

ORDINANCE 23-04

**TO AMEND TITLE 20 (UNIFIED DEVELOPMENT ORDINANCE)
OF THE BLOOMINGTON MUNICIPAL CODE –
Re: Technical Corrections Set Forth in BMC 20**

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

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

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

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

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

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

WHEREAS, on March 6, 2023, 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 March 15, 2023; 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; and

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

SECTION 1. Title 20 of the Bloomington Municipal Code, entitled “Unified Development Ordinance”, is amended.

SECTION 2. An amended Title 20, 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) ZO-04-23 (“Attachment A”)
 - (B) Any Council amendments 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, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 5. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.


PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 19 day of April, 2023.


SUE SGAMBELLURI, President
Bloomington Common Council


ATTEST:


NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to Mayor of the City of Bloomington, Monroe County, Indiana, upon this 20 day of April, 2023.


NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED AND APPROVED by me upon this 20th day of April, 2023.


JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This petition contains corrections or clarifications in the UDO. These errors range from missing references to terminology correction to missing text to syncing references across the UDO. There are 19 amendments identified, some appearing multiple times in the code.

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

****ORDINANCE CERTIFICATION****

In accordance with IC 36-7-4-604 I hereby certify that the attached Ordinance Number 23-04 is a true and complete copy of Plan Commission Case Number ZO-04-23 which was given a recommendation of approval by a vote of 9 Ayes, 0 Nays, and 0 Abstentions by the Bloomington City Plan Commission at a public hearing held on March 6, 2023.



Date: March 15, 2023

Scott Robinson, Secretary
Plan Commission

Received by the Common Council Office this 15th day of March, 2023.



Nicole Bolden, City Clerk

Appropriation Ordinance #	Fiscal Impact Statement Ordinance #	Resolution #
_____	_____	_____

Type of Legislation:

Appropriation	End of Program	Penal Ordinance
Budget Transfer	New Program	Grant Approval
Salary Change	Bonding	Administrative
Zoning Change	Investments	Change
New Fees	Annexation	Short-Term Borrowing
		Other

If the legislation directly affects City funds, the following must be completed by the City Controller:

Cause of Request:

Planned Expenditure _____	Emergency _____
Unforeseen Need _____	Other _____

Funds Affected by Request:

Fund(s) Affected	_____	_____
Fund Balance as of January 1	\$ _____	\$ _____
Revenue to Date	\$ _____	\$ _____
Revenue Expected for Rest of year	\$ _____	\$ _____
Appropriations to Date	\$ _____	\$ _____
Unappropriated Balance	\$ _____	\$ _____
Effect of Proposed Legislation (+/-)	\$ _____	\$ _____
Projected Balance	\$ _____	\$ _____

Signature of Controller

Will the legislation have a major impact on existing City appropriations, fiscal liability or revenues?

Yes _____ No XX

If the legislation will not have a major fiscal impact, explain briefly the reason for your conclusion.

Approval of case ZO-04-23 amends the Unified Development Ordinance (UDO), with technical corrections for scrivener's errors, punctuation, references, and/or citations, by the Bloomington Plan Commission. This ordinance is in accordance with Indiana Code 36-7-4-600.

If the legislation will have a major fiscal impact, explain briefly what the effect on City costs and revenues will be and include factors which could lead to significant additional expenditures in the future. Be as specific as possible. (Continue on second sheet if necessary.)

Case # ZO-04-23 Memo

To: Bloomington Common Council

From: Bloomington Plan Commission
Jackie Scanlan, AICP Development Services Manager

Date: March 15, 2023

Re: Text Amendments to Unified Development Ordinance

The Plan Commission heard case ZO-04-23 on March 6, 2023 and voted to send the petition to the Common Council with a positive recommendation with a vote of 9-0.

The Planning and Transportation Department proposes its annual update and amendment to the Unified Development Ordinance (UDO), Title 20 of the Bloomington Municipal Code. The last regular UDO Update process was completed in the Spring of 2022. This update is smaller scale than the larger update done in 2020 and is for regular maintenance of the code. Staff utilizes the UDO daily in our interactions with the public and other Departments, and has identified portions of the code that contain errors or that may benefit from amendment. No changes to the permitted uses or zoning districts are included in this update.

The proposal is divided into four (4) petitions. One petition is discussed below and is this Ordinance, 23-04:

1. ZO-04-23 | Technical Corrections

ZO-04-23 | Technical Corrections

This petition contains corrections or clarifications to the UDO. These range from missing periods, misspelled words, or misplaced references to syncing references across the UDO. There was a formatting error related to 'vision clearance triangles' and correction of that error is proposed. There are 19 amendments identified, some appearing multiple times in the code. These amendments are needed to provide accurate and clear language for use of the code, as well as to sync the code with itself.

Chapter 20.02: Zoning Districts

20.02.010 Zoning Districts Established

(a) Summary Table of Zoning Districts

The following zoning districts are established as shown in Table 02-1. All development shall comply with all other applicable regulations in this UDO including, without limitation, Chapter 20.03: (Use Regulations) and Chapter 20.04: (~~Development Standards & Incentives~~Development Standards & Incentives).

Table 02-1: Summary Table of Zoning Districts

Prior District Name	District Name
Residential	
RE – Residential Estate	R1 - Residential Large Lot [New]
RS - Residential Single-Family	R2 - Residential Medium Lot
RC - Residential Core	R3 - Residential Small Lot
---	R4 - Residential Urban [New]
RM - Residential Multifamily	RM - Residential Multifamily
RH - Residential High-Density Multifamily	RH - Residential High-Density Multifamily
MH - Manufactured/Mobile Home Park	RMH - Manufactured/Mobile Home Park
Mixed-Use	
---	MS - Mixed-Use Student Housing
CL - Commercial Limited	MN - Mixed-Use Neighborhood-Scale
CG - Commercial General	MM - Mixed-Use Medium-Scale
CA - Commercial Arterial	MC - Mixed-Use Corridor
BP - Business Park	ME - Mixed-Use Employment
IN - Institutional	MI - Mixed-Use Institutional
CD - Commercial Downtown	MD - Mixed-Use Downtown
MD - Medical	MH - Mixed-Use Healthcare
Nonresidential	
IG - Industrial General	EM - Employment
QY - Quarry	EM - Employment
---	PO – Parks and Open Space [New]
Planned Development District	
PUD - Planned Unit Development	PUD – Planned Unit Development
Overlay Zoning Districts	
CSO - Courthouse Square	
DCO - Downtown Core Overlay	
UVO - University Village Overlay	DCO – Downtown Character Overlay
DEO - Downtown Edges Overlay	DCO - Downtown Character Overlay
DGO - Downtown Gateway Overlay	
STPO - Showers Technology Park Overlay	
---	TRO – Transform Redevelopment Overlay [New]

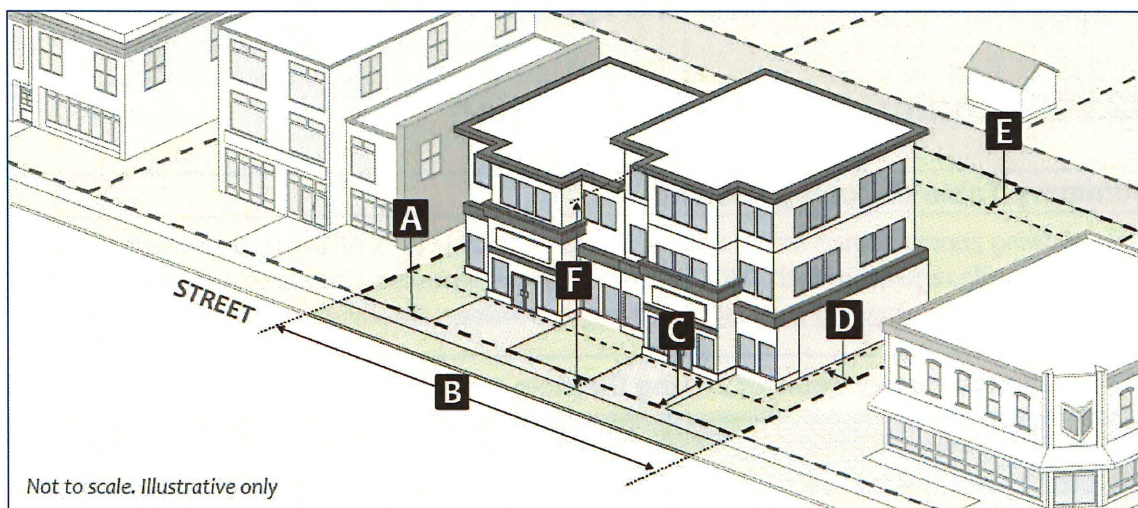


Figure 47: TRO Dimensional Standards

(5) Allowed Use Table Modifications**(A) Excluded Uses**

The following uses are prohibited within the TRO: Fraternity or sorority house; Opioid rehabilitation home, small; Crematory; Mortuary; Methadone treatment facility; Kennel; Country club; Sexually oriented business; Check cashing; Building supply store; Firearm sales; Pawn shop; Liquor or tobacco sales; Retail sales, big box; Vehicle fuel station; Student housing or dormitory.

(B) Permitted Uses

The following uses are permitted within the TRO: Dwelling, single-family (attached)*; Dwelling, duplex*; Dwelling, triplex*; Dwelling, fourplex*; Dwelling, multifamily**; Dwelling, live/work*; Restaurant**.

* = base zoning district use-specific standards apply

** = overlay use-specific standards apply only

(6) Use-Specific Standards

The lists of Permitted, Conditional, Accessory, Conditional Accessory, and Temporary uses listed in Table 3-1 (Allowed Use Table) are modified within the TRO as follows:

(A) Dwelling, Multifamily

- i. For structures with frontage along a street, identified in the ~~Transportation~~ [Transportation](#) Plan as Main Street, Shared Street, or General Urban, and structures along the B-Line Trail,

each dwelling unit located on the ground floor shall be located at least 20 feet behind each building façade facing a public street, or the B-Line Trail.

