing qualified evergreen tree is earned. No single existing tree shall count towards more than three individual required trees.
 - [c] Shrubs. A credit of one shrub per every one existing qualified shrub is earned.

(G) Ground Cover.

- i. Except in the PO zoning district, turf grass and other vegetative ground cover shall be used for all landscaped areas, except as listed below. Crushed rock or gravel is not allowed as ground cover.
 - 1. Parking lot bumpouts, islands, endcaps smaller than three hundred twenty-four square feet may use mulch.
 - 2. Areas within twenty-four inches of a building foundation and underneath staircases may use decorative mulch or decorative stone. [Mulch or decorative stone may be used within twelve inches of ground-mounted mechanicals.](#)
 - 3. For single-family, duplex, triplex, and fourplex uses, mulch, and decorative stone may only be used in defined landscape beds with raised borders and occupy no more than thirty percent of a property.
- ii. Except as provided in Section 20.04.080(c)(2)(G)(i), decorative mulch shall not be used as groundcover except no more than four feet in diameter surrounding shrubs, no more than one foot in diameter from perennials and grasses, and shall be no more than six feet in diameter surrounding trees.
- iii. Except as provided in Section 20.04.080(c)(2)(G)(i), decorative stone may not be used as groundcover.
- iv. Approved stormwater detention and retention facilities may utilize decorative mulch or stone on a one-time basis at time of installation as allowed or required by City of Bloomington Utilities. Landscaping stone or riprap or other non-vegetative material may be incorporated in stormwater treatment alternatives, such as swales or culvert outfalls, as approved by City of Bloomington Utilities.
- v. Mulch is allowed for use on defined paths with raised borders that are less than four-foot-wide. Areas used for paths shall count as impervious surface coverage.

[\(H\) Plastic Netting: Under no circumstances shall plastic netting or mesh be used on site for any type of landscaping.](#)

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(3) Tree Protection.

- (A) Any existing trees intended to be preserved and counted toward minimum landscape requirements shall be protected during the entire duration of construction [by a Tree Protection Barrier. The Tree Protection Barrier shall be installed at the Tree Protection Zone and be at least 4 feet tall, highly visible, sturdy, and have warning signs on or near it for the duration of the construction activity.](#)
- (B) Construction activities shall be prohibited within the tree protection zone, a three-foot minimum radius surrounding the dripline of the tree.
- (C) No equipment or supply storage, equipment movement, rest or picnicking area, or any land disturbing activities shall be allowed in the tree protection zone.
- (4) Alternatives Authorized. A reduction in the count, configuration, or location of required landscaping materials may be allowed when alternatives are justified by site or development conditions. The petitioner shall provide justification for the use of alternatives and shall demonstrate how compliance with the standard(s) from which a deviation is sought will be achieved to the maximum extent practicable.
 - (A) Conditions that may justify approval of an alternative landscape plan include:
 - i. Unique lot size or configuration;

Bur Oak	<i>Quercus macrocarpa</i>
Chestnut Oak	<i>Quercus montana</i>
Chinkapin Oak or Chinquapin Oak	<i>Quercus muehlenbergii</i>
Willow Oak	<i>Quercus phellos</i>
Red Oak	<i>Quercus rubra</i>
Shumard Oak	<i>Quercus shumardii</i>
Post Oak	<i>Quercus stellata</i>
Black Oak	<i>Quercus velutina</i>
Bald Cypress	<i>Taxodium distichum</i>
Basswood or American Linden	<i>Tilia americana</i>
American Elm	<i>Ulmus Americana</i> (resistant cultivars)
Medium Street Trees—25 feet to 45 feet at mature height	
Downy Serviceberry	<i>Amelanchier arborea</i>
River Birch	<i>Betula nigra</i>
American Hornbeam or Blue Beech	<i>Carpinus caroliniana</i>
Yellowwood	<i>Cladrastis kentukea</i>
Hop Hornbeam or Ironwood	<i>Ostrya virginiana</i>
Sourwood	<i>Oxydendrum arboretum</i>
Blackjack Oak	<i>Quercus marilandica</i>
(Crimson Spire Oak)	(<i>Quercus robur</i> x <i>Q. alba</i> 'Crimschmidt')
(Regal Prince Oak)	(<i>Quercus robur</i> 'Fastigiata' x <i>Q. bicolor</i> 'Long')
Small Street Trees—Under 25 feet at mature height	
Apollo Maple	<i>Acer saccharum</i> 'Barrett Cole'
Shadblow Serviceberry	<i>Amelanchier canadensis</i>
Allegheny Serviceberry	<i>Amelanchier laevis</i>
(Apple Serviceberry hybrids)	(<i>Amelanchier</i> x <i>grandiflora</i>)
Eastern Redbud	<i>Cercis canadensis</i>
Flowering Dogwood	<i>Comus florida</i>
(Smoke Tree)	(<i>Continus obovatus</i>)
Thornless Cockspur Hawthorn	<i>Crataegus crus-galli</i>
Washington Hawthorn	<i>Crataegus phaenopyrum</i>
Green Hawthorn	<i>Crataegus viridis</i>
Note: Bold text indicates evergreen species Parentheses indicates prohibited as an interior tree	

Table 04-15. Permitted Interior Tree Species

Common Name	Scientific Name
Large Interior Trees—45 feet or more at mature height	
Black Maple	<i>Acer nigrum</i> (now a subspecies of <i>acer saccharum</i>)
Red Maple	<i>Acer rubrum</i>
Sugar Maple	<i>Acer saccharum</i>
Yellow Buckeye	<i>Aesculus flava</i> (formally <i>A. octandra</i>)
Ohio Buckeye	<i>Aesculus glabra</i>
Bitternut Hickory	<i>Carya cordiformis</i>
Pignut Hickory	<i>Carya glabra</i>
Northern Pecan	<i>Carya illinoensis</i>

