

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

Bloomington Common Council Ordinance 2026-09 - Chapter 4: Development Standards & Incentives 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. ZO2026-02-0002 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.

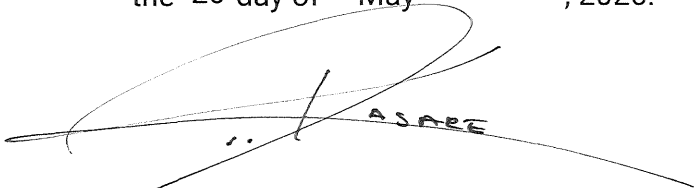
Section 5: Effective Date.

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", is written over a horizontal line. The signature is stylized with a large loop at the beginning.

Signature of Common Council President Isak Nti Asare

Attestation of 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 corrections and amendments to Chapter 4: Development Standards & Incentives. There are 70 amendments in this petition.

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

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 <u>and new</u> 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.
<u>Additions to structures that don't meet build-to ranges</u>	<u>Additions may be added that move the building closer to build-to range compliance, even if compliance is not achieved.</u>
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.

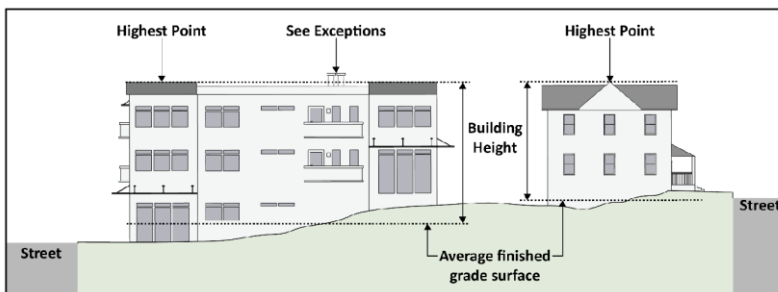


Figure 50: Building Height

- (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:~~

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- (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 ~~twentytwo~~ percent. No disturbance shall occur on any slope greater than ~~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

- (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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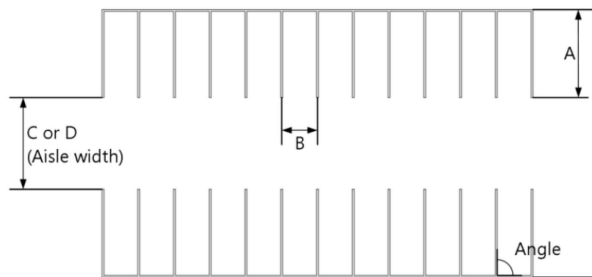


Figure 52: Illustrative Scale and Character

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:

- The lot in question does not exceed twenty thousand feet in area;
- A maximum of eight back-out parking spaces are permitted per site;
- Parking shall directly access an improved alley; and
- 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.

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- (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-plat~~ 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.

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- 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.

(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;

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

Table 04-16. Permitted Shrub Species

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

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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.

- (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.

(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.
- (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 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.
- (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.
- (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).
- (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.

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(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.
- (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

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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