- ii. Ground floor dwelling units with a front building wall facing a street shall be raised 2 to 5 feet above the sidewalk level.
- iii. Each dwelling unit shall have direct access to a covered balcony, patio, or porch with an average depth of at least 5 feet located adjacent to or overlooking a common open space, right-of-way, or B-Line Trail.
- iv. Any portions within the ground floor of a structure used for vehicular parking shall be located at least 20 feet behind the building facade facing a public street.

(B) Restaurant

- i. In the RM and RH zoning districts, the restaurant shall contain no more than 5,000 gross square feet of floor area.

(7) Access and Connectivity

(A) Driveways and Access

i. Alley Access:

A driveway accessing the street shall be prohibited if the side or rear setback is adjacent via a platted alley.

ii. Surface Material:

Except for single-family, duplex, triplex, and fourplex uses, entrances and drives shall be constructed solely of permeable pavers.

(8) Parking and Loading

(A) Minimum Vehicle Parking Requirement:

Minimum vehicle parking requirements shall not apply to developments in the TRO.

(B) Maximum Vehicle Parking Allowance:

i. Housing Living Uses:

Maximum vehicle parking allowance listed in Table 04-10: Maximum Vehicle Parking Allowance, shall apply to developments in the TRO except multifamily uses, which shall be limited to a maximum of 0.5 spaces per bedroom.

ii. All Other Uses:

The maximum vehicle parking allowance, listed in Table 04-10: Maximum Vehicle Parking Allowance, shall be reduced by 50% in the TRO.

(C) Surface Material:

Except for single-family, duplex, triplex, and fourplex residences and parking structures all vehicle parking shall be constructed solely of permeable pavers.

(9) Site and Building Design**(A) Street Lighting Plans 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 15 feet in height.

(B) Building Design**i. Exceptions**

1. Single-family, duplex, triplex, and fourplex dwellings shall not be subject to the architectural standards of this section 20.02.050(b). Such residential dwellings units shall be subject to the architectural standards of Section 20.04.070(d)(3) (Building Design).
2. Restoration and rehabilitation of structures designated as "Notable" or "Outstanding" on the City of Bloomington Survey of Historic Sites and Structures or those buildings in local historic districts shall not be subject to the architectural standards of this section 20.02.050(b). Such buildings shall be subject to the procedures outlined in Section 20.06.050(c) (Demolition Delay Permit) as required.

ii. Materials

All facades of a primary building shall consist of one or more of the following primary and secondary exterior finished materials:

1. Primary Exterior Finish Materials

- [a] Masonry;
- [b] Brick;
- [c] Natural Stone;
- [d] Transparent Glass;
- [e] Cementitious siding;
- [f] Precast concrete;
- [g] Metal (except corrugated);-or
- [h] Wood

Table 03-1: Allowed Use Table

P = permitted use, C = conditional use permit, A = accessory use, T = temporary use, Uses with an * = use-specific standards apply
Additional uses may be permitted, prohibited, or require conditional use approval in Downtown Character Overlays pursuant to Section 20.03.010(e).

Use	Residential							Mixed-Use							Non-Residential		Use-Specific Standards	
	R1	R2	R3	R4	RM	RH	RMH	MS	MN	MM	MC	ME	MI	MD	MH	EM		PO
Utility substation and transmission facility	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		20.03.030(f)(3)
Wind energy system, large												P*				P*		20.03.030(f)(4)
Wind energy system, small	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	P*	P*	20.03.030(f)(5)
ACCESSORY USES																	20.03.030(g)(1)	
Chicken flock	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*		P*	20.03.030(g)(2)
Detached garage	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*								20.03.030(g)(3)
Drive-through										A*	A							20.03.030(g)(4)
Dwelling, accessory unit	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*		A*	A*			20.03.030(g)(5)
Electric vehicle charging facility	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Greenhouse, noncommercial	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	
Home occupation	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*			20.03.030(g)(6)
Outdoor retail and display									T*	T*	T*			T*		A*		20.03.030(g)(7)
Outdoor trash and recyclables receptacles					A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*		20.03.030(g)(8)
Recycling drop-off, self-serve					A	A		A	A	A	A	A	A	A	A	A		
Swimming pool	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	A*	20.03.030(g)(9)
TEMPORARY USES																	20.03.030(h)(1)	
Book buyback								T*	T*	T*	T*		T*	T*				20.03.030(h)(2)
Construction support activities	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	20.03.030(h)(3)
Farm produce sales	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*			20.03.030(h)(4)
Real estate sales or model home	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*		20.03.030(h)(5)
Seasonal sales								T*	T*	T*	T*	T*	T*	T*				20.03.030(h)(6)
Special event	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*	T*			T*	23.03.030(h)(7)

20.03.030 Use-Specific Standards

(a) Generally

- (1) The Use-Specific Standards listed in this Section 20.03.030 apply to those uses listed on the same line of Table 3-1, regardless of whether those uses are shown as Permitted, Conditional, Conditional Accessory, Accessory, or Temporary uses. These Use-Specific standards cannot be modified through the Conditional Use approval process in Section 20.06.050(b) (Conditional Use Permit), but relief may be granted through the Variance process in Section 20.06.080(b) (Variance).

- (2) Any of the uses listed as Household Living uses in ~~Table 03-1: Allowed Use Table~~~~Table 03-1: Allowed Use Table~~, may be organized as cooperative housing, but shall be a permitted use or a conditional use only in those zoning districts where another Household Living use with the same layout and number of units would be allowed as a permitted use or conditional use, and shall be subject to those use-specific standards applicable to such Household Living use with the same layout and number of units. For example, a cooperative housing facility that meets the definition of "dwelling, multifamily" in terms of layout and number of units is a permitted use available only in those zoning districts where a "dwelling, multifamily" is a permitted use in ~~Table 03-1: Allowed Use Table~~~~Table 03-1: Allowed Use Table~~, and is a conditional use available only in those zoning districts where a "Dwelling, multifamily," is listed as a conditional use in ~~Table 03-1: Allowed Use Table~~~~Table 03-1: Allowed Use Table~~, and is subject to those Use-specific standards applicable to a "dwelling, multifamily" in Section 20.03.030(b)(5).

(b) Residential Uses

(1) Dwelling, Single-Family (Detached)

- (A) In the RM, RH, MN, MM, MC, ME, and MH zoning districts, single-family detached dwelling units shall be permitted only on lots of record lawfully established before February 12, 2007.
- (B) Any legally established single-family dwelling that was established prior to the effective date of this UDO shall not be made non-conforming by adoption of this UDO.
- (C) Occupancy of a single-family detached dwelling unit is subject to the definition of "family" in Chapter 20.07: (Definitions).

(2) Dwelling, Single-Family (Attached)

(A) Access

- i. Each individual dwelling unit shall have a separate entrance facing the street frontage to which the building address is assigned. Buildings on corner lots may have entrances facing either street frontage.
- ii. Each dwelling shall have direct access to a street or alley.

(B) Design

In the R2 and R3 zoning districts, the maximum number of dwelling units allowed in one single-family attached structure shall be two, and each individual dwelling unit shall be located on a separate lot.

(C) Occupancy

Occupancy of single-family attached dwelling units is subject to the definition of "Family" in Chapter 20.07: (Definitions).

(3) Dwelling, Duplex

(A) Generally

- i. The property owner (or HAND registered agent) shall have no Notices of Violation on file in the Planning and Transportation Department for the prior three years at application.

(11) Group Care Home, FHAA (Small and Large) & Opioid Rehabilitation Home, (Small and Large)

- (A) Group homes for the exclusive use of citizens protected by the provisions of the federal Fair Housing Act Amendments of 1988 (FHAA), as defined in that Act and interpreted by the courts, or by any similar legislation of the State of Indiana, may be established in any Residential zoning district or portion of a Mixed-Use zoning district or PD district that permits residential dwellings, provided that they meet the definition of "small" and "large" facilities in Chapter 20.07: Definitions) and are located in zoning districts where facilities of that size are allowed pursuant to Table 3-1, and subject to the licensing requirements of the state and the City of Bloomington.
- (B) In the MN and R4 zoning districts, group homes shall not be designed for or occupied by more than 20 residents living together.
- (C) No Group Care Home shall be located within 300 feet of any other Group Care Home.
- (D) No Opioid Rehabilitation Home shall be located within 300 feet of any other Opioid Rehabilitation Home.
- (E) Where minimum spacing is required by subsections (C) and (D) above, the distance shall be measured from the nearest property line of the property from which spacing is required to the nearest property line on which the group home will be located, using a straight line, without regard to intervening structures or public rights-of-way.

(12) Residential Rooming House

- (A) No residential rooming house shall contain more than four bedrooms, not including the living space occupied by the residential rooming house owner.
- (B) No bedroom occupied by a person other than the residential rooming house owner shall be rented for a period of less than 30 consecutive days.

(13) Student Housing or Dormitory**(A) Ground Floor Parking**

All portions within the ground floor of a structure used for vehicular parking shall be located at least 20 feet behind the building facade facing a public street. If there are multiple primary buildings on a site, this requirement only applies to the building closest to a public street.

(B) Location

In the RM, RH, MN, MM, MC, and MI zoning districts, each student housing or dormitory use shall be separated from any other student housing or dormitory use.

- i. By at ~~least 900~~ least 900 feet, as measured between the closest points on the two lots containing the student housing or dormitory uses, and
- ii. By at least 900 feet, as measured between the closest points of two or more residential or mixed use structures within one lot containing the student housing or dormitory use.