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Shellbark Hickory	<i>Carya laciniosa</i>
Shagbark Hickory	<i>Carya ovata</i>
Mockernut Hickory	<i>Carya tomentosa</i>
Northern Catalpa	<i>Catalpa speciosa</i>
American Beech	<i>Fagus grandfolia</i>
Black Walnut	<i>Juglans nigra</i>
Eastern Red Cedar	<i>Juniperus virginiana</i>
Sweetgum	<i>Liquidambar styraciflua</i>
Cucumber Tree	<i>Magnolia acuminata</i>
White Pine	<i>Pinus strobus</i>
Virginia Pine	<i>Pinus virginiana</i>
Black Cherry	<i>Prunus serotina</i>
Chestnut Oak	<i>Quercus montanapriaus</i>
Black willow	<i>Salix nigra</i>
Canadian or Eastern Hemlock	<i>Tsuga canadensis</i>
Medium Interior Trees—25 feet to 45 feet at mature height	
Southern Catalpa	<i>Catalpa bignonioides</i>
Downy Hawthorn	<i>Crataegus mollis</i>
Persimmon	<i>Diospyros virginiana</i>
American Holly	<i>Ilex opaca</i>
Sassafras	<i>Sassafras albidum</i>
American Arborvitae	<i>Thuja occidentalis</i>
Small Interior Trees—Under 25 feet at mature height	
Red Buckeye	<i>Aesulus pavia</i>
Devil's Walking Stick	<i>Aralia spinosa</i>
Pawpaw	<i>Asimina triloba</i>
Pagoda Dogwood	<i>Cornus alternifolia</i>
Down Hawthorn	<i>Crataegus mollis</i>
Silverbell	<i>Halesia carolina</i>
American Plum	<i>Prunus americana</i>
Chickasaw Plum	<i>Prunus angustifolia</i>
Chokecherry Single Stem	Prunus virginiana - Canada red or sucker punch
Hoptree	<i>Ptelea trifoliata</i>
Dwarf Chinquapin Oak	<i>Quercus prinoides</i>
Winged Sumac or Shining Sumac	<i>Rhus copallina</i>
Shining Sumac or Smooth Sumac	<i>Rhus glabra</i>
Staghorn Sumac	<i>Rhus typhina</i>
Note: Bold text indicates evergreen species	

Table 04-16. Permitted Shrub Species

Common Name	Scientific Name
Indigo Bush	<i>Amorpha fruticosa</i>
Red Chokeberry	<i>Aronia arbutifolia</i>
Black Chokeberry	<i>Aronia melanocarpa</i>
New Jersey Tea	<i>Ceanothus americanus</i>
Buttonbush	<i>Cephalanthus occidentalis</i>

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(f) Street Trees.

- (1) Number. The minimum number of required street trees to be planted shall be one large canopy tree for every thirty feet of property that abuts a public right-of-way. If medium or small trees are allowed, two medium or small trees can be substituted for each large canopy tree.
- (2) Type. Street tree species shall be subject to approval by the City's urban forester based on hardiness, seasonal appearance, and contribution to shading and cooling.
- (3) Location.
 - (A) Freeway/Expressway. Street trees along a limited-access highway shall be planted within fifteen feet of the property line that abuts the limited-access highway. No trees shall be planted in the right-of-way.
 - (B) Arterial, Collector, Local or Private Street. Street trees along an arterial, collector, local, or private street shall be planted in a minimum five-foot-wide tree plot between the sidewalk and the curb. If a tree plot is not available, then the street trees shall be planted within the front yard immediately adjacent to the street and within four feet, or as required for utility separation, of any public pedestrian facilities. Street trees planted within the front yard shall not count towards other landscaping requirements.
 - (C) Separation. The spacing between adjacent street trees shall be no less than ten feet from the center of one tree to the next. Street trees shall be planted no more than thirty feet apart, from the center of one tree to the next, except that street trees with separation exceeding thirty feet may be approved by the Planning and Transportation Department because of site constraints, such as utility or driveway location.
 - (D) Tree Grates. Street trees may be planted in a minimum five foot by five-foot tree pit covered with an ADA compliant cast iron grate to maintain a flush grade with adjacent sidewalks.
 - (E) Planting. All street trees shall be planted, stabilized, and mulched according to this UDO and the Administrative Manual.
 - (F) Vision Clearance.
 - i. Street trees shall be planted 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.
 - ii. Low-branching species shall not be allowed within fifty feet of an intersection.
 - iii. Locations for street trees within fifty feet of an intersection shall be approved by the City Engineering Department.
 - iv. Street trees shall be located a minimum of ten feet from a driveway cut, traffic control sign, or streetlight, and a minimum of three feet from a fire hydrant.
- (4) MD District.
 - (A) Generally. Street trees shall be planted in a minimum five foot by five-foot tree pit covered with an ADA compliant cast iron grate to maintain a flush grade with adjacent sidewalks, subject to approval by the Engineering Department~~City Urban Forester~~.
 - (B) Alternatives. The following street tree planting methods may be used in lieu of the five-foot by five-foot grate, subject to approval by the Engineering Department~~transportation and traffic engineer~~.

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			options below may be used: A 6-foot opaque fence; or A stone/brick wall; or A 5-foot tall undulating berm planted with shrubs
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Notes:

[1] The buffer yard setback is measured from the property line along the boundary between the subject and adjoining properties.

(4) Buffer Yard Requirements. Buffer yards shall be required by the developing use pursuant to Table 04-20 (Required Buffer Yards).

Table 04-20. Required Buffer Yards

Developing Site Property Zoning District	Adjacent Zoning District							
	R1/R2/R3/R4	RMH	RM/RH	MS	MN	MD	MM/MC	ME/MI/MH/EM
RMH	2							
RM/RH	1	1						
MS	2	2						
MN	1	1						
MD	1	1						
MM/MC	2	2	2	2	2	1		
ME/MI/MH/EM	3	3	2	2	2	1	1	
Notes: [1] The uses Dwelling, single-family (attached); Dwelling, single-family (detached); Dwelling, duplex; Dwelling, triplex; and Dwelling, fourplex do not have to provide a buffer yard, even if on the 'Developing Site'.								

(h) Parking Lot Landscaping.

(1) Parking Lot Perimeter Treatment. ~~Parking lots shall be screened from streets and adjacent uses using a combination of plant materials, decorative fences, decorative walls, and/or earthen berms.~~ Parking lots with four or more spaces shall have the following ~~requirements~~ perimeter treatment:

(A) Minimum Landscape Width.

i. Generally, A landscape area a minimum of eight feet in width shall be provided along all parking lot perimeter areas ~~unless there is a primary building within ten feet of the parking area abutting another property or a public right-of-way.~~ This standard does not apply to those portions of a development site where shared parking, access, or other site features adjoin at the property line.

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ii. MD Zone District. A minimum of one of the following perimeter landscape treatments shall be applied in the MD zoning district:

1. A landscape area a minimum of five feet in width shall be provided along all surface parking lot perimeter areas abutting another property or a public right-of-way. This standard does not apply to those portions of a development site where shared parking, access, or other site features adjoin at the property line; or
2. A decorative wall shall be installed along the perimeter of the parking area except for parking spaces where vehicles back out into the public right-of-way. Decorative walls shall be a minimum of thirty inches and a maximum of forty-two inches in height and may incorporate breaks to allow for pedestrian movement.

(B) Trees.

- i. Number. Parking lot perimeter areas shall contain a minimum of one tree for every 35 lineal feet surrounding the parking lot area excluding vehicular access aisles with no adjacent parking spaces per four parking spaces.
- ii. Type. A minimum of seventy-five percent of the required trees shall be large, canopy trees.
- iii. Location. Trees shall be planted within ten feet of the parking lot edge.

