

ORDINANCE 2026-02

**TO AMEND TITLE 20 (UNIFIED DEVELOPMENT ORDINANCE)
OF THE BLOOMINGTON MUNICIPAL CODE –**

Re: Response to Resolution 2025-17 Related to Amending the Eligibility Subsection, the Qualifying Standards for Planned Unit Development Subsection, and Defined Terms of Section of Title 20

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”); 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, to repeal and replace the official zoning map within the UDO, and Ordinance 20-07, to amend the UDO; and

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

WHEREAS, on September 30, 2025, the Common Council adopted Resolution 25-17 to initiate a proposal to amend the UDO to modify the Affordable Housing Incentives; and

WHEREAS, Resolution 25-17 directed the Plan Commission to prepare a proposal consistent with the resolution to amend the text of the UDO (BMC 20.04.110(c)(2) (Eligibility) to include lower AMI requirements and whole percentages within Tier 1 and Tier 2 Affordable Housing Projects; and

WHEREAS, Resolution 25-17 also directed the Plan Commission to prepare a proposal consistent with the resolution to amend the text of the UDO (BMC 20.02.050(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; and

WHEREAS, Resolution 25-17 further directed the Plan Commission to review and propose any additional amendments necessary to align other sections of the UDO with the changes to described in the resolution; and

WHEREAS, on November 10, 2025, the Plan Commission voted to forward an amendment proposal with a positive recommendation to the Common Council, after providing notice and holding public hearings on the proposal as required by law; and

WHEREAS, the Plan Commission certified the amendment proposal to the Common Council on November 20, 2025; and

WHEREAS, in preparing and considering this amendment 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.

NOW, THEREFORE, BE IT HEREBY 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 by reference, is adopted. The amended ordinance consists of the following documents which are attached and incorporated:

- A. The amendment proposal forwarded to the Common Council by the Plan Commission with a positive recommendation ("Attachment A");
- B. Amendments to the UDO provisions on AMI Eligibility in 20.04.110(c)(2), Qualifying Standards for PUD Affordability in 20.02.050(b)(3), and removal of "workforce housing" in Defined Terms, 20.07.010 ("Attachment B"); and
- C. Any Council amendments thereto ("Attachment C").

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, 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. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 14 day of January, 2026.



ISAK NTI ASARE, President
Bloomington Common Council

ATTEST:



NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 16 day of January, 2026.



NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 23 day of January, 2026.



KERRY THOMSON, Mayor
City of Bloomington

SYNOPSIS

This Ordinance amends Title 20, the Unified Development Ordinance in the following manner: (1) reduces the Area Median Income Eligibility percentage requirements for Incentives in 20.04.110(c)(2); (2) revises the Qualifying Standards for Planned Unit Developments in 20.02.050(b)(3); and (3) eliminates the definition of “workforce housing” from Defined Terms in 20.07.010 Title 20, the Unified Development Ordinance.

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

ATTACHMENT A

Case # ZO2025-10-0014 (ZO-35-25) Memo

To: Common Council
From: Jackie Scanlan, AICP Assistant Director, Planning & Transportation
Date: November 20, 2025
Re: Text Amendments to Unified Development Ordinance: Response to Resolution 2025-17: Affordable Housing Incentives

REVIEW: This petition was heard at the November 10, 2025 Plan Commission hearing. The Plan Commission voted to amend the petition in order to adjust the percentages to whole numbers (reflected below). The packet that went to the Plan Commission on November 10, 2025 is below, with an update to the recommendation section. The Plan Commission voted to send the petition to the Common Council with a positive recommendation.

Through Resolution 2025-17, the Bloomington Common Council directed the Plan Commission to draft amendments to Title 20 of the Bloomington Municipal Code, the Unified Development Ordinance (UDO).

The Resolution directed the Plan Commission to prepare a proposal that does the following:

1. 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.

2. 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.

