

RESOLUTION 2025-17

**TO INITIATE A PROPOSAL TO AMEND TITLE 20 (UNIFIED DEVELOPMENT ORDINANCE) OF THE BLOOMINGTON MUNICIPAL CODE BY RESTATING
RESOLUTION 2025-10 Re: Preparation of a Proposal to Amend Chapter 20.04.110 (Incentives) and 20.02.040 (Planned Unit Development (PUD) District)**

WHEREAS the Common Council, by its Resolution 18-01, approved a new Comprehensive Plan for the City of Bloomington, which took effect on 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”) in order to implement the vision for community development put forward in the Comprehensive Plan; and

WHEREAS on December 18, 2019, the Common Council passed Ordinance 19-24, to repeal and replace the UDO, and the Mayor signed and approved this ordinance; and

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

WHEREAS the UDO has since been revised by action of the Plan Commission and the Common Council several times; and

WHEREAS the current affordability tiers set out in the UDO Chapter 20.04.110 (c.2) have resulted in housing units priced at the maximum allowable based on the Area Median Income (AMI) for Bloomington¹; and

WHEREAS this has resulted in the use of affordability incentives by housing developments that do not actually create affordable units²; and

WHEREAS pursuant to Indiana Code (“IC”) 36-7-4-602, the Common Council may initiate a proposal to amend or partially repeal the text of the UDO and require the Plan Commission to prepare it; and

WHEREAS pursuant to IC 36-7-4-607.5, on receiving the proposal to amend or partially repeal text, the Plan Commission shall, within 60 days, hold a public hearing, shall vote on the proposal not later than 60 days after the commission holds the public hearing, shall make a favorable recommendation, an unfavorable recommendation, or no recommendation, and shall within 10 business days after it determines its recommendation certify the proposal; and

WHEREAS the Common Council previously passed Resolution 2024-23 to initiate a proposal to amend the UDO to modify the Affordable Housing Incentives; and

WHEREAS the current UDO requires a PUD to meet a minimum requirement for affordability that corresponds with the current Tier 1 affordability standards; and

WHEREAS the Summit District PUD, Ordinance 2024-07, was approved by the Common Council with Reasonable Condition #6 requiring a minimum of 15% of units constructed to meet the permanent affordability standard by being income restricted to households earning below 90% of the US Department of Housing and Urban Development AMI for Monroe County Indiana; and

¹ See City of Bloomington 2024 Workforce Rental Housing Limit Calculations, <https://bloomington.in.gov/housing/workforce>.

² “A major theme during public engagement was on the lack of rental units priced below \$900.” Regional Opportunity Initiatives, *Indiana Uplands Regional Housing Study Addendum 2.H Monroe County*, (2023 Update), 131, <https://regionalopportunityinc.org/src-content/uploads/2024/01/Indiana-Uplands-Housing-Study-Addendum-2.H-Monroe-County.pdf>.

WHEREAS the Common Council passed Resolution 2025-10 to reinitiate in part its intent to pursue the objectives set forth in Resolution 2024-23, and to amend the minimum qualifying standards for affordability in Planned Unit Developments (“PUD”); and

WHEREAS the Common Council renews its intention to initiate the proposal set forth in Resolution 2025-10 (“Attachment A”) and restates the proposed amendments to the UDO herein; and

WHEREAS in preparing and considering this proposal, the Plan Commission and Common Council shall pay reasonable regard to:

- a) the Comprehensive Plan;
- b) current conditions and character of current structures and uses in each district;
- c) the most desirable use for which land in each district is adapted;

the conservation of property values throughout the jurisdiction; and responsible development and growth.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. The Common Council hereby rescinds Resolution 2025-10.

SECTION 2. Pursuant to IC 36-7-4-602(b), the Common Council directs the Plan Commission to prepare a proposal consistent with this resolution to amend the text of the UDO (BMC 20.04.110(c)(2)) (Eligibility) to include an AMI requirement within Tier 1 and Tier 2 Affordable Housing Projects, as follows:

Tier 1 Affordable Housing Projects to include at least some units to be priced below 90% of AMI, using whole percentages for each tier.

Tier 2 Affordable Housing Projects to include at least some units priced below 70% of AMI, using whole percentages for each tier.

SECTION 3. The Common Council further directs the Plan Commission to prepare a proposal to amend the text of the UDO (BMC 20.02.040(b)(3)) (Qualifying Standards) to adjust the minimum qualifying standards for affordability applicable to Planned Unit Developments, requiring that such developments meet or exceed the Tier 1 Affordability standard.

SECTION 4. The Common Council further directs the Plan Commission to review and propose any additional amendments necessary to align other sections of the UDO with the changes described in Sections 1 and 2 of this Resolution.

SECTION 5. Upon passage of this resolution, and pursuant to IC 36-7-4-607.5, the Plan Commission shall review and recommend UDO amendments to the Common Council in response to this resolution.

SECTION 6. If any section, sentence or provision of this legislation, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this legislation which can be given effect without the invalid provision or application, and to this end the provisions of this legislation are declared to be severable.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 30 day of September, 2025.



HOPI STOSBERG, President
Bloomington Common Council

ATTEST:



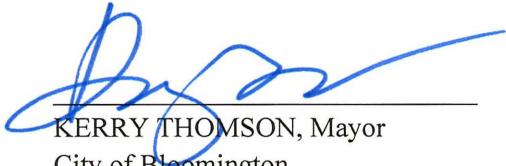
NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 02 day of October, 2025.