However, if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, only the requirements of 20.03.030(b)(13)(B)(i) apply to each student housing or dormitory use in the RM, RH, MN, MM, MC, and MI zoning districts. If both the affordable housing incentive codified at Section 20.04.110(c) and the sustainable development incentive codified at Section 20.04.110(d), the separation requirements of

this section do not apply to each student housing or dormitory use in the RM, RH, MN, MM, MC, and MI zoning districts

(C) Building Floor Plate

- i. In the MN zoning district, the maximum building floor plate for a student housing or dormitory use shall be 2,000 square feet per building, pursuant to the measurement standards in Section 20.04.020(g) (~~Building Floor Plate Building Floor Plate~~). However if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, the maximum building floor plate for a student housing or dormitory use in the MN zoning district shall be 3,000 square feet per building, pursuant to the measurement standards in Section 20.04.020(g). If both the affordable housing incentive codified at Section 20.04.110(c) and the sustainable development incentive codified at Section 20.04.110(d) have been earned, the maximum building floor plate of a student housing or dormitory use shall be 5,000 square feet per building.
- ii. In the RM and MD zoning districts, the maximum building floor plate for a student housing or dormitory use shall be 3,000 square feet per building, pursuant to the measurement standards in Section 20.04.020(g) (~~Building Floor Plate Building Floor Plate~~). However if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, the maximum building floor plate for a student housing or dormitory use in the RM and MD zoning districts shall be 5,000 square feet per building , pursuant to the measurement standards in Section 20.04.020(g). If both the affordable housing incentive codified at Section 20.04.110(c) and the sustainable development incentive codified at Section 20.04.110(d) have been earned, the maximum building floor plate of a student housing or dormitory use shall be 10,000 square feet per building.
- iii. In the RH, MM, MC, and MI zoning districts, the maximum building floor plate for a student housing or dormitory use shall be 5,000 square feet per building, pursuant to the measurement standards in Section 20.04.020(g) (~~Building Floor Plate Building Floor Plate~~). However if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, the maximum building floor plate for a student housing or dormitory use in the RH, MM, MC, and MI zoning districts shall ~~be 8,000~~ be 8,000 square feet per building, pursuant to the measurement standards in Section 20.04.020(g). If both the affordable housing incentive codified at Section 20.04.110(c) and the sustainable development incentive codified at Section 20.04.110(d) have been earned, the maximum building floor plate of a student housing or dormitory use shall be 20,000 square feet per building.
- iv. In the MS zoning district, the maximum building floor plate for a student housing or dormitory use shall be 10,000 square feet per building, pursuant to the measurement standards in Section 20.04.020(g) (Building Floor Plate). However if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, the maximum building floor plate for a student housing or dormitory use shall be 14,000 square feet per building, pursuant to the measurement standards in Section 20.04.020(g). If both the affordable housing incentive codified at Section 20.04.110(c) and the sustainable development incentive codified at Section 20.04.110(d) have

ii. Mixed-Use Districts

1. A Home Occupation in a Mixed-Use zoning district that meets all of the standards of this Section 20.03.030(g)(6) shall be treated as a single-family dwelling unit for purposes of site plan review.
2. A Home Occupation that does not meet the standards of this section shall be treated as a commercial use and subject to site plan review.

(E) Operator Residency Required

The operator of the Home Occupation shall reside in the dwelling unit.

(F) Maximum Number of Nonresident Employees

Any Home Occupation shall be permitted a maximum of one employee who does not reside in the dwelling unit.

(G) Maximum Floor Area

- i. For Home Occupations located within a primary structure no more than 50 ~~percent~~^{percent} of the total interior floor area of the dwelling unit may be used in connection with the Home Occupation.
- ii. If there is more than one Home Occupation being conducted within a dwelling unit, then all Home Occupations within the dwelling unit shall cumulatively use no more than 50 percent of the dwelling unit.
- iii. Area used for storage of material or products used in the Home Occupation shall be included in this calculation.
- iv. For Home Occupations located within an accessory structure no more than 840 square feet or the maximum square footage allowed for accessory structures permitted by Section 20.03.0309(g) (Accessory Uses and Structures), whichever is less may be used in connection with the Home Occupation.
- v. Exempted Uses are excluded from square footage limitations in Section 20.03.030 (g)(6)(A).

(H) Multiple Home Occupations

- i. More than one Home Occupation may be permitted within an individual dwelling unit.
- ii. Where multiple Home Occupations are conducted within an individual dwelling unit, the operations standards of this subsection shall be applied to the combined total of all Home Occupation activities, not to each Home Occupation individually.

(I) Residential Character

There shall not be any interior or exterior, structural or aesthetic alterations that change the residential character of the dwelling unit within which the Home Occupation operates.

(J) Location and Entrance

- i. The use of any attached or detached garage for a Home Occupation shall not interfere with the provision of any required off-street parking.

(K) Outdoor Display and Storage

Outdoor display of goods, materials, supplies, or equipment is prohibited.

(e) Setbacks

(1) Measurement

- (A) Setbacks referred to in this UDO shall be measured as stated in Chapter 20.07: (Definitions), under the term "setback" and "build-to range."
- (B) For private streets, setbacks shall be measured from the edge of the curb, easement, or right-of-way, whichever distance is greater.
- (C) Where existing right-of-way is wider than that proposed on the Transportation Plan, the setback shall be measured from the existing right-of-way.
- ~~(D)~~ For lots of record with no street frontage, a minimum building setback of 10 feet is required from the property line where access is gained.
- ~~(D)~~(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:

(4) Belt Courses

- (A) Building facades shall incorporate exterior horizontal belt course design elements for the building base, middle and cap through techniques such as copestone, dripstone, string course, water table, and/or plinth using natural stone or masonry.
- (B) Building facades shall incorporate exterior vertical banding techniques using natural stone or masonry to visually define building subdivisions of wall planes, modules, or building facade focal points.

(f) Universal Design

- (1) In multifamily residential buildings and student housing and dormitory buildings constructed after 4/18/2020 that contain more than 25 dwelling units, at least 20 percent of the dwelling units shall incorporate at least one entrance at grade level and not requiring any steps up or down or a ramp for entry.
- (2) In addition, one of the following additional elements of "universal design" is required:
 - (A) All interior doorways with at least 32-inch wide openings;
 - (B) At least one bathroom with 32-inch counter height;
 - (C) At least one bathroom with wall reinforcements for handrails; and/or
 - (D) All light switches installed between 44 and 48 inches in height.

(g) Solar Ready Building Design

All new construction of primary structures shall meet either (1) or (2) below:

1. Design building as solar or renewable energy ready and incorporate the following into the site plan:
 1. Roof load bearing specifications shall be sized to bear the weight of a solar installation;
 2. The roof should be oriented to maximize solar capacity and roof types shall be compatible with solar installation mounting;
 3. Non-solar rooftop equipment (HVAC systems, chimneys, vents) shall be placed to avoid shading of solar equipment and maximize the amount of continuous roof space;
 4. Electrical panels shall be sized to accommodate a future solar system and space shall be allocated in the utility room or outside for a solar DC-AC inverter; and
 5. Conduit for wiring shall be placed from the roof to the electrical panel.
2. Submit a completed *U.S. EPA Renewable Energy Ready Home Solar Site Assessment* or another approved solar-ready assessment is required.

Modifications to either 1 or 2 above can be approved by the Director of Planning and Transportation.

(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 15 feet.

(D) Vision Clearance

~~i. Landscape materials shall be located to avoid interference with visibility per Section 20.04.050(c)(4) (Connectivity~~

~~Where properties have adjacent street or access drive stubs intended for connection, these stubs shall be extended and connected on the developing property.~~

~~Vision Clearance Triangle). 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.~~

(E) Distribution

~~Required landscape shall be reasonably distributed in any areas of a site not covered by a structure, parking lot or required buffer yard. It is suggested that the required plantings be planted in clusters or irregular patterns, and that native grasses and herbaceous perennial species be used for ornamentation in addition to the required plantings.~~

(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 ~~Invasive Plants~~

Species identified as invasive, detrimental, or noxious shall not be planted under any circumstances and will not be counted toward landscape requirements.

(D) Species Diversity

i. On sites that require an aggregate total of 20 or more new trees, any given genus of tree shall be limited to a maximum of 2025 percent of the total number of newly planted trees on site.

Table 04-15: Permitted Interior Tree Species

Bold text indicates evergreen species

Common Name	Scientific Name
Canadian or Eastern Hemlock	<i>Tsuga Canadensis</i>
Medium Interior Trees - 25 feet to 45 feet at mature height	
<u>Southern Catalpa</u>	<u><i>Catalpa bignoniodes</i></u>
<u>Downy Hawthorn</u>	<u><i>Crataegus mollis</i></u>
<u>Persimmon</u>	<u><i>Diospyros virginiana</i></u>
American Holly	<i>Ilex opaca</i>
<u>River Birch</u>	<u><i>Betula nigra</i></u>
<u>Sassafras</u> Sassafras	<u><i>Sassafras albidum</i></u> <i>Sassafras albidum</i>
American Arborvitae American Arborvitae	<i>Thuja occidentalis</i> <i>Thuja occidentalis</i>
Small Interior Trees - Under 25 feet at mature height	
<u>Red Buckeye</u> Pawpaw	<u><i>Asimina triloba</i></u> <i>Aesulus pavia</i>
<u>Devil's Walking Stick</u> Pagoda Dogwood	<u><i>Cornus alternifolia</i></u> <i>Aralia spinose</i>
<u>Persimmon</u> Pawpaw	<u><i>Diospyros virginiana</i></u> <i>Asmini triloba</i>
<u>Silverbell</u> Pagoda Dogwood	<u><i>Halesia carolina</i></u> <i>Cornus alterifolia</i>
<u>Wild Plum</u> Down Hawthorn	<u><i>Crataegus mollis</i></u> <i>Prunus Americana</i>
<u>Staghorn Sumac</u> Silverbell	<u><i>Halesia carolina</i></u> <i>Rhus typhina</i>
<u>American Plum</u>	<u><i>Prunus americana</i></u>
<u>Chickasaw Plum</u>	<u><i>Prunus angustifolia</i></u>
<u>Hoptree</u>	<u><i>Ptelia trifoliata</i></u>
<u>Dwarf Chinquapin Oak</u>	<u><i>Quercus prinoides</i></u>
<u>Winged Sumac or Shining Sumac</u>	<u><i>Rhus copallina</i></u>
<u>Shining Sumac or Smooth Sumac</u>	<u><i>Rhus glabra</i></u>
<u>Staghorn Sumac</u>	<u><i>Rhus typhina</i></u>