3. To align other sections of the UDO with the changes described in Sections 1 and 2 of this Resolution.

1. Based on discussion and feedback from the Plan Commission and Housing and Neighborhood Development Department staff at the February 2025 Plan Commission hearing, the Department proposes to respond to the first directive of Resolution 2025-17 by requiring all units that count toward the affordable housing contribution to be rented to tenants at less than 90 percent of Area

Median Income (AMI), which is more responsive to the realities of the local workforce than the existing 120 percent of AMI. Tier 2 is proposed to continue to be split, with the percentages to be adjusted to half of the units at less than 90 percent of AMI and half of the units at less than 70 percent of AMI. While, nationally, 120 percent may be recognized as workforce housing, Figures 1 and 2 below indicates that 90 percent and 70 percent are more accurate for our local annual wage.

Figure 1: Annual Wage Distribution with proposed AMI percentages

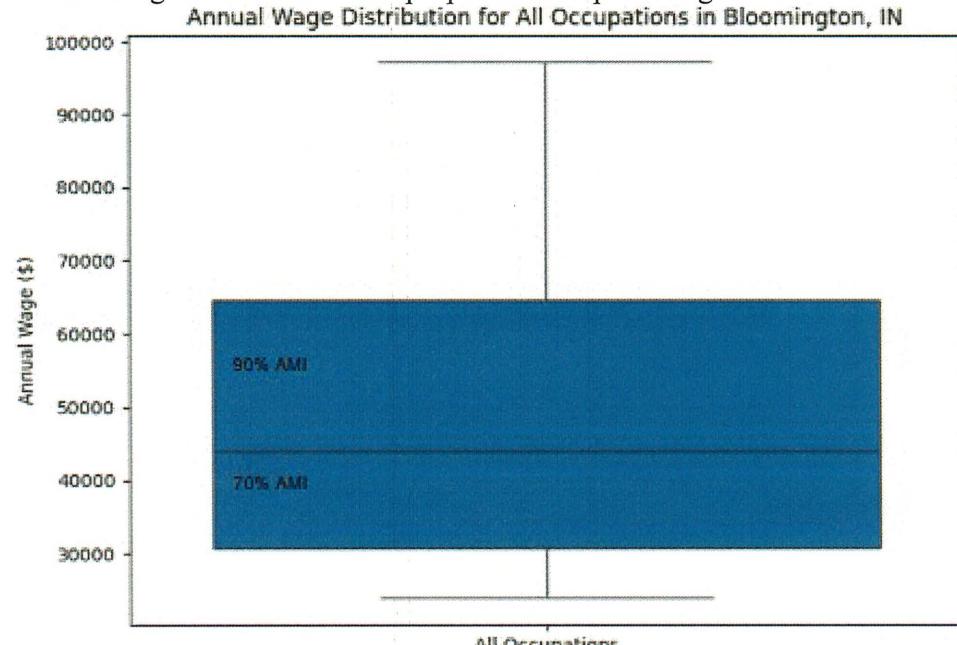


Image from Director Killion-Hanson February 2025 Plan Commission presentation

Figure 2: Annual Wage Distribution with existing, proposed, and additional AMI percentages