(C) Shrubs.

- i. Number. Parking lot perimeter areas shall contain a minimum of ten shrubs and ten shrubs/perennials for every thirty-five lineal feet surrounding the parking lot area excluding vehicular access aisles with no adjacent parking spaces ~~three shrubs per one parking space.~~
- ii. Location. Shrubs and perennials shall be planted within five feet of the parking lot edge. In situations where there is a sidewalk immediately adjacent to a parking area, the required shrubs must be within five feet of the edge of the sidewalk.
- iii. Height. Shrubs planted in parking lot perimeter areas shall be selected from species that grow to a minimum height of four feet.

(2) Landscape Bumpouts, Islands, and Endcaps. Parking lots with twelve or more parking spaces shall be subject to the following interior landscaping requirements. All areas within the surfaced parking area are counted, including curbed areas, parking spaces, and all interior driveways and aisles adjacent to parking spaces. Only driveways and aisles with no parking spaces located on either side are excluded from the interior area calculation. Landscaping used to meet parking lot perimeter landscaping shall not count toward interior landscaping requirements.

(A) Number. Parking lots with twelve or more parking spaces shall provide one landscape bumpout, island, or endcap per every ten parking spaces. Interior Landscape Area. Parking areas shall be landscaped with the following minimum interior planting areas: i. 0 to 49,999 square feet= 5% ; ii. 50,000 to 149,999 square feet= 8%; iii. 150,000 square feet or larger= 10%

(B) Interior Islands Minimum Area. The width and length of each required landscape bumpout, island, or endcap shall be equal to the width and length of the adjacent parking space. Landscaped islands of at least 162 square feet shall be provided every nine (9) spaces or less within a row of spaces.

(C) Endcap Island. Landscaped bumpouts, islands, or endcaps of at least 162 square feet shall be installed to control vehicular circulation and define major drives. Minimum Planting. Each landscape bumpout, island, or endcap shall contain at least one large canopy tree. Where a

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bumpout, island, or endcap area is equal to the width and length of two parking spaces, a minimum of two large canopy trees shall be provided. Required trees within bumpouts, islands, or endcaps do not count toward required street tree totals, required parking lot perimeter area tree totals, or required interior plantings tree totals.

- (D) Minimum Planting. Landscaped islands of at least 162 square feet shall contain at least one Large Interior Tree, 10 shrubs, and 10 shrubs/perennials. Landscape strips between two facing parking aisles can also be used to meet the interior planting requirement. Landscape strips between 2 facing parking aisles shall be a minimum of 5 feet wide and contain one tree and 10 shrubs for every 18 lineal feet. Stormwater Filtration. Parking lot bumpouts, islands, or endcaps shall be installed in order to meet Title 13 (Stormwater) of the Bloomington Municipal Code.

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- (E) Placement. Landscape bumpouts, islands, or endcaps shall be installed to control vehicular circulation and define major drives. Such islands shall be placed at intervals of no more than ten consecutive spaces. Stormwater Filtration. Parking lot bumpouts, islands, or endcaps may be installed in order to meet Title 13 (Stormwater) of the Bloomington Municipal Code. Those used to meet Title 13 requirements may have less landscaping than listed in (D) above as approved by the Planning and Transportation Department.

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(i) Multifamily Development Landscaping.

- (1) Interior Plantings. The minimum landscape area on a site not covered by a structure, parking lot, accessway, required buffer yard, or other pervious surface as established in Section 20.04.020 (Dimensional Standards) shall be planted with the following:

- (A) A minimum of fourteen large canopy trees, five evergreen trees, and five medium or small canopy trees per acre.

- (B) A minimum of thirty-six shrubs per acre, with a minimum of fifty percent of the required shrubs being evergreen species. One small/medium canopy ornamental tree may be substituted for every four shrubs; however, substitution shall not exceed fifty percent of the required shrubs.

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- (C) Shrubs and ornamental trees along foundation walls of structures shall be planted no closer than two feet and eight feet respectively from the foundation wall.

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- (2) Parking Lot Landscaping. See Section 20.04.080(h) (Parking Lot Landscaping).

(j) MD District Landscaping.

- (1) Interior Plantings. Any areas of a site not covered by a structure, parking lot, or required buffer yard shall be planted with the following:

- (A) A minimum of one large canopy tree per five hundred square feet. Open areas less than ten feet in width may substitute small/medium canopy ornamental trees for required canopy trees.

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- (B) A minimum of eight shrubs per five hundred square feet, where a minimum of fifty percent of the required shrubs shall be evergreen. One small/medium canopy ornamental tree may be substituted for every four shrubs; however, substitution shall not exceed fifty percent of the required shrubs.

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- (C) Shrubs and ornamental trees along foundation walls of structures shall be planted no closer than two feet and eight feet respectively from the foundation wall.

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- (2) Parking Lot Perimeter Plantings. See Section 20.04.080(h)(1) (Parking Lot Perimeter Treatment).

- (3) Parking Lot Landscape Bumpouts, Islands, and Endcaps. See Section 20.04.080(h)(2) (Landscape Bumpouts, Islands, and Endcaps).

(k) Mixed-Use and Nonresidential Landscaping.

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(1) Interior Plantings. The minimum landscape area on a site, as established in Section 20.04.020 (Dimensional Standards) or areas not covered by an impervious surface or required buffer yard shall be planted with the following:

- (A) A minimum of nine large canopy trees, three evergreen trees, and three medium or small canopy trees per acre. ~~A minimum of seventy five percent of the required trees shall be canopy trees.~~
- (B) A minimum of twenty-seven shrubs per acre, ~~where a minimum of fifty percent of the required shrubs shall be evergreen.~~ One ~~small/medium canopy~~ ornamental tree may be substituted for every four shrubs; however, substitution shall not exceed fifty percent of the required shrubs.
- (C) Shrubs and ~~ornamental~~ trees along foundation walls of structures shall be planted no closer than two feet and eight feet respectively from the foundation wall.

(2) Parking Lot Perimeter Plantings. See Section 20.04.080(h)(1) (Parking Lot Perimeter Treatment).

(l) Vacant Lot Landscaping.

(1) Applicability. Except for lots where the primary land use is urban agriculture, vacant lots with frontage on a public street shall be subject to the requirements of this Section 20.04.080(l) (Vacant Lot Landscaping).

(2) Timing. Landscaping or ground cover shall be installed as required in Section 20.04.080(l)(3) (Planting Requirements) on the lot where demolition activity has occurred within one hundred eighty days after the issuance of a demolition permit, unless:

- (A) The City Planning and Transportation Department has granted an extension of time due to the need for more time to complete demolition activities or due to the presence of seasonal or inclement weather; or
- (B) A site plan has been approved for the reuse of the property. If an approved site plan has expired and has not been renewed, landscaping as outlined in Section 20.04.080(l)(3) (Planting Requirements) shall be installed within one hundred eighty days after site plan expiration.