Table 04-1516: Permitted Shrubs, Bushes and Hedges Species

Bold text indicates evergreen species

Common Name	Scientific Name
<u>Indigo Bush</u>	<u><i>Amorpha fruticosa</i></u>
<u>Red Chokeberry</u> Black Chokeberry	<u><i>Aronia arbutifolia</i></u> <i>Aronia melanocarpa</i>
<u>Black Chokeberry</u> New Jersey Tea	<u><i>Aronia melanocarpa</i></u> <i>Ceanothus americanus</i>
<u>New Jersey Tea</u> Buttonbush	<u><i>Ceanothus americanus</i></u> <i>Cephalanthus occidentalis</i>
<u>Buttonbush</u> American Hazelnut	<u><i>Cephalanthus occidentalis</i></u> <i>Corylus Americana</i>
<u>Silky Dogwood</u> Eastern Witch Hazel	<u><i>Cornus amomum</i></u> <i>Hamamelis virginiana</i>
<u>Rough-leaved Dogwood</u> Wild Hydrangia	<u><i>Cornus drummondii</i></u> <i>Hydrangia arborescens</i>
<u>Gray Dogwood</u> Inkberry	<u><i>Cornus racemosa</i></u> <i>Ilex glabra</i>
<u>Red-Twig Dogwood</u> Winterberry Holly	<u><i>Cornus sericea</i></u> <i>Ilex verticillata</i>

Table 04-1516: Permitted Shrubs, Bushes and Hedges Species

Bold text indicates evergreen species

Common Name	Scientific Name
<u>American Hazelnut</u> <u>Virginia-Sweetspire</u>	<u><i>Corylus americana</i></u> <u><i>Itea virginica</i></u>
<u>Eastern Witchhazel</u> <u>Juniper</u>	<u><i>Hamamelis virginiana</i></u> <u><i>Juniperus communis</i></u>
<u>Smooth Hydrangea</u> <u>Spicebush</u>	<u><i>Hydrangea arborescens</i></u> <u><i>Lindera benzoin</i></u>
<u>Golden St. John's wort</u> <u>Ninebark</u>	<u><i>Hypericum frondosum</i></u> <u><i>Physocarpus opulifolius</i></u>
<u>Possumhaw</u> <u>Shrubby Cinquefoil</u>	<u><i>Ilex decidua</i></u> <u><i>Potentilla</i></u>
<u>Inkberry</u> <u>Sand Cherry</u>	<u><i>Ilex glabra</i></u> <u><i>Prunus pumila</i></u>
<u>Winterberry Holly</u> <u>Fragrant Sumac</u>	<u><i>Ilex verticillata</i></u> <u><i>Rhus aromatica</i></u>
<u>Virginia Sweetspire</u> <u>Winged Sumac</u>	<u><i>Itea virginica</i></u> <u><i>Rhus copallina</i></u>
<u>Common Juniper</u> <u>Shinning Sumac</u>	<u><i>Juniperus communis</i></u> <u><i>Rhus glabra</i></u>
<u>Spicebush</u> <u>Virginia-Rose</u>	<u><i>Lindera benzoin</i></u> <u><i>Rosa virginiana</i></u> , <u><i>Rosa setigera</i></u> , <u><i>Rosa palustris</i></u>
<u>Ninebark</u> <u>Pussy-Willow</u>	<u><i>Physocarpus opulifolius</i></u> <u><i>Salix discolor</i></u>
<u>Sand Cherry</u> <u>Elderberry</u>	<u><i>Prunus pumila</i></u> <u><i>Sambucus canadensis</i></u>
<u>Fragrant Sumac</u> <u>Bladdernut</u>	<u><i>Rhus aromatica</i></u> <u><i>Staphylea trifolia</i></u>
<u>Prickly Gooseberry</u> <u>Coralberry</u>	<u><i>Ribes cynosbati</i></u> <u><i>Symphoricarpos orbiculatus</i></u>
<u>Swamp Rose</u> <u>Canadian Yew</u>	<u><i>Rosa palustris</i></u> <u><i>Taxus canadensis</i></u>
<u>Climbing Rose</u> <u>Highbush Blueberry</u>	<u><i>Rosa setigera</i></u> <u><i>Vaccinium corymbosum</i></u> , <u><i>Vaccinium vacillans</i></u>
<u>Virginia Rose</u> <u>Mapleleaf Viburnum</u>	<u><i>Rosa virginiana</i></u> <u><i>Viburnum acerifolium</i></u>
<u>Purple Flowering Raspberry</u> <u>Arrowwood</u>	<u><i>Rubus odoratus</i></u> <u><i>Viburnum dentatum</i></u>
<u>Pussy Willow</u> <u>Nannyberry</u>	<u><i>Salix discolor</i></u> <u><i>Viburnum lentago</i></u>
<u>American Black Elderberry</u> <u>Black-Haw</u>	<u><i>Sambucus canadensis</i></u> <u><i>Viburnum prunifolium</i></u> , <u><i>Viburnum rufidulum</i></u>
<u>Bladdernut</u> <u>Prickly Ash</u>	<u><i>Staphylea trifolia</i></u> <u><i>Zanthoxylum americanum</i></u>
<u>Coralberry</u>	<u><i>Symphoricarpos orbiculatus</i></u>
<u>Canadian Yew</u>	<u><i>Taxus canadensis</i></u>
<u>Highbush Blueberry</u>	<u><i>Vaccinium corymbosum</i></u>
<u>Hillside Blueberry</u>	<u><i>Vaccinium pallidum</i></u>
<u>Mapleleaf Viburnum</u>	<u><i>Viburnum acerifolium</i></u>
<u>Arrowwood Viburnum</u>	<u><i>Viburnum dentatum</i></u>
<u>Nannyberry</u>	<u><i>Viburnum lentago</i></u>
<u>Blackhaw</u>	<u><i>Viburnum prunifolium</i></u>
<u>Rusty Blackhaw</u>	<u><i>Viburnum rufidulum</i></u>
<u>Prickly Ash</u>	<u><i>Zanthoxylum americanum</i></u>

Table 04-1516: Permitted Herbaceous (Forb) Flowering Perennial Plant Species

Bold text indicates evergreen species

Common Name	Scientific Name
Flowering Perennials	
<u>Purple giant hyssop</u>	<u><i>Agastache scrophulariaefolia</i></u>
<u>Nodding wild onion</u>	<u><i>Allium cernuum</i></u>
<u>Lead plant</u>	<u><i>Amorpha canescens</i></u>
<u>Bluestar</u>	<u><i>Amsonia tabernaemontana</i></u>
<u>Canada Anemone</u>	<u><i>Anemone canadensis</i></u>
<u>Thimbleflower</u>	<u><i>Anemone virginiana</i></u>
<u>Wild Columbine</u>	<u><i>Aquilegia canadensis</i></u>
<u>Pale Indiana Plantain</u>	<u><i>Arnoglossum atriplicifolium</i></u>
<u>Goatsbeard</u>	<u><i>Aruncus dioicus</i></u>
<u>Poke milkweed</u>	<u><i>Asclepias exaltata</i></u>
<u>Tall green milkweed</u>	<u><i>Asclepias hirtella</i></u>
<u>Swamp or Marsh Milkweed</u>	<u><i>Asclepias incarnata</i></u>
<u>Purple milkweed</u>	<u><i>Asclepias purpurascens</i></u>
<u>Showy milkweed</u>	<u><i>Asclepias speciosa</i></u>
<u>Prairie milkweed</u>	<u><i>Asclepias sullivantii</i></u>
<u>Common Milkweed</u>	<u><i>Asclepias syriaca</i></u>
<u>Butterflyweed</u>	<u><i>Asclepias tuberosa</i></u>
<u>Whorled milkweed</u>	<u><i>Asclepias verticillata</i></u>
<u>Spider milkweed</u>	<u><i>Asclepias viridis</i></u>
<u>Lindley's Heart-leaved Aster</u>	<u><i>Aster ciliolatum (Symphyotrichum ciliolatum)</i></u>
<u>Blue Wood Aster</u>	<u><i>Aster cordifolius</i></u>
<u>Heath Aster</u>	<u><i>Aster ericoides (Symphyotrichum ericoides)</i></u>
<u>Smooth Aster</u>	<u><i>Aster laevis</i></u>
<u>New England Aster</u>	<u><i>Aster novae-angliae (Symphyotrichum novae-angliae)</i></u>
<u>Aromatic Aster</u>	<u><i>Aster oblongifolius (Symphyotrichum oblongifolium)</i></u>
<u>Sky-blue Aster</u>	<u><i>Aster oolentangiensis (Symphyotrichum oolentangiensis)</i></u>
<u>Swamp Aster</u> <u>Canada Anemone</u>	<u><i>Aster puniceus (Symphyotrichum puniceum)</i></u> <u><i>Anemone canadensis</i></u>
<u>Short's Aster</u>	<u><i>Aster shortii (Symphyotrichum shortii)</i></u>
<u>Flat-topped Aster</u>	<u><i>Aster umbellatus (Doellingeria umbellata)</i></u>