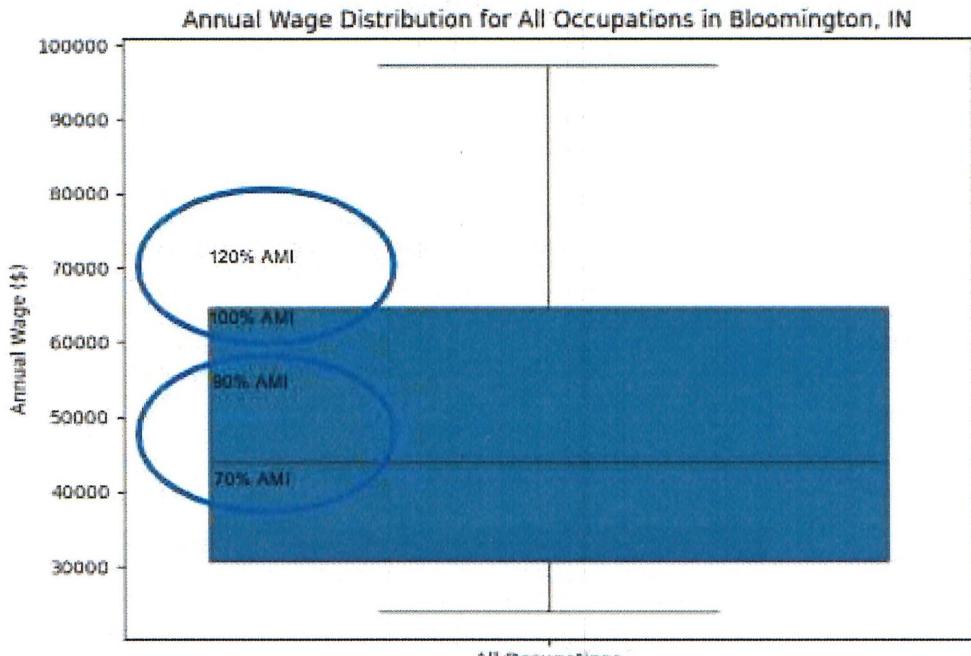


Image from Director Killion-Hanson February 2025 Plan Commission presentation

(2). Eligibility

Projects that satisfy one of the following criteria shall be eligible for the incentives established in subsection **Error! Reference source not found.** below:

(A) Tier 1

- i. At least 60 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 15 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 120 90 percent of the HUD AMI for Monroe County, Indiana; or

(B) Tier 2

- i. At least 60 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 7.5 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 90120 percent of the HUD AMI for Monroe County, Indiana; and
- iii. A minimum of 87.5 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 7090 percent of the HUD AMI for Monroe County, Indiana.

2. In response to the second directive in Resolution 2025-17, the Department recommends specifically referencing the Tier 1 section, as opposed to including a percentage, so that if the Tier 1 percentages are amended, the PUD qualifying standard will also be automatically amended. The amendment will allow that PUDs will, at a minimum, meet the requirements that non-PUD projects must meet. As pointed out in the Resolution, the recently approved Summit PUD (Reasonable Condition #6) incorporated the same requirement that is being proposed, indicating that the Council has been considering this change for some time.

(b) Qualifying Standards

A petition for rezoning into a Planned Unit Development (PUD) district shall only be considered if the petition meets the following criteria, as determined by the Planning and Transportation Director:

- 1) The proposed PUD zoning district includes a minimum of five acres of land;
- 2) The land included in the proposed PUD zoning district is not within the Mixed-Use Downtown (MD) zoning district;
- 3) Where residential dwelling units are proposed, the total dwelling units proposed must include, at a minimum, the percentage of permanently income-limited units required in 20.04.110(c)(2)(A) Tier 1, at the AMI percentages listed in that section-a minimum of 15 percent of the total dwelling units must be permanently income-limited through a deed restriction to households earning less than 120 percent of the HUD AMI for Monroe County, Indiana and the development will be subject to the applicable standards established in Subsection 20.04.110(c): Affordable Housing, unless the City otherwise adjusts or releases this requirement.;
- 4) The proposed PUD could not be developed using conventional zoning districts or standards established in this UDO;
- 5) The land included in the proposed PUD is under single ownership or control. Single control of property under multiple ownership may be considered when the petition includes enforceable agreements, covenants, or commitments that run to the benefit of the City and that the City may require to be recorded if the PUD is approved; and
- 6) The proposed PUD zoning district embraces the following highly-valued design features:
 - A. Protection of specific natural, environmental, or scenic resources or green spaces; and/or
 - B. Retaining natural landforms throughout the development; and/or
 - C. Low Impact Development design features throughout the development; and/or
 - D. Solar orientation of building forms and other passive energy-efficient design strategies throughout the development.
- 7) The proposed PUD zoning district embraces several highly-valued design features, as determined by the Planning and Transportation Director, including but not limited to:
 - A. No block perimeter greater than 1,400 feet in the development;
 - B. Centralized gathering and recreation spaces of an appropriate size for the entire development, or designed to serve an area larger than the entire development;
 - C. Internally and externally connected park, trail, and open space system;
 - D. Community-level renewable energy production.

3. In response to the third directive, the Department recommends making the following changes to the UDO. In Chapter 7, Definitions, the Department proposes to strike the definition of 'Workforce Housing', as the term is not used anywhere else in the UDO. The percentages stand

on their own in the text to meet the needs of our community, and the term does not need to be included.