(3) Planting Requirements.

- (A) For lots of one-half acre or less, the entire lot containing the demolition activity shall be covered with grass or other suitable ground cover. No ground cover is required in locations where existing vegetation, remaining structures, or parking areas serving such remaining structures still exist.
- (B) For lots greater than one-half acre, one of the following landscaping options must be selected:
 - i. The entire area disturbed for demolition shall be covered with grass or other suitable ground cover; or
 - ii. A ten-foot-wide planting area shall be installed along the property line bordering the entire area disturbed for demolition from any public street. Evergreen shrubs that grow to a minimum height of at least four feet shall be planted every three feet within these planting areas.

(m) Screening.

(1) Roof-Mounted Mechanical Equipment.

- (A) Roof-mounted mechanical equipment shall be screened by a parapet wall or similar feature that is an integral part of the building's architectural design.
- (B) The parapet wall or similar feature shall be sufficient to screen the mechanical equipment from all sides when viewed from ground-level.

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- (C) Facilities for the operation of active or passive solar energy systems and other alternate energy systems shall be exempt from the screening requirements.
- (2) Ground-Mounted Mechanical Equipment. The following standards shall apply to all uses except for single-family, duplex, triplex, fourplex, mobile home, and manufactured home residential uses.
- (A) Outdoor ground-mounted mechanical equipment which relates to power supply, watering, heating, ventilating, and similar purposes (including but not limited to subpanels, transformers, air conditioners, heating, cooling and ventilating equipment, kitchen hoods and vents, swimming pool equipment, pumps and heaters, propane tanks, [external refrigerators/freezers](#)), and all other mechanical equipment shall be located where it is not visible from public open space, public trails, public streets, or from adjacent properties to the maximum extent practicable.
- (B) In cases when ground-mounted mechanical equipment outside of the right-of-way is visible from a public open space, public trail, public street, or adjacent property, the equipment shall be screened from view by a solid wall or fence or a vegetative screen that satisfy the following criteria, except that ground-mounted equipment within ten feet of an improved platted alley does not require screening:
- i. The wall or fence shall be of a height equal to or greater than the height of the mechanical equipment being screened and shall be compatible with the architecture and landscaping of the development; or
 - ii. The vegetative screen shall be planted along the full length of the equipment to be screened and shall be of a height equal to or greater than the height of the equipment to be screened at the time of planting.
 - iii. If a piece of ground mounted equipment can not be screened from view, then options for public art shall be explored for the equipment with the City Economic and Sustainable Development Department. If art can be installed, it shall be.
- (C) Screening of ground-mounted solar energy equipment is not required.
- (3) Loading, Service, and Refuse Areas.
- (A) Outdoor loading, service, and refuse areas shall be integrated into the building design if possible or shall be located where they are not visible from public open space, public trails, public streets, or from adjacent properties, to the maximum extent practicable.
- (B) Refuse areas shall not be located within the front setback and shall be a minimum of five feet from side and rear property lines, except for:
- i. Side and rear locations adjacent to alleyways;
 - ii. Side and rear locations adjacent to the R1, R2, R3, and R4 zoning districts shall have a minimum twenty-five-foot setback from the respective property lines.
- (C) In cases when loading, service, and refuse areas are visible from a public open space, public trail, public street, or adjacent property, the loading, service, and refuse areas shall be screened from view by:
- i. A solid wall or fence a minimum of six feet in height, or high enough to ensure that the contents of the enclosure are not visible from adjacent parcels or public rights-of-way. Such enclosures shall match the general design and materials of the primary structure (but excluding unfinished CMU block). At least one side of such fence or wall shall incorporate a movable gate for access.

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- ii. The use of chain-link fencing for loading, service, or refuse area screening, including the access gate, shall be prohibited.
- (4) Design.
- (A) Outdoor trash receptacles, dumpsters, compactors and similar containers shall be placed on an impervious surface.
- (B) Screened outdoor storage facilities shall be adequately protected from damage by vehicles through the installation of bollards and shall be properly maintained and kept in good repair at all times.
- (n) Fences and Walls.
- (1) Applicability. Unless otherwise provided below, this Section 20.04.080(n) (Fences and Walls) shall apply to all new development.
- (A) Fences and walls used to screen trash receptacles, mechanical equipment, and other areas requiring screening are exempt from the height limits in Section 20.04.080(n)(3) (Fence and Wall Height); however they shall not be less than six feet in height.
- (B) Utility substation and transmission facilities, quarry and stone processing, jails, detention facilities, kennels, and prisons are exempt from Section 20.04.080(n)(3) (Fence and Wall Height).
- (C) Retaining walls are exempt from the height standards but shall be constructed in accordance with manufacturer's specifications or generally accepted engineering standards.
- (D) Fences and walls used to screen swimming pools shall not be less than five feet in height or greater than eight feet in height.
- (E) Fences and walls located in the PO and MI zoning districts are exempt from height standards.
- (F) Decorative features of fences such as post tops are exempt from height requirements provided, they extend no more than twelve inches from the top of the fence and are spaced at least eight feet apart.
- (G) Fences intended exclusively to protect food garden plots from animals shall not be more than twelve feet in height. The portion of the fence that exceeds five feet in height shall, by the use of voids and solids via latticework or other similar techniques, be of open construction. This portion of the fence shall be constructed of materials widely accepted in the fence industry for garden protection.
- (2) Fence and Wall Location.
- (A) Fences and walls shall be permitted up to the property line.
- (B) No fence or wall shall be located within a public or private easement unless written permission from the easement holder has been granted.
- (3) Fence and Wall Height.
- (A) Interior Lots.
- i. Behind the front building wall of the primary structure, fences and walls shall not exceed a combined height of eight feet, except as provided in subsection (1)(G) above.
- ii. Forward of the front building wall of the primary structure, fences and walls shall not exceed four feet in height.
- iii. Where no primary structure exists on the parcel, fences and walls shall not exceed four feet in height, except as provided in Subsection (1)(G) above.

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- (B) Corner Lots. On corner lots where the structure has two front building walls, one frontage shall be considered a secondary front building wall.
- i. Fences and walls along the front setback of the front building wall shall comply with Section 20.04.080(n)(3)(A) (Interior Lots).
 - ii. Fences and walls along the lot frontage of the secondary front building wall, shall not exceed four feet forward of the build to line or the building setback line, whichever applies.
 - iii. Behind the build to line or front building setback line, on the secondary front building wall, fences and walls shall not exceed eight feet in height, except as provided in subsection (1)(G) above.
 - iv. The portion of fences up to and between the build to line/building setback line and the secondary front building wall that exceed five feet in height, shall, by use of voids and solids via latticework or other similar techniques, be of open construction. This portion of the fence shall be constructed of materials widely accepted in the fence industry for permanent open-topped fencing.
 - v. Any determinations as to the secondary front building wall shall be decided by the City Planning and Transportation Department.

vi. Where no primary structure exists on the parcel, fences and walls shall not exceed four feet in height, except as provided in Subsection (1)(G) above.