Table 04-1546: Permitted Herbaceous (Forb) Flowering Perennial Plant Species

Bold text indicates evergreen species

Common Name	Scientific Name
<u>False White indigo</u>	<u><i>Baptisia alba</i></u>
<u>False Blue Indigo</u>	<u><i>Baptisia australis</i></u>
<u>False Yellow Indigo</u>	<u><i>Baptisia tinctoria</i></u>
<u>Downy wood mint</u>	<u><i>Blephilia ciliata</i></u>
<u>Hairy wood mint</u>	<u><i>Blephilia hirsuta</i></u>
<u>False chamomile or false aster</u> <u>Columbine</u>	<u><i>Boltonia asteroides</i></u> <u><i>Aquilegia canadensis</i></u>
<u>Clustered poppy mallow</u>	<u><i>Callirhoe triangulata</i></u>
<u>Marsh marigold</u>	<u><i>Caltha palustris</i></u>
<u>Tall bellflower</u>	<u><i>Campanula americana</i></u>
<u>White turtlehead</u>	<u><i>Chelone glabra</i></u>
<u>Pink Turtlehead</u>	<u><i>Chelone obliqua</i></u>
<u>Black cohosh</u>	<u><i>Cimicifuga racemosa</i></u>
<u>Lance-leaved coreopsis</u>	<u><i>Coreopsis lanceolata</i></u>
<u>Prairie coreopsis</u>	<u><i>Coreopsis palmata</i></u>
<u>Tall Coreopsis</u>	<u><i>Coreopsis tripteris</i></u>
<u>White prairie clover</u>	<u><i>Dalea candida</i></u>
<u>Purple prairie clover</u>	<u><i>Dalea purpureum</i></u>
<u>Larkspur</u>	<u><i>Delphinium tricornu</i></u>
<u>Pale purple coneflower</u>	<u><i>Echinacea pallida</i></u>
<u>Purple coneflower</u>	<u><i>Echinacea purpurea</i></u>
<u>Rattlesnake master</u>	<u><i>Eryngium yuccifolium</i></u>
<u>Common boneset</u>	<u><i>Eupatorium perfoliatum</i></u>
<u>Flowering spurge</u>	<u><i>Euphorbia corollata</i></u>
<u>Grass-leaved goldenrod</u>	<u><i>Euthamia graminifolia</i></u>
<u>Hollow Joe-Pye weed</u>	<u><i>Eutrochium fistulosum</i></u> (syn. <u><i>Eupatorium fistulosum</i></u>)
	<u><i>Eutrochium maculatum</i></u> (syn. <u><i>Eupatorium maculatum</i></u>)
<u>Spotted-Joe-Pyeweed</u>	<u><i>Eutrochium purpureum</i></u> (syn. <u><i>Eupatorium purpureum</i></u>)
<u>Purple Joe-Pye weed</u>	<u><i>Filipendula rubra</i></u>
<u>Queen of the prairie</u>	<u><i>Gentiana andrewsii</i></u>
<u>Bottle Gentian</u>	
<u>Wild Geranium</u> <u>Swamp or Marsh Milkweed</u>	<u><i>Geranium maculatum</i></u> <u><i>Asclepias incarnata</i></u>

Table 04-1516: Permitted Herbaceous (Forb) Flowering Perennial Plant Species

Bold text indicates evergreen species

Common Name	Scientific Name
<u>Autumn Sneezeweed</u>	<u><i>Helenium autumnale</i></u>
<u>Woodland Sunflower</u>	<u><i>Helianthus divaricatus</i></u>
<u>Downy Sunflower</u>	<u><i>Helianthus mollis</i></u>
<u>Western Sunflower</u>	<u><i>Helianthus occidentalis</i></u>
<u>Stiff or Prairie Sunflower</u>	<u><i>Helianthus pauciflorus</i></u>
<u>False Sunflower</u>	<u><i>Heliopsis helianthoides</i></u>
<u>American alumroot</u>	<u><i>Heuchera americana</i></u>
<u>Prairie Alumroot</u>	<u><i>Heuchera richardsonii</i></u>
<u>Rose Mallow</u>	<u><i>Hibiscus laevis</i></u>
<u>Swamp Rose Mallow</u>	<u><i>Hibiscus moschuetos</i></u>
<u>Dwarf Crested Iris</u>	<u><i>Iris cristata</i></u>
<u>Blue Flag Iris</u>	<u><i>Iris virginica</i></u>
<u>Violet Lespedeza</u> <u>Common Milkweed</u>	<u><i>Lespedeza violacea</i></u> <u><i>Asclepias syriaca</i></u>
<u>Rough Blazingstar</u>	<u><i>Liatris aspera</i></u>
<u>Dwarf Blazingstar</u> <u>Butterflyweed</u>	<u><i>Liatris microcephala</i></u> <u><i>Asclepias tuberosa</i></u>
<u>Prairie Blazing Star</u>	<u><i>Liatris pycnostachya</i></u>
<u>Northern Blazingstar</u> <u>Smooth Aster</u>	<u><i>Liatris scariosa</i></u> <u><i>Aster laevis</i></u>
<u>Dense Blazingstar</u> , <u>Spiked Blazingstar</u> <u>Short's Aster</u>	<u><i>Liatris spicata</i></u> <u><i>Aster shortii</i></u>
<u>Cardinal Flower</u>	<u><i>Lobelia cardinalis</i></u>
<u>Downy Lobelia</u> <u>False Blue Indigo</u>	<u><i>Lobelia puberula</i></u> <u><i>Baptisia australis</i></u>
<u>Great Blue Lobelia</u> <u>Fall Coreopsis</u>	<u><i>Lobelia siphilitica</i></u> <u><i>Coreopsis tripteris</i></u>
<u>Virginia Bluebells</u> <u>Larkspur</u>	<u><i>Mertensia virginica</i></u> <u><i>Delphinium tricorne</i></u>
<u>Bergamot or Bee-balm</u> <u>Purple Coneflower</u>	<u><i>Monarda fistulosa</i></u> <u><i>Echinacea purpurea</i></u>
<u>Purple Prairie Clover</u> <u>Spotted Joe-Pye-Weed</u>	<u><i>Petalostemum purpureum</i></u> <u><i>Eupatorium maculatum</i></u>
<u>Blue Phlox</u> , <u>Woodland Phlox</u> <u>Wild Geranium</u>	<u><i>Phlox divaricata</i></u> <u><i>Geranium maculatum</i></u>
<u>Summer Phlox</u> , <u>Tall Phlox</u> <u>Autumn Sneezeweed</u>	<u><i>Phlox paniculata</i></u> <u><i>Helenium autumnale</i></u>
<u>Obedient Plant</u>	<u><i>Physostegia virginiana</i></u>
<u>Jacob's Ladder</u>	<u><i>Polemonium reptans</i></u>
<u>Solomon's Seal</u>	<u><i>Polygonatum biflorum</i></u>
<u>Prairie Cinquefoil</u>	<u><i>Potentilla arguta</i></u>
<u>Hoary Mountain Mint</u>	<u><i>Pycnanthemum incanum</i></u>
<u>Hairy Mountain Mint</u>	<u><i>Pycnanthemum pilosum</i></u>
<u>Narrow-leaved Mountain Mint</u>	<u><i>Pycnanthemum tenuifolium</i></u>
<u>Virginia Mountain Mint</u> <u>Stiff or Prairie Sunflower</u>	<u><i>Pycnanthemum virginianum</i></u> <u><i>Helianthus pauciflorus</i></u>

Table 04-1546: Permitted Herbaceous (Forb) Flowering Perennial Plant Species

Bold text indicates evergreen species

Common Name	Scientific Name
<u>Pinnate Prairie Coneflower</u> False Sunflower	<u><i>Ratibida pinnata</i></u> <i>Heliopsis helianthoides</i>
<u>Orange Coneflower</u> Violet Lespedeza	<u><i>Rudbeckia fulgida</i></u> <i>Lespedeza violacea</i>
<u>Rough Blazing Star</u>	<u><i>Liatris aspera</i></u>
<u>Green-Headed Coneflower</u> Prairie Blazing Star	<u><i>Rudbeckia laciniata</i></u> <i>Liatris pycnostachya</i>
<u>Sweet Susan Coneflower</u>	<u><i>Rudbeckia subtomentosa</i></u>
<u>Wild Petunia</u>	<u><i>Ruellia humilis</i></u>
<u>Blue Sage</u>	<u><i>Salvia azurea</i></u>
<u>Lyre-leaved Sage</u>	<u><i>Salvia lyrata</i></u>
<u>Late-flowering Figwort</u>	<u><i>Scrophularia marilandica</i></u>
<u>Downey Skullcap</u>	<u><i>Scutellaria incana</i></u>
<u>Heart-leaved Scullcap</u>	<u><i>Scutellaria ovata</i></u>
<u>Wild Stonecrop</u>	<u><i>Sedum ternatum</i></u>
<u>Wild Senna</u>	<u><i>Senna hebecarpa</i></u>
<u>Maryland Senna</u>	<u><i>Senna manilandica</i></u>
<u>Royal Catchfly</u>	<u><i>Silene regia</i></u>
<u>Fire Pink</u>	<u><i>Silene virginica</i></u>
<u>Rosinweed</u>	<u><i>Silphium integrifolium</i></u>
<u>Compass Plant</u>	<u><i>Silphium laciniatum</i></u>
<u>Cup Plant</u>	<u><i>Silphium perfoliatum</i></u>
<u>Cutleaf Prairie Dock</u>	<u><i>Silphium pinnatifidum</i></u>
<u>Prairie Dock</u>	<u><i>Silphium terebinthinaceum</i></u>
<u>Whorled Rosinweed</u>	<u><i>Silphium trifoliatum</i></u>
<u>Blue-eyed Grass</u>	<u><i>Sisyrinchium angustifolium</i></u>
<u>Solomon's Plume</u> Dense Blazing Star	<u><i>Smilacina racemosa</i></u> <i>Liatris spicata</i>
<u>Cardinal Flower</u>	<u><i>Lobelia cardinalis</i></u>
<u>Blue-stemmed Goldenrod</u>	<u><i>Solidago caesia</i></u>
<u>Zig-zag Goldenrod</u>	<u><i>Solidago flexicaulis</i></u>
<u>Tall Goldenrod</u>	<u><i>Solidago gigantea</i></u>
<u>Early Goldenrod</u> Great Blue Lobelia	<u><i>Solidago juncea</i></u> <i>Lobelia siphilitica</i>
<u>Grey Goldenrod</u>	<u><i>Solidago nemoralis</i></u>
<u>Swamp Goldenrod</u>	<u><i>Soldago patula</i></u>
<u>Stiff Goldenrod</u>	<u><i>Solidago rigida</i></u>