NICOLE BOLDEN, Clerk,
City of Bloomington

SIGNED and APPROVED by me upon this 2 day of October, 2025.



KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This resolution, sponsored by Councilmember Stosberg, initiates the prior proposal in Resolution 2025-10 (adopted on July 16, 2025), which directs the Plan Commission to prepare amendments to the BMC Title 20 (the Unified Development Ordinance or “UDO”) to make changes to the affordable housing incentive qualifying standards.

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

RESOLUTION 2025-10

TO INITIATE A PROPOSAL TO AMEND TITLE 20 (UNIFIED DEVELOPMENT ORDINANCE) OF THE BLOOMINGTON MUNICIPAL CODE Re: Preparation of a Proposal to Amend Chapter 20.04.110 (Incentives) and 20.02.040 (Planned Unit Development (PUD) District).

WHEREAS the Common Council, by its Resolution 18-01, approved a new Comprehensive Plan for the City of Bloomington, which took effect on 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”) in order to implement the vision for community development put forward in the Comprehensive Plan; and

WHEREAS on December 18, 2019, the Common Council passed Ordinance 19-24, to repeal and replace the UDO, and the Mayor signed and approved this ordinance; and

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

WHEREAS the UDO has since been revised by action of the Plan Commission and the Common Council several times; and

WHEREAS the current affordability tiers set out in the UDO Chapter 20.04.110 (c.2) have resulted in housing units priced at the maximum allowable based on the Area Median Income (AMI) for Bloomington¹; and

WHEREAS this has resulted in the use of affordability incentives by housing developments that do not actually create affordable units²; and

WHEREAS pursuant to IC 36-7-4-602, the Common Council may initiate a proposal to amend or partially repeal the text of the UDO and require the Plan Commission to prepare it; and

WHEREAS the Common Council previously passed Resolution 2024-23 to initiate a proposal to amend the UDO to modify the Affordable Housing Incentives; and

WHEREAS the Common Council reinitiates in part its intent to pursue the objectives set forth in Resolution 2024-23, and further seeks to amend the minimum qualifying standards for affordability in Planned Unit Developments (“PUD”); and

WHEREAS the current UDO requires a PUD to meet a minimum requirement for affordability that corresponds with the current Tier 1 affordability standards; and

WHEREAS the Summit District PUD, Ordinance 2024-07, was approved by the Common Council with Reasonable Condition #6 requiring a minimum of 15% of units constructed to meet the permanent affordability standard by being income restricted to households earning below 90% of the US Department of Housing and Urban Development AMI for Monroe County Indiana; and

WHEREAS in preparing and considering this proposal, the Plan Commission and Common Council shall pay reasonable regard to:

- a) the Comprehensive Plan;
- b) current conditions and character of current structures and uses in each district;
- c) the most desirable use for which land in each district is adapted;

¹ See City of Bloomington 2024 Workforce Rental Housing Limit Calculations, <https://bloomington.in.gov/housing/workforce>.

² “A major theme during public engagement was on the lack of rental units priced below \$900.” Regional Opportunity Initiatives, *Indiana Uplands Regional Housing Study Addendum 2.H Monroe County*, (2023 Update), 131, <https://regionalopportunityinc.org/src-content/uploads/2024/01/Indiana-Uplands-Housing-Study-Addendum-2.H-Monroe-County.pdf>.

the conservation of property values throughout the jurisdiction; and responsible development and growth.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Pursuant to IC 36-7-4-602(b), the Common Council directs the Plan Commission to prepare a proposal consistent with this resolution to amend the text of the UDO (BMC 20.04.110(c)(2)) (Eligibility) to include an AMI requirement within Tier 1 and Tier 2 Affordable Housing Projects, as follows:

Tier 1 Affordable Housing Projects to include at least some units to be priced below 90% of AMI, using whole percentages for each tier.

Tier 2 Affordable Housing Projects to include at least some units priced below 70% of AMI, using whole percentages for each tier.

SECTION 2. The Common Council further directs the Plan Commission to prepare a proposal to amend the text of the UDO (BMC 20.02.040(b)(3)) (Qualifying Standards) to adjust the minimum qualifying standards for affordability applicable to Planned Unit Developments, requiring that such developments meet or exceed the Tier 1 Affordability standard.

SECTION 3. The Common Council further directs the Plan Commission to review and propose any additional amendments necessary to align other sections of the UDO with the changes described in Sections 1 and 2 of this Resolution.

SECTION 4. Upon passage of this resolution, and pursuant to IC 36-7-4-607, the Plan Commission shall review and recommend UDO amendments to the Common Council in response to this resolution.

SECTION 5. If any section, sentence or provision of this legislation, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this legislation which can be given effect without the invalid provision or application, and to this end the provisions of this legislation are declared to be severable.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 16 day of July, 2025.


HOPI STOSBERG, President
Bloomington Common Council

ATTEST:

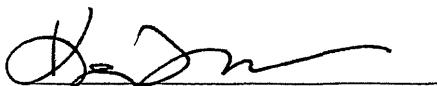

NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 18 day of July, 2025.



NICOLE BOLDEN, Clerk,
City of Bloomington

SIGNED and APPROVED by me upon this 22 day of July, 2025.



KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This resolution, sponsored by Councilmember Stosberg, reinitiates in part the proposal in Resolution 2024-23 (adopted on November 20, 2024) to amend Title 20 (the Unified Development Ordinance or “UDO”) of the Bloomington Municipal Code and introduces additional proposals related. The resolution directs that a UDO text amendment proposal be prepared by the Plan Commission to make changes to the affordable housing incentive qualifying standards.

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