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- (C) Through Lots. On through lots where the structure has two front building walls, one frontage shall be considered a secondary front building wall.
- i. Fences and walls along the front setback of the front building wall shall comply with Section 20.04.080(n)(3)(A) (Interior Lots).
 - ii. Fences and walls greater than four feet in height, along the lot frontage of the secondary front building wall, when adjacent to a local street or secondary collector street, shall meet the building setback.
 - iii. Fences and walls greater than four feet in height, along the lot frontage of the secondary front building wall, when adjacent to a primary collector street or arterial street, shall be set back at least ten feet from the property line.
 - iv. The portion of fences up to and between the build to line/building setback line and the secondary front building wall that exceed five feet in height, shall, by use of voids and solids via latticework or other similar techniques, be of open construction. This portion of the fence shall be constructed of materials widely accepted in the fence industry for permanent open-topped fencing.
 - v. Where no primary structure exists on the parcel, fences and walls shall not exceed four feet in height, except as provided in subsection (1)(G) above.

(4) Fence and Wall Design.

- (A) Prohibitions. Except in the EM zoning district, the following shall be prohibited from use as a component of a fence or wall:
- i. Barbed wire;
 - ii. Security wire;
 - iii. Sharpened top spikes;
 - iv. Electrified wires; and

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- v. Other similar elements or materials.
 - (B) Orientation. Fences and walls shall present the nonstructural face outward towards adjacent parcels and any adjacent public right-of-way.
 - (C) Vision Clearance. Fences and walls shall meet all vision clearance standards in Section 20.04.050(c)(5) (Vision Clearance Triangle).

(Amd. of 1-14-2020; Ord. No. 21-15, § II (Att. A), 4-21-2021; Ord. No. 21-18, § II (Att. A), 4-21-2021; Ord. No. 21-22, § II (Att. A), 4-21-2021; Ord. No. 22-10, § II(Att. A), 5-18-2022; Ord. No. 23-04, § 2(Att. A), 4-19-2023; Ord. No. 23-06, § 2(Att. A), 4-19-2023; Ord. No. 2024-03, § II(Att. A), 4-10-2024; Ord. No. 2024-04, § II(Att. A), 4-10-2024; Ord. No. 2024-17, § II(Att. A), 9-18-2024; Ord. No. 2025-11, § II(Att. A), 5-21-2025; Ord. No. 2025-12, § II(Att. A), 5-21-2025)

20.04.090 Outdoor lighting.

- (a) Purpose. The lighting standards are intended to encourage lighting practices and systems that conserve energy and resources; minimize light pollution, glare, and light trespass while maintaining nighttime safety, security, and enjoyment of property; and curtail the degradation of the nighttime visual environment; and to minimize disturbance to sensitive plants and animals.
- (b) Applicability. Compliance with this Section 20.04.090 (Outdoor Lighting) shall be required pursuant to Section 20.04.010 (Applicability) and the specific applicability criteria established below:
 - (1) Change in Use. If there is any change in use of the property, the provisions of this Section 20.04.090 (Outdoor Lighting) shall apply when the new use commences. Changes in use within multi-tenant centers shall not require the individual tenant or the entire center to comply with the provisions of this section.
 - (2) Modification, Replacement, or Addition of Outdoor Lighting. Modification, replacement or addition of outdoor lighting fixtures constituting twenty-five percent or more of the permitted lumens for the parcel, no matter the actual amount of lighting already on a site, shall trigger compliance for the entire site.
 - (3) Exemptions.
 - (A) Temporary Carnivals and Festivals. Lighting for temporary festivals and carnivals are exempt but shall be turned off within thirty minutes of the last event.
 - (B) Emergency Lighting. Emergency lighting, used by police, fire fighting, or medical personnel, or at their direction, is exempt from all requirements of this Section 20.04.090 (Outdoor Lighting).
 - (C) Traffic Control Lighting. Traffic control lighting is exempt from the provisions of this Section 20.04.090 (Outdoor Lighting).
 - (D) Lighted Flags. Up to three flag poles and flags are exempt from the provisions of this Section 20.04.090 (Outdoor Lighting). All other outdoor lighted flags shall conform to the provisions of this section.
 - (E) Holiday Lighting. Holiday lighting and seasonal decorations using typical unshielded low-intensity incandescent lamps are exempt from the provisions of this section.
 - (F) Low-Intensity Lighting.
 - i. No shielding is required for a light fixture with a bulb rated at two hundred sixty lumens or less.

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- ii. Full shielding is not required for a light fixture with a bulb rated at more than two hundred sixty lumens and less than one thousand lumens when the bulbs are installed inside frosted glass or other translucent covers and shielded on top.
 - iii. The total lumens of bulbs specified in subsections 20.04.090(b)(3)(F)i. and 20.04.090(b)(3)(F)ii. above, when not motion detector activated, shall not exceed two thousand lumens per building, or one thousand lumens per exterior entryway, whichever is less.
- (G) Swimming Pool and Fountain Lighting. Underwater lighting used for the illumination of swimming pools and fountains is exempt from the lamp type and shielding standards, though it shall conform to all other provisions of this section.
- (c) General Standards.
- (1) Conformance with Applicable Codes. All outdoor illuminating devices shall be installed in conformance with the provisions of this UDO and all applicable building and electrical codes.
 - (2) Initial Lumens. For the purposes of this chapter "lumens" means "initial lumens." The acceptability and shielding restrictions applicable to a particular lamp are decided by its initial lumen output, not wattage; check manufacturer's specifications.
 - (3) Prohibitions.
 - (A) Laser Source Light. The use of laser, strobe, and/or flashing source light or any similar high intensity light for outdoor advertising or entertainment is prohibited.
 - (B) Searchlights. The operation of searchlights is prohibited except when used by civil authorities for purposes of public safety.
 - (C) Towers. Tower lighting shall not be permitted unless required by the Federal Aviation Administration (FAA).
 - (4) Light Trespass.
 - (A) All lighting fixtures shall be installed so that light trespass from any property line, except a property line abutting a public street, shall not exceed one footcandle at a point one meter beyond the property line. ~~Properties bordered by R1, R2, R3, R4, or RMH are allowed no more than 0.5 footcandles at a point one meter beyond the property line adjacent to those districts.~~
 - (B) Properties bordered by R1, R2, R3, R4, or RMH are allowed no more than one-half footcandles at a point one meter beyond the property line adjacent to those districts.
 - (C) Measurements of light readings along any portion of a property line of the subject property shall be taken with a light meter facing the light source at a height of five feet, using any orientation of the light meter. The maximum reading shall be used.
 - (5) Glare. All lighting fixtures shall be installed so as not to cause glare at or beyond the property line and shall not be aimed toward traffic.
 - (A) Shielding.
 - i. All lighting fixtures, except motion detector-activated lighting, shall be fully shielded so that the lighting element is not visible to an observer at any property line, except as stated otherwise in this Section 20.04.090 (Outdoor Lighting).
 - ii. Unless otherwise specified, all lighting fixtures shall be full cutoff type as installed.
 - iii. A lighting fixture may beam light upward only if all upward light is reflected back down by a canopy, roof, or other such structure.