Table 04-1516: Permitted Herbaceous (Forb) Flowering Perennial Plant Species

Bold text indicates evergreen species

Common Name	Scientific Name
<u>Rough-leaved Goldenrod</u>	<u><i>Solidago rugosa</i></u>
<u>Showy Goldenrod</u>	<u><i>Solidago speciosa</i></u>
<u>Indian Pink</u> <u>Virginia Bluebells</u>	<u><i>Spigelia marilandica</i></u> <u><i>Mertensia virginica</i></u>
<u>Bergamot or Bee-balm</u>	<u><i>Monarda fistulosa</i></u>
<u>Purple Prairie Clover</u>	<u><i>Petalostemum purpureum</i></u>
<u>Celandine Poppy</u> <u>Blue Phlox</u>	<u><i>Stylophorum diphyllum</i></u> <u><i>Phlox divaricata</i></u>
<u>Ohio Spiderwort</u>	<u><i>Tradescantia ohioensis</i></u>
<u>Virginia Spiderwort</u>	<u><i>Tradescantia virginiana</i></u>
<u>Bellwort or Merrybells</u>	<u><i>Uvularia grandiflora</i></u>
<u>Blue Vervain</u>	<u><i>Verbena hastata</i></u>
<u>Hoary Vervain</u>	<u><i>Verbena stricta</i></u>
<u>Yellow Wingstem</u>	<u><i>Verbesina alternifolia</i></u>
<u>Smooth Ironweed</u>	<u><i>Vernonia fasciculata</i></u>
<u>Missouri Ironweed</u>	<u><i>Vernonia missurica</i></u> <u><i>Phlox paniculata</i></u>
<u>Summer Phlox</u>	
<u>Culver's Root</u>	<u><i>Veronicastrum virginicum</i></u>
<u>Golden Alexander</u> <u>Obedient Plant</u>	<u><i>Zizia aurea</i></u> <u><i>Physostegia virginiana</i></u>
<u>Yellow Coneflower</u>	<u><i>Ratibida pinnata</i></u>
<u>Orange Coneflower</u>	<u><i>Rudbeckia fulgida</i></u>
<u>Black-Eyed-Susan</u>	<u><i>Rudbeckia hirta</i></u>
<u>Green-Headed Coneflower</u>	<u><i>Rudbeckia laciniata</i></u>
<u>Sweet Coneflower</u>	<u><i>Rudbeckia subtomentosa</i></u>
<u>Stiff Goldenrod</u>	<u><i>Solidago rigida</i></u>
<u>Blue-stemmed Goldenrod</u>	<u><i>Solidago caesia</i></u>
<u>Grey Goldenrod</u>	<u><i>Solidago nemoralis</i></u>
<u>Royal Catchfly</u>	<u><i>Silene regia</i></u>
<u>Fire Pink</u>	<u><i>Silene virginica</i></u>
<u>Celandine Poppy</u>	<u><i>Stylophorum diphyllum</i></u>
<u>Coralberry</u>	<u><i>Symphoricarpos orbiculatus</i></u>
<u>Culver's Root</u>	<u><i>Veronicastrum virginicum</i></u>
<u>Violet</u>	<u><i>Viola sororia</i></u>
Ground Covers	

Table 04-1546: Permitted Herbaceous (Forb) Flowering Perennial Plant Species

Bold text indicates evergreen species

Common Name	Scientific Name
<u>Canada Anemone</u>	<u>Anemone canadensis</u>
<u>Pussytoes</u>	<u>Antennaria plantaginifolia</u>
<u>Wild Ginger</u>	<u>Asarum canadense</u>
<u>Purple poppy malow</u> <u>Canada Anemone</u>	<u>Callirhoe involucrate</u> <u>Anemone canadensis</u>
<u>Wild Ginger</u>	<u>Asarum canadense</u>
<u>Common Oak Sedge or Pennsylvania Sedge</u>	<u>Carex pensylvanica</u>
<u>Palm Sedge</u>	<u>Carex muskingumensis</u>
<u>Common Oak Sedge</u>	<u>Carex pensylvanica</u>
<u>Wild Strawberry</u> <u>Running Strawberry Bush</u>	<u>Fragaria virginiana</u> <u>Euonymus obovatus</u>
<u>Dwarf Crested Iris</u> <u>Wild Strawberry</u>	<u>Iris cristata</u> <u>Fragaria virginiana</u>
<u>Creeping Juniper</u>	<u>Juniperus horizontalis</u>
<u>Golden Ragwort</u>	<u>Packera aurea</u>
<u>Roundleaf Ragwort</u> <u>Dwarf Crested Iris</u>	<u>Packera obovata</u> <u>Iris cristata</u>
<u>Cleft Phlox</u>	<u>Phlox bifida</u>
<u>Creeping Phlox</u> <u>Creeping Juniper</u>	<u>Phlox subulata</u> <u>Juniperus horizontalis</u>
<u>Partridge Berry</u> <u>Creeping Phlox</u>	<u>Mitchella repens</u> <u>Phlox subulata</u>
<u>Wild Stonecrop</u> <u>Partridge Berry</u>	<u>Sedum ternatum</u> <u>Mitchella repens</u>
<u>Violet</u> <u>Wild Stonecrop</u>	<u>Viola sororia</u> <u>Sedum ternatum</u>
<u>Foam Flower</u>	<u>Tiarella cordifolia</u>
Vines	
<u>Wooly Douchman's Pipe</u>	<u>Aristolochia tomentosa</u>
<u>Crossvine</u>	<u>Bignonia capreolata</u>
<u>Trumpet Creeper</u>	<u>Campsis radicans</u>
<u>Virgin's Bower (native clematis)</u>	<u>Clematis virginiana</u>
<u>Virginia Creeper</u>	<u>Parthenocissus quinquefolia</u>
<u>Yellow Passionflower</u>	<u>Passiflora lutea</u>
Ferns	
<u>Maidenhair Fern</u>	<u>Adiantum pedatum</u>
<u>Lady Fern</u>	<u>Athyrium filix-femina</u>
<u>Giant Wood Fern or Goldie's Fern</u>	<u>Dryopteris goldiana</u>
<u>Evergreen Shield Fern</u>	<u>Dryopteris marginalis</u>
<u>Ostrich Fern</u>	<u>Matteuccia struthiopteris</u>
<u>Sensitive Fern</u>	<u>Onoclea sensibilis</u>
<u>Cinnamon Fern</u>	<u>Osmunda cinnamomea</u>
<u>Royal Fern</u>	<u>Osonda regalis</u>
<u>Christmas Fern</u>	<u>Polystichum acrostichoides</u>

Table 04-1546: Permitted Herbaceous (Forb) Flowering Perennial Plant Species

Bold text indicates evergreen species

Common Name	Scientific Name
Graminoids Grasses	
<u>Big Bluestem</u>	<u><i>Andropogon gerardii</i></u>
<u>Broomsedge</u>	<u><i>Andropogon virginicus</i></u>
<u>Side-Oats Gramma</u>	<u><i>Bouteloua curtipendula</i></u>
<u>Oak Sedge</u>	<u><i>Carex albicans</i></u>
<u>Yellow Fox Sedge</u>	<u><i>Carex annectens</i></u>
<u>Appalachian Sedge</u>	<u><i>Carex appalachia</i></u>
<u>Plains Oval Sedge</u>	<u><i>Carex brevior</i></u>
<u>Fringed Sedge</u>	<u><i>Carex crinita</i></u>
<u>Crested Sedge</u>	<u><i>Carex cristatella</i></u>
<u>Blue Wood Sedge</u>	<u><i>Carex flaccosperma</i></u>
<u>Gray's Sedge</u>	<u><i>Carex grayii</i></u>
<u>Hop Sedge</u>	<u><i>Carex lupulina</i></u>
<u>Palm Sedge</u>	<u><i>Carex muskingumensis</i></u>
<u>Pennsylvania Sedge</u>	<u><i>Carex pennsylvanica</i></u>
<u>Seersucker Sedge</u>	<u><i>Carex plantaginea</i></u>
<u>Eastern Star Sedge or Straight-Styled Wood Sedge</u>	<u><i>Carex radiata</i></u>
<u>Lanced-fruited, or Broom Sedge</u>	<u><i>Carex scoparia</i></u>
<u>Short's Sedge</u>	<u><i>Carex shortiana</i></u>
<u>Brown Fox Sedge</u> <u>Big Bluestem</u>	<u><i>Carex vulpinoidea</i></u> <u><i>Andropogon gerardii</i></u>
<u>Indian Seaoats or River Oats</u>	<u><i>Chasmanthium latifolium</i></u>
<u>Tufted Hair Grass</u>	<u><i>Deschampsia caespitosa</i></u>
<u>Canada Wild Rye</u> <u>Side-Oats Gramma</u>	<u><i>Elymus canadensis</i></u> <u><i>Bouteloua curtipendula</i></u>
<u>Bottlebrush Grass</u>	<u><i>Elymus hystrix</i></u>
<u>Silky Wild rye</u> <u>Indian Seaoats</u>	<u><i>Elymus villosus</i></u> <u><i>Chasmanthium latifolium</i></u>
<u>Virginia Wild Rye</u>	<u><i>Elymus virginicus</i></u>
<u>Purple Love Grass</u>	<u><i>Eragrostis spectabilis</i></u>
<u>Soft Rush</u>	<u><i>Juncus effuses</i></u>
<u>Torrey's Rush</u> <u>Bottlebrush Grass</u>	<u><i>Juncus torreyi</i></u> <u><i>Elymus hystrix</i></u>
<u>Virginia Wild Rye</u>	<u><i>Elymus virginicus</i></u>
<u>Switchgrass</u>	<u><i>Panicum virgatum</i></u>
<u>June Grass</u>	<u><i>Koeleria macrantha</i></u>
<u>Little Bluestem</u>	<u><i>Schizachyrium scoparium</i></u>

Table 04-1516: Permitted Herbaceous (Forb) Flowering Perennial Plant Species

Bold text indicates evergreen species

Common Name	Scientific Name
<u>Dark Green Bulrush</u>	<u>Scirpus atrovirens</u>
<u>Woolgrass</u>	<u>Scirpus cyperinus</u>
<u>Georgia Bulrush</u>	<u>Scirpus georgianus</u>
<u>Indian grass</u>	<u>Sorghastrum nutans, syn. Andropogon nutans</u>
<u>Prairie Cordgrass</u> <u>Switch-Grass</u>	<u>Spartina pectinata</u> <u>Panicum virgatum</u>
<u>Prairie Dropseed</u> <u>Little Bluestem</u>	<u>Sporobulus heterolepis</u> <u>Schizachyrium scoparium</u>
<u>Prairie Dropseed</u>	<u>Sporobulus heterolepis</u>

(e) Prohibited Plant Species

Species identified in Table 04-18: Prohibited Plant SpeciesTable 04-17: Prohibited Plant Species are considered unacceptable and shall not be planted because of invasive characteristics, weak wood, and/or abundant litter.