Workforce Housing

~~Residential housing units that serve individuals, households, or families with annual incomes less than 120 percent of the Area Median Income. These housing units would under Section 20.04.110(e)(2) (Eligibility) for Tier 1 affordable housing.~~

CONCLUSION: The Department is proposing to amend the percentages related to Area Median Income (AMI) and affordable housing units that are provided through the Incentives section of the UDO to better align with the local workforce reality. While there are differing views on whether or not on-site units are more or less beneficial than receipt of a payment-in-lieu of providing units, the proposed changes in response to Resolution 2025-17 make any on-site units potentially more impactful than the current regulations.

RECOMMENDATION: The Plan Commission forwards ZO-35-25 with a positive recommendation.

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.

ATTACHMENT B

Ordinance 2026-02

20.04.110 Incentives.

- (c) Affordable Housing.
- (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 ninety percent (90%) ~~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 (7%) 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 ninety percent (90%) ~~one hundred twenty percent~~ of the HUD AMI for Monroe County, Indiana; and
 - iii. A minimum of ~~seven and one-half~~ eight percent (8%) 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 seventy percent (70%) ~~ninety percent~~ of the HUD AMI for Monroe County, Indiana.

20.02.050 Planned Unit Development (PUD) District.

- (b) Qualifying Standards. A petition for rezoning into a Planned Unit Development (PUD) district shall only be considered if the petition meets the following criteria, as determined by the Planning and Transportation Director:
 - (1) The proposed PUD zoning district includes a minimum of five acres of land;
 - (2) The land included in the proposed PUD zoning district is not within the Mixed-Use Downtown (MD) zoning district;
 - (3) Where residential dwelling units are proposed, the total dwelling units proposed must include, at a minimum, the percentage of permanently income-limited units required in 20.04.110(c)(2)(A) Tier 1, at the AMI percentages listed in that section a minimum of fifteen percent of the total dwelling units must be permanently income-limited through

ATTACHMENT B

Ordinance 2026-02

~~a deed restriction to households earning less than one hundred twenty percent of the HUD AMI for Monroe County, Indiana and the development will be subject to the applicable standards established in Section 20.04.110(c) (Affordable Housing), unless the City otherwise adjusts or releases this requirement.;~~

- (4) The proposed PUD could not be developed using conventional zoning districts or standards established in this UDO;
- (5) The land included in the proposed PUD is under single ownership or control. Single control of property under multiple ownership may be considered when the petition includes enforceable agreements, covenants, or commitments that run to the benefit of the City and that the City may require to be recorded if the PUD is approved; and
- (6) The proposed PUD zoning district embraces the following highly-valued design features:
 - (A) Protection of specific natural, environmental, or scenic resources or green spaces; and/or
 - (B) Retaining natural landforms throughout the development; and/or
 - (C) Low impact development design features throughout the development; and/or
 - (D) Solar orientation of building forms and other passive energy-efficient design strategies throughout the development.
- (7) The proposed PUD zoning district embraces several highly-valued design features, as determined by the Planning and Transportation Director, including but not limited to:
 - (A) No block perimeter greater than one thousand four hundred feet in the development;
 - (B) Centralized gathering and recreation spaces of an appropriate size for the entire development, or designed to serve an area larger than the entire development;
 - (C) Internally and externally connected park, trail, and open space system;
 - (D) Community-level renewable energy production.

20.07.010 Defined words.

The following terms shall have the following meanings:

“Wooded area” means a contiguous, vegetated area featuring a dense, closed canopy of trees whose branches interlock to provide nearly continuous shade.

~~“Workforce housing” means residential housing units that serve individuals, households, or families with annual incomes less than one hundred twenty percent of the area median income. These housing units would be covered under Section 20.04.110(e)(2) (Eligibility) for tier 1 affordable housing.~~

“X zone” means for purposes of floodplain regulations, the area where the flood hazard is less than that in the SFHA. Shaded X zones shown on recent FIRMs (B zones on older FIRMs) designate areas subject to inundation by the flood with a 0.2 percent chance of being equaled or exceeded (the five-hundred-year flood). Unshaded X zones (C zones on older FIRMs) designate areas where the annual exceedance probability of flooding is less than 0.2 percent.