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- (b) Applicability. No sign or advertising device shall be established, altered, changed, erected, constructed, reconstructed, moved, divided, enlarged, demolished or maintained except in compliance with this Section 20.04.100 (Signs).
- (c) Permit Requirements.
- (1) Generally. A sign permit shall be required for all signs located, erected, constructed, reconstructed, moved, or altered unless specifically exempted by this Section 20.04.100 (Signs).
- (2) Signs Not Requiring a Permit. The following signs are exempt from the requirement to obtain a sign permit, unless specifically required by another subsection of this Section 20.04.100 (Signs).
- (A) Public Signs. Any signs erected, or required to be erected, by a unit of local, state, or federal government. City of Bloomington public signs are exempt from signage regulations.
- (B) Small Signs. Any sign of not more than one and one-half square feet in area. Such signs are exempt from signage regulations except 20.04.100(f)(1) through (f)(4) and [they](#) must be less than six feet tall if freestanding.
- (C) Temporary Signs.
- i. In all zoning districts, each property is allowed to have two signs, neither of which shall exceed five square feet in area, and one additional sign that shall not exceed eight square feet in area and shall not exceed six feet in height if freestanding.
- ii. In nonresidential and Mixed-Use zoning districts, each vacant property, or property that is under construction, is allowed to have one sign that shall not exceed thirty-two square feet in area and shall not exceed six feet in height if freestanding.
- iii. In all nonresidential and Mixed-Use zoning districts, each vacant tenant space, or tenant space that is under construction, is allowed to have one sign that shall not exceed thirty-two square feet in area that shall be attached to the wall of the vacant space.
- (D) Murals. Murals are exempt from the requirement to obtain a sign permit.
- (E) Window Signs. Window signs shall not exceed twenty-five percent of the glass area of any individual window or glass door frame and shall not count towards the wall sign allowance of the use or property.
- (F) Sandwich Board Signs. Sandwich board signs shall comply with the standards of this section.
- (d) Sign Measurements. Sign height and sign area measurements shall be calculated as follows:
- (1) Wall Signs. The area of wall signs shall be calculated as the smallest regular geometric figure needed to circumscribe any images, text, or other identifying trait placed on a structure.
- (2) Freestanding Signs.
- (A) The area of freestanding signs shall be calculated as the smallest regular geometric figure needed to circumscribe the sign, exclusive of supporting structures.
- (B) The height of a freestanding sign shall be measured from the grade beneath the sign or from the crown of the adjacent street, whichever is higher. The ground beneath a sign shall not be raised to artificially change the point at which the sign height is measured.
- (3) Double-Faced Signs. For all freestanding, projecting, or temporary signs permitted by this chapter, a double-faced sign may be erected. Only the face area of one of the two sides shall be considered the face area of the entire sign. In such cases, the two sign faces shall be identical in area, shall be placed back to back, and shall be separated by a distance of no more than two feet.

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- (e) Prohibited Sign Types. The following signs are prohibited in all zoning districts unless specifically authorized by another provision of this Section 20.04.100 (Signs) or Section 20.03.030(h)(3):
- (1) Animated Signs. Signs that use any motion picture, laser, or visual projection of images or text.
 - (2) Bench Signs. A sign located on the seat or back of a bench placed on or adjacent to a public right-of-way.
 - (3) Imitation of Public Signs. Signs that purport to be, are in imitation of, or resemble a public sign as described by the Manual on Uniform Traffic Control Devices. Examples include but are not limited to stop signs, yield signs, or pedestrian crossing signs.
 - (4) Off-Premises Signs. Signs advertising goods, products, services, events or activities not located, sold or offered on the premises or tenant space on which the sign is located, except for signs as provided in Section 20.04.100(c)(2)(B) (Small Signs), Section 20.04.100(c)(2)(C) (Temporary Signs), Section 20.04.100(k)(7) (Sandwich Board Signs), and Section 20.04.100(l)(7) (Sandwich Board Signs).
 - (5) Vehicle Signs. Vehicles, vans, trailers or trucks that are parked continuously in the same general location to be used to display signs. This does not prohibit vehicle or trailer owners from having vehicles or trailers with signs, provided the vehicles or trailers are in use on a regular basis, are not continuously parked in one parking lot or parking space, and are not being used to serve in the same manner as an additional freestanding sign or temporary sign.
 - (6) Intermittent Lights. Signs that have intermittent blinking, flashing, or fluttering lights, including any device that has a changing light intensity, brightness of color, or gives such illusion, including but not limited to strobe lights.
 - (7) Pole Signs. Signs that are mounted on a freestanding pole or other support that is not part of or attached to a building or structure.
 - (8) Temporary Signs. Any temporary sign not specifically permitted in Section 20.04.100(i)(9) (Temporary Signs), Section 20.04.100(j)(7) (Temporary Signs), Section 20.04.100(k)(5) (Temporary Signs), and Section 20.04.100(l)(6) (Temporary Signs) or specifically exempted in Section 20.04.100(c)(2)(C) (Temporary Signs), including but not limited to pennants, streamers, balloons, inflatable signs, spinners, and feather flags.
 - (9) Electronic Reader Board Signs. Any electronic reader board sign not specifically permitted in Section 20.04.100(g)(3) (Electronic Reader Boards).
- (f) Prohibited Sign Locations. Signs shall not be installed at any of the following locations:
- (1) Public Easement. In any public easement, unless the sign is a public sign authorized by Section 20.04.100(c)(2)(A) (Public Signs), or is further authorized by the City.
 - (2) Public Right-of-Way. In any public right-of-way, unless the sign is an approved wall, awning, or projecting sign; or is authorized by Section 20.04.100(k)(9), Section 20.04.100(l)(3), Section 20.04.100(l)(7); or the sign is a public sign authorized by Section 20.04.100(c)(2)(A) and is further authorized by the City.
 - (3) Roofs. On the roof of a building, or extending above the eave, roof line, architectural feature, or parapet of a building, except that signs may be located on the vertical portion of a mansard roof if no vertical wall space is available on the wall space associated with that tenancy or occupancy below and excepting that signs may be placed on top of awnings.
 - (4) Vision Clearance Triangle. Within a vision clearance triangle as specified in Section 20.04.050(c)(4) (Vision Clearance Triangle).