Table 04-1817: Prohibited Plant Species

+* = Indiana State-listed noxious weeds (USDA, INDNR, &/or State Seed Commissioner) C 15-16-7

*+ = Indiana detrimental plants (INDNR C 15-16-8) ^ = Indiana terrestrial plant rule (312 IAC 18-3-25)

@ = Indiana multiflora rose and purple loosestrife restrictions (312 IAC 18-3-13)

= Indiana control of kudzu rule (312 IAC 18-3-16)

Common Name	Scientific Name
Prohibited Invasive Trees	
<u>Hedge Maple</u>	<u>Acer campestre</u>
<u>Amur Maple</u>	<u>Acer ginnala</u>
<u>Norway Maple</u>	<u>Acer platanoides</u>
<u>Sycamore Maple</u> <u>Amur Maple</u>	<u>Acer pseudoplatanus</u> <u>Acer ginnala</u>
<u>Tree-of-Heaven</u>	<u>Ailanthus altissima</u> <u>^</u>
<u>Mimosa</u> <u>Norway Maple</u>	<u>Albizia julibrissin</u> <u>Acer platanoides</u>
<u>Black Alder</u>	<u>Alnus glutinosa</u> <u>^</u>
<u>Kousa Dogwood</u>	<u>Cornus kousa</u>
<u>Cornelian Cherry Dogwood</u> <u>Tree-of-Heaven</u>	<u>Cornus mas</u> <u>Ailanthus altissima</u>
<u>Russian Olive</u> <u>Black Alder</u>	<u>Elaeagnus angustifolia</u> <u>Alnus glutinosa</u>
<u>Autumn Olive</u>	<u>Elaeagnus umbellata</u> <u>^</u>
<u>Hardy Rubber Tree</u> <u>Russian Olive</u>	<u>Eucommia ulmoides</u> <u>Elaeagnus angustifolia</u>
<u>Glossy Buckthorn</u>	<u>Frangula alnus</u> <u>^</u>
<u>Golden Raintree</u>	<u>Koelreuteria paniculata</u>
<u>Chinaberry Tree</u> <u>Autumn Olive</u>	<u>Melia azedarach</u> <u>Elaeagnus umbellata</u>
<u>White Mulberry</u> <u>Glossy Buckthorn</u>	<u>Morus alba</u> <u>^</u> <u>Frangula alnus</u>

Table 04-1817: Prohibited Plant Species

+* = Indiana State-listed noxious weeds (USDA, INDNR, &/or State Seed Commissioner) C 15-16-7)

*+ = Indiana detrimental plants (INDNR) C 15-16-8) ^ = Indiana terrestrial plant rule (312 IAC 18-3-25)

@ = Indiana multiflora rose and purple loosestrife restrictions (312 IAC 18-3-13)

= Indiana control of kudzu rule (312 IAC 18-3-16)

Common Name	Scientific Name
<u>Princess Tree</u> <u>White Mulberry</u>	<u>Paulownia tomentosa</u> <u>Morus alba</u>
<u>Sawtooth Oak</u> <u>Princess Tree</u>	<u>Quercus acutissima</u> <u>Paulownia tomentosa</u>
<u>Amur Cork Tree</u> <u>Sawtooth Oak</u>	<u>Phellodendron amurense</u> ^ <u>Quercus acutissima</u>
<u>Callery Pear and all cultivars</u> <u>Amur Cork Tree</u>	<u>Pyrus calleryana</u> <u>Phellodendron amurense</u>
<u>European or Common Buckthorn and all cultivars</u> <u>Callery Pear and all cultivars</u>	<u>Rhamnus cathartica</u> ^ <u>Pyrus calleryana</u>
<u>Glossy or Smooth Buckthorn and all cultivars</u> <u>European or Common Buckthorn and all cultivars</u>	<u>Rhamnus frangula</u> ^ <u>Rhamnus cathartica</u>
<u>Buckthorn Tallhedge and all cultivars including 'Fineline'</u> <u>Glossy or Smooth Buckthorn and all cultivars</u>	<u>Rhamnus frangula columnaris</u> ^ <u>Rhamnus frangula</u>
<u>Black Locust</u> <u>Buckthorn Tallhedge and all cultivars</u>	<u>Robinia pseudoacacia</u> <u>Rhamnus frangula columnaris</u>
<u>Siberian Elm</u>	<u>Ulmus pumila</u> ^
<u>Japanese Zelkova</u> <u>Black Locust</u>	<u>Zelkova serrata</u> <u>Robinia pseudoacacia</u>
<u>Siberian Elm</u>	<u>Ulmus pumila</u>
Prohibited Plants with Poor <u>or Nuisance</u> Characteristics	
Box Elder	<u>Acer negundo</u>
Silver maple	<u>Acer saccharinum</u>
<u>Ragweed</u>	<u>Ambrosia artemisiifolia</u>
<u>Giant Ragweed</u>	<u>Ambrosia trifida</u>
<u>Tropical Milkweed</u>	<u>Asclepias curassavica</u>
European White Birch	<u>Betula pendula</u>
Poison Hemlock	<u>Conium maculatum</u> L.
Ash	<u>Fraxinus</u> species
Ginkgo (female only)	<u>Ginkgo biloba</u>
<u>Giant Hogweed</u> <u>or Giant Cow Parsnip</u> <u>or Wild Parsnip</u>	<u>Heracleum mantegazzianum</u>
Rice Cutgrass	<u>Leersia oryzoides</u>
Flowering Crabapple	<u>Malus</u>
<u>Heavenly Bamboo</u>	<u>Nandina domestica</u>
Wild Parsnip	<u>Pastinaca sativa</u>
American Elm	<u>Ulmus Americana</u>
Poison Ivy	<u>Toxicodendron radicans</u>
Poison Sumac	<u>Toxicodendron vernix</u>
<u>Stinging Nettle</u>	<u>Urtica dioica</u>
<u>Burning Nettle</u>	<u>Urtica urens</u>
Prohibited Invasive Herbaceous Perennials <u>and Forbs</u>	
<u>Japanese Chaff Flower</u>	<u>Achyranthes japonica</u> ^

Table 04-1847: Prohibited Plant Species

+* = Indiana State-listed noxious weeds (USDA, INDNR, &/or State Seed Commissioner) C 15-16-7)

*+ = Indiana detrimental plants (INDNR) C 15-16-8) ^ = Indiana terrestrial plant rule (312 IAC 18-3-25)

@ = Indiana multiflora rose and purple loosestrife restrictions (312 IAC 18-3-13)

= Indiana control of kudzu rule (312 IAC 18-3-16)

Common Name	Scientific Name
<u>Wild Garlic and Wild Onion</u> <u>Japanese Chaff-Flower</u>	<u>Alliums spp.</u> <u>Achyranthes japonica</u>
<u>Garlic Mustard</u>	<u>Alliaria petiolata</u> ^
<u>Smooth Pigweed</u>	<u>Amaranthus hybridus</u> +
<u>Palmer Amaranth or carelessweed</u>	<u>Amaranthus palmeri</u> +
<u>Powell Amaranth</u>	<u>Amaranthus powellii</u> +
<u>Rough Pigweed</u>	<u>Amaranthus retroflexus</u> +
<u>Common Waterhemp</u>	<u>Amaranthus rudis</u> +
<u>Tall Waterhemp</u> <u>Wild-Garlic and Wild-Onion</u>	<u>Amaranthus tuberculatus</u> + <u>Alliums spp.</u> *
<u>Mugwort</u>	<u>Artemisia vulgaris</u> ^
<u>Italian Arum</u>	<u>Arum italicum</u>
<u>Narrowleaf Bittercress</u> <u>Garlic-Mustard</u>	<u>Cardamine impatiens</u> <u>Alliaria petiolata</u>
<u>Spiny Plumeless Thistle</u> <u>Mugwort</u>	<u>Carduus acanthoides</u> ^ <u>Artemisia vulgaris</u>
<u>Cornflower or Bachelor's Button</u> <u>Spiny-Plumeless-Thistle</u>	<u>Centaurea cyanus</u> <u>Carduus acanthoides</u>
<u>Russian Knapweed</u> <u>Cornflower or Bachelor's-Button</u>	<u>Centaurea repens</u> <u>Centaurea-cyanus</u>
<u>Spotted Knapweed</u> <u>Russian-Knapweed</u>	<u>Centaurea stoebe</u> ^ <u>Centaurea repens</u> *
<u>Canada Thistle</u> <u>Spotted Knapweed</u>	<u>Cirsium arvense</u> *+ <u>Centaurea-stoebe</u>
<u>Bull Thistle</u> <u>Canada Thistle</u>	<u>Cirsium vulgare</u> ^ <u>Cirsium arvense</u> *+
<u>Poison Hemlock</u>	<u>Conium maculatum</u> +
<u>Marestail or Horsetail</u>	<u>Conyza canadensis</u> +
<u>Queen Anne's Lace</u> <u>Bull Thistle</u>	<u>Daucus carota</u> <u>Cirsium vulgare</u>
<u>Grecian Foxglove</u> <u>Poison Hemlock</u>	<u>Digitalis lanata</u> <u>Conium maculatum</u>
<u>Teasel</u> <u>Grecian Foxglove</u>	<u>Dipsacus fullonum ssp. sylvestris</u> ^ <u>Digitalis lanata</u>
<u>Cutleaf Teasel</u> <u>Teasel</u>	<u>Dipsacus laciniatus</u> ^ <u>Dipsacus fullonum ssp. Sylvestris</u>
<u>Leafy Spurge</u> <u>Cutleaf Teasel</u>	<u>Euphorbia virgata</u> ^ <u>Dipsacus laciniatus</u>
<u>Mulberry weed, Hairy Crabweed</u>	<u>Fatoua villosa</u>
<u>Giant Hogweed</u> <u>Leafy Spurge</u>	<u>Heracleum mantegazzianum</u> <u>Euphorbia virgata</u>
<u>Dame's Rocket</u> <u>Giant Hogweed</u>	<u>Hesperis matronalis</u> ^ <u>Fallopia japonica</u>
<u>Meadow Fleabane or British Yellowhead</u>	<u>Inula britannica</u>
<u>Korean Lespedeza</u>	<u>Kummerowia stipulacea</u>
<u>Striate Lespedeza</u> <u>Dame's-Rocket</u>	<u>Kummerowia striata</u> <u>Hesperis matronalis</u>
<u>Perennial Peppergrass</u> <u>Meadow-Fleabane or-British Yellowhead</u>	<u>Lepidium draba</u> ^ <u>Inula britannica</u>
<u>Pepperweed</u> <u>Perennial-Peppergrass</u>	<u>Lepidium latifolium</u> ^ <u>Lepidium draba</u> *

Table 04-1847: Prohibited Plant Species

+* = Indiana State-listed noxious weeds (USDA, INDNR, &/or State Seed Commissioner) C 15-16-7)

*+ = Indiana detrimental plants (INDNR) C 15-16-8) ^ = Indiana terrestrial plant rule (312 IAC 18-3-25)

@ = Indiana multiflora rose and purple loosestrife restrictions (312 IAC 18-3-13)

= Indiana control of kudzu rule (312 IAC 18-3-16)

Common Name	Scientific Name
<u>Bicolor Lespedeza</u> Pepperweed	<u>Lespedeza bicolor</u> <u>Lepidium latifolium</u>
<u>Sericea Lespedeza</u> <u>Bicolor Lespedeza</u>	<u>Lespedeza cuneata</u> ^ <u>Lespedeza cuneata</u>
<u>Purple Loosestrife</u> <u>Sericea Lespedeza</u>	<u>Lythrum salicaria</u> @ <u>Lespedeza cuneata</u>
<u>White Sweet Clover</u>	<u>Melilotus alba</u>
<u>Yellow Sweet Clover</u> <u>Purple Loosestrife</u>	<u>Melilotus officinalis</u> <u>Lythrum salicaria</u> *
<u>Star of Bethlehem</u> <u>Sweet Clover</u>	<u>Ornithogalum umbellatum</u> <u>Melilotus alba</u> , <u>M. officinalis</u>
<u>Lesser Celandine</u>	<u>Ranunculus ficaria</u>
<u>Beefsteak Plant</u> <u>Star of Bethlehem</u>	<u>Perilla frutescens</u> <u>Ornithogalum umbellatum</u>
<u>Japanese Knotweed</u> <u>Lesser Celandine</u>	<u>Polygonum cuspidatum</u> , <u>Reynoutria japonica</u> , <u>Fallopia japonica</u> ^ <u>Ranunculus ficaria</u>
<u>Giant Knotweed</u> <u>Japanese Knotweed</u>	<u>Reynoutria sachalinensis</u> ^ <u>Polygonum cuspidatum</u>
<u>Bohemian Knotweed</u>	<u>Reynoutria x bohemica</u> ^
<u>Bouncing Bet</u> <u>Giant Knotweed</u>	<u>Saponaria officinalis</u> <u>Reynoutria sachalinensis</u>
<u>Perennial Sowthistle</u>	<u>Sonchus arvensis</u>
<u>Spreading Hedge Parsley</u>	<u>Torilis arvensis</u>
<u>Japanese Hedge Parsley</u> <u>Bohemian Knotweed</u>	<u>Torilis japonica</u> <u>Reynoutria x bohemica</u>
<u>Black Swallow-Wort</u> <u>Perennial Sowthistle</u>	<u>Vincetoxicum nigrum</u> ^ <u>Sonchus arvensis</u> *
<u>Pale Swallow-Wort</u> <u>Black Swallow-wort</u>	<u>Vincetoxicum rossicum</u> ^ <u>Vincetoxicum nigrum</u>
<u>Pale Swallow-wort</u>	<u>Vincetoxicum rossicum</u>
Prohibited Invasive Graminoidsses	
<u>Quackgrass</u>	<u>Agropyron repens</u>
<u>Giant Reed</u> <u>Quackgrass</u>	<u>Arundo donax</u> <u>Agropyron repens</u> *
<u>Small Carpggrass</u> <u>Giant Reed</u>	<u>Arthraxon hispidus</u> ^ <u>Arundo donax</u>
<u>Smooth Brome</u> <u>Small Carpggrass</u>	<u>Bromus inermis</u> <u>Arthraxon hispidus</u>
<u>Tall Fescue and all cultivars</u>	<u>Festuca elatior</u>
<u>Cogon grass</u> , <u>Japanese Blood Grass</u> <u>Smooth Brome</u>	<u>Imperata cylindrica</u> <u>Bromus inermis</u>
<u>Japanese Stiltgrass</u> <u>Tall Fescue and all cultivars</u>	<u>Microstegium vimineum</u> ^ <u>Festuca elatior</u>
<u>Maiden Grass</u> <u>Japanese Stiltgrass</u>	<u>Miscanthus sinensis</u> <u>Microstegium vimineum</u>
<u>Reed Canary Grass</u> <u>Maiden Grass</u>	<u>Phalaris arundinacea</u> ^ <u>Miscanthus sinensis</u>
<u>Common Reed Grass</u>	<u>Phragmites australis</u> ^
<u>Ravenna Grass</u>	<u>Saccharum ravennae</u>
<u>Tall Fescue</u> <u>Reed Canary Grass</u>	<u>Schedonorus arundinaceus</u> <u>Phalaris arundinacea</u>
<u>Columbus Grass</u> <u>Common Reed Grass</u>	<u>Sorghum x almum</u> <u>Parodi</u> *+ <u>Phragmites australis</u>
<u>Shattercane</u> <u>Columbus Grass</u>	<u>Sorghum bicolor</u> *+ <u>Sorghum almum</u> <u>Parodi</u> *
<u>Johnson Grass or Sorghum Almun</u> <u>Shattercane</u>	<u>Sorghum halepense</u> *+ <u>Sorghum bicolor</u> *+

Table 04-1847: Prohibited Plant Species

+* = Indiana State-listed noxious weeds (USDA, INDNR, &/or State Seed Commissioner) C 15-16-7)

*+ = Indiana detrimental plants (INDNR IC 15-16-8) ^ = Indiana terrestrial plant rule (312 IAC 18-3-25)

@ = Indiana multiflora rose and purple loosestrife restrictions (312 IAC 18-3-13)

= Indiana control of kudzu rule (312 IAC 18-3-16)

Common Name	Scientific Name
<u>Yellow Groove Bamboo</u> Johnson Grass or Sorghum Alum	<u>Phyllostachys aureosulcata</u> <u>Sorghum halepense</u> *+
<u>Yellow Groove Bamboo</u>	<u>Phyllostachys aureosulcata</u>
Prohibited Invasive Vines and Groundcovers	
<u>Porcelain Berry</u>	<u>Ampelopsis brevipedunculata</u>
<u>Oriental Bittersweet</u>	<u>Celastrus orbiculatus</u> ^
<u>Asiatic Bittersweet</u> Oriental Bittersweet	<u>Celastrus scandens</u> <u>Celastrus orbiculatus</u>
<u>Sweet Autumn Clematis</u> Asiatic Bittersweet	<u>Clematis terniflora</u> <u>Celastrus scandens</u>
<u>Field Bindweed</u> Sweet Autumn Clematis	<u>Convolvulus arvensis</u> ^ <u>Clematis terniflora</u>
<u>Crown Vetch</u> Field Bindweed	<u>Coronilla varia</u> ^ <u>Convolvulus arvensis</u> *
<u>Black Swallow-Wort</u> Crown Vetch	<u>Cynanchum nigrum</u> , syn. <u>Vincetoxicum nigrum</u> ^ <u>Coronilla varia</u>
<u>Pale Swallow-Wort</u> Black Swallow-Wort	<u>Cynanchum rossicum</u> ^ <u>Cynanchum nigrum</u> , syn. <u>Vincetoxicum nigrum</u>
<u>Potato Vine</u> Pale Swallow-Wort	<u>Dioscorea batatas</u> <u>Cynanchum rossicum</u>
<u>Chinese Yam</u> Potato Vine	<u>Dioscorea oppositifolia</u> ^ <u>Dioscorea batatas</u>
<u>Purple Winter Creeper</u> Chinese Yam	<u>Euonymus fortunei</u> ^ <u>Dioscorea oppositifolia</u>
<u>Creeping Charlie</u> Purple Winter Creeper	<u>Glechoma hederacea</u> <u>Euonymus fortunei</u>
<u>English Ivy</u> Creeping Charlie	<u>Hedera helix</u> <u>Glechoma hederacea</u>
<u>Japanese Hops</u>	<u>Humulus japonicus</u> ^
<u>Yellow Archangel</u> English Ivy	<u>Lamium galeobdolon</u> <u>Hedera helix</u>
<u>Japanese Honeysuckle</u> Japanese Hops	<u>Lonicera japonica</u> ^ <u>Humulus japonicus</u>
<u>Creeping Jenny or Moneywort</u> Japanese Honeysuckle	<u>Lysimachia nummularia</u> <u>Lonicera japonica</u>
<u>Mile-A-Minute Weed or Mile-A-Minute Vine</u> Creeping Jenny or Moneywort	<u>Polygonum perfoliatum</u> ^, <u>Persicaria perfoliata</u> ^ <u>Lysimachia nummularia</u>
<u>Kudzu</u> Mile-A-Minute Weed	<u>Pueraria montana lobata</u> # <u>Polygonum perfoliatum</u>
<u>Bur Cucumber</u>	<u>Sicyos angulatus</u> *+
<u>Vetch</u> Kudzu	<u>Vicia cracca</u> <u>Pueraria montana lobata</u>
<u>Periwinkle or Myrtle</u> Bur Cucumber	<u>Vinca minor</u> <u>Sicyos angulatus</u> *+
<u>Wisteria</u> Periwinkle or Myrtle	<u>Wisteria sinensis</u> <u>Vinca minor</u>
<u>Wisteria</u>	<u>Wisteria sinensis</u>
Prohibited Invasive Shrubs	
<u>Black Alder</u>	<u>Alnus glutinosa</u> ^
<u>Japanese Barberry</u> Black Alder	<u>Berberis thunbergii</u> ^ <u>Alnus glutinosa</u>
<u>Butterfly Bush</u> Japanese