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- (5) Miscellaneous. On any traffic control signs, highway construction signs, fences, railings, utility poles, street signs, trees or other natural objects.
- (g) General Design Standards. Unless otherwise stated in this UDO, the following standards apply to all signs.
- (1) Freestanding Signs. All freestanding signs shall comply with the following standards:
- (A) Setback. All freestanding signs shall be set back a minimum of two feet from the proposed right-of-way line or outside of the required clear zone of a public sidewalk, whichever is greater, unless specifically approved by the City's transportation and traffic engineer.
- (B) Mounting. All freestanding signs shall be permanently affixed to the ground.
- (C) Base. Sign bases shall conform to the following standards:
- i. Sign bases shall have an aggregate width, including support structures, of at least forty percent of the total horizontal width of the sign; or have supports that are less than twenty-five percent of the vertical height of the sign.
- ii. The base and exposed foundation of all freestanding signs shall be covered with a finished material such as brick, stone, metal, or wood.
- (D) Cap. A decorative cap may extend up to eighteen inches above the height limit specified in this Section 20.04.100 (Signs). The decorative cap shall have no identifying text, images, or identifying traits.
- (E) Landscaping.
- i. For any new freestanding sign, a landscaped area located around the entire base of a freestanding sign is required.
- ii. The landscaped area shall contain materials consisting of shrubs, spread no greater than three feet on center, and densely planted perennial ground cover.
- iii. The landscaped area shall be greater than or equal to the freestanding sign face area.
- (F) Illumination. Sign lighting shall comply with the light trespass regulations in Section 20.04.090 (Outdoor Lighting) and also may not exceed one footcandle at a distance of six feet from the sign fence.
- (2) Changeable Copy. Unless specified otherwise in this UDO, signs may incorporate areas for changeable copy, provided that and combination of the changeable copy area and any electronic reader board component area combined does not exceed forty percent of the total sign area.
- (3) Electronic Reader Boards. Unless otherwise provided in this UDO, electronic reader boards may only be utilized when incorporated into permanent signage, subject to the following:
- (A) The electronic reader board portion may not exceed thirty square feet or forty percent of the total area of any sign face (whichever is less).
- (B) Any combination of the electronic reader board area and any changeable copy area combined does not exceed more than forty percent of the total area of any sign face, and that information is displayed in increments of no less than twenty seconds.
- (C) Electronic reader boards are not allowed on signs larger than one hundred twenty-five square feet.
- (4) Wall Signs. Wall signs shall be located on any exterior portion of the building that is occupied by the use or portion of a building that is occupied by the use if the building has multiple uses.
- (h) Waiver of Right to Damages.

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- (E) The permanent display cabinet shall be framed with wood, metal, or other durable material, and enclosed with a transparent cover.
- (6) Drive-Through Uses. In addition to the signs listed in this Section 20.04.100 (Signs):
- (A) Structures with a drive-through shall be permitted one additional sign at the entrance to or for each area connected to a drive-through lane, provided that the sign has only one face, the maximum area of that sign face does not exceed thirty-six square feet, and the height of the sign does not exceed six feet. These signs shall be allowed to have twenty percent as electronic reader board and shall be exempt from the landscaping requirements of Section 20.04.100(g)(1)(E).
- (B) Structures with a drive-through shall be permitted two additional freestanding signs, with a maximum sign face area that does not exceed four square feet, and the height of the sign does not exceed four feet. [These signs shall be exempt from the landscaping requirements of 20.04.100\(g\)\(1\)\(E\).](#)
- (C) Structures with a drive-through shall be permitted one additional sign at the ordering location of each drive-through, provided that the sign(s) has only one face, the maximum area of that sign face does not exceed twelve square feet, and the height does not exceed five feet. These signs shall be allowed to have one hundred percent as electronic reader board and shall be exempt from the landscaping requirements of Section 20.04.100(g)(1)(E).
- (7) Multifamily Dwelling Uses. The following standards apply to multifamily dwelling uses:
- (A) Multifamily developments containing between three and fourteen dwelling units shall be permitted one wall sign not to exceed twenty-four square feet per development.
- (B) Multifamily developments containing at least fifteen dwelling units shall be permitted:
- (i) One freestanding sign per development vehicle entrance, not to exceed thirty-two square feet per side in maximum sign area and not to exceed six feet in height; and
- (ii) One wall sign per building not to exceed twenty-four square feet each.
- (8) Temporary Signs. In addition to the temporary signs exempted under Section 20.04.100(c)(2)(C) (Temporary Signs), each property is allowed to display temporary signage provided that the temporary signs comply with the following standards:
- (A) All temporary signs shall receive a sign permit from the Planning and Transportation Department prior to being displayed.
- (B) The following numbers of signs are permitted:
- i. Individual nonresidential uses shall be permitted a maximum of three temporary signs.
- ii. Multifamily structures with at least fifteen dwelling units shall be permitted a maximum of three temporary signs.
- iii. Individual tenants within nonresidential centers shall be permitted a maximum of one temporary sign.
- (C) Temporary sign types shall be limited to freestanding portable signs or materials not prohibited in Section 20.04.100(e)(8) (Temporary Signs).
- (D) Temporary signs shall not exceed sixteen square feet.
- (E) Freestanding temporary signs shall not exceed six feet in height.
- (F) External illumination of temporary signs is prohibited.

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- iv. Signs shall be truly portable and shall not be permanently affixed to any structure or sidewalk.
 - (C) Placement. Sandwich board signs shall meet the following placement criteria.
 - i. Signs shall be placed only on sidewalks with a minimum width of seven feet.
 - ii. Signs shall be removed from the public sidewalk at the end of each business day.
 - iii. Signs shall be located a maximum of two feet from the building; or in the tree plot outside of the sidewalk.
 - iv. Signs shall be placed a minimum of forty-eight inches from all obstructions within the sidewalk including newspaper boxes, outdoor tables and seating, trees and tree grates, bicycle racks, trash receptacles and any other item impeding pedestrian or wheelchair movement.
 - v. Signs shall be placed a minimum of eight feet from a building corner or pedestrian crosswalk.
 - vi. Sign placement shall meet all requirements of the ADA.
 - vii. Signs shall not be placed within the right-of-way of the B-Line Trail. Sandwich board signs for properties with frontage along the trail shall be placed within the setback between the building and the trail right-of-way.

(Amd. of 1-14-2020; Ord. No. 20-07, § I(Att. B), 4-15-2020; Ord. No. 21-18, § II(Att. A), 4-21-2021; Ord. No. 21-22, § II(Att. A), 4-21-2021; Ord. No. 22-10, § II(Att. A, B), 5-18-2022; Ord. No. 23-04, § 2(Att. A), 4-19-2023; Ord. No. 23-06, § 2(Att. A), 4-19-2023; Ord. No. 2024-03, § II(Att. A), 4-10-2024; Ord. No. 2024-04, § II(Att. A), 4-10-2024; Ord. No. 2025-12, § II(Att. A), 5-21-2025)

20.04.110 Incentives.

- (a) Applicability. These affordable housing and sustainable development incentives are available to all development, except for student housing or dormitory projects located in the MD zoning district.
- (b) General Standards. The following standards apply to all projects seeking the affordable housing or sustainable development incentives in this Section 20.04.110 (Incentives).
 - (1) Neighborhood Transition Standards.
 - (A) All projects abutting a property in the R1, R2, R3, or R4 zoning district shall comply with the neighborhood transition standards established in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
 - (B) Where a primary structure's maximum height incentive is in conflict with the neighborhood transition standards established in Section 20.04.070(d)(5) (Neighborhood Transition Standards), the neighborhood transition standards shall govern. The petitioner may request relief from the neighborhood transition standards in accordance with the development standards variance procedure pursuant to Section 20.06.080(b) (Variance).
 - (2) Waiver of Fees.
 - (A) When a petition qualifies for one or more of the incentives in this Section 20.04.110 (Incentives), filing fees for the Plan Commission and/or Board of Zoning Appeals shall be waived.
 - ~~(B) When a petition that qualifies for one or more of the incentives in this Section 20.04.110 (Incentives) has been approved by the decision-making body:~~

i. ~~Sewer hook-on fees for the project may be waived or reduced by the Utilities Service Board.~~

(3) Administration.

- (A) A petition for these development incentives shall be included with a petition for development approval.
- (B) Projects that qualify for the affordable housing incentive and/or the sustainable development incentive established in Section 20.04.110 (Incentives), shall have the site plan portion of the petition processed as a minor (rather than major) site plan, except when the project is adjacent to a lot in the R1, R2, R3, or R4 zoning districts or contains more than fifty dwelling units.
- (C) Staff shall determine if the project is eligible to receive incentives and if it satisfies the criteria established in this Section 20.04.110 (Incentives).
- (D) Where the final approval authority determines that the project satisfies the criteria of this Section 20.04.110 (Incentives), the final approval authority may authorize the modifications to development standards otherwise applicable to the project to allow the use of the approved incentives, but may not modify the neighborhood transition standards in Section 20.04.070(d)(5) (Neighborhood Transition Standards).
- (E) The City may withhold issuance of a certificate of zoning compliance or recommendation for a certificate of occupancy until verification that the project satisfies the affordable housing and/or sustainable development standards approved as part of the development petition.

(c) Affordable Housing.

- (1) Purpose. The purpose of these standards is to encourage the provision of affordable housing for very low-, low-, and moderate-income households. Affordable housing is necessary to help maintain a diverse housing stock and to allow all residents to have better access to jobs and to improve their economic status.
- (2) Eligibility. Projects that satisfy one of the following criteria shall be eligible for the incentives established in subsection (5) below:
 - (A) Tier 1.
 - i. At least sixty percent of the total gross floor area of the building (including additional area awarded with an incentive) is dedicated to residential dwellings; and
 - ii. A minimum of fifteen percent of the total dwelling units (including those on floors awarded with an incentive) are income-restricted permanently, unless otherwise adjusted or forfeited by the City, to households earning less than one hundred twenty percent of the HUD AMI for Monroe County, Indiana; or
 - (B) Tier 2.
 - i. At least sixty percent of the total gross floor area of the building (including additional area awarded with an incentive) is dedicated to residential dwellings; and
 - ii. A minimum of seven and one-half percent of the total dwelling units (including those on floors awarded with an incentive) are income-restricted permanently, unless otherwise adjusted or forfeited by the City, to households earning below one hundred twenty percent of the HUD AMI for Monroe County, Indiana; and
 - iii. A minimum of seven and one-half percent of the total dwelling units (including those on floors awarded with an incentive) are income-restricted permanently, unless otherwise

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1. A minimum of ninety percent of parking spaces shall be provided under cover. Any roof used to shade, or cover parking shall:
 - a. Have a three-year aged SRI of at least seventy-eight; or
 - b. Be seventy-five percent covered by energy generation systems, such as solar thermal collectors or photovoltaics.
2. Parking calculations shall include all existing and new off-street parking spaces that are leased or owned by the project, including parking that is outside the project boundary but is used by the project. On-street parking in public rights-of-way is excluded from these calculations.
3. Parking spaces within a parking structure shall count toward meeting this standard.
- iv. Solar Energy, Cool or Vegetated Roof. Provide a roof meeting the standards in subsections (1), (2), (3) or (4) below. Roofs containing vegetation must follow landscaping standards pursuant to Sections 20.04.080(c) (General Landscaping), 20.04.080(d) (Permitted Plant Species), and 20.04.080(e) (Prohibited Plant Species).
 1. Solar Energy. Install an on-site solar photovoltaic system covering an area anywhere on the building or lot equal to or greater than thirty-five percent of the total roof area of all primary buildings, or an area equal to or greater than an amount required to provide forty percent of estimated annual average electricity used in all primary buildings. Other renewable energy devices may be used in place of on-site solar panels so long as evidence of equivalent electricity generation capacity is provided.
 2. Cool Roof. Install a cool roof on at least seventy percent of the total roof surface using roofing materials that have an aged SRI equal to or greater than the values in Table 04-21. If aged SRI is not available, the roofing material shall have an initial SRI equal to or greater than the values in Table 04-21.

Table 04-21. Minimum Solar Reflectance Index (SRI)

Roof Type	Slope	Initial SRI	Aged SRI
Low-sloped roof	≤ 2:12	82	64
Steep-sloped roof	> 2:12	39	32

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3. Vegetated Roof. Install a vegetated roof on at least seventy percent of the total roof surface using native or adapted plant species. Vegetated roofing shall comply with ASTM E2400-06: Standard Guide for Selection, Installation, and Maintenance of Plants for Green Roof Systems.
4. Combination Roof. Install a combination solar energy, cool roof and vegetated roof, with each portion meeting the applicable standards in subsections 1., 2. and 3. above, and together covering at least seventy percent of the roof surface.
- v. Building Efficiency. Design the project to achieve improved building energy performance beyond the minimum required building code standards by:
 1. Demonstrating that the project qualifies for a minimum of seventeen points from the LEED v4.1 BD+C Optimize Energy Performance Credit; or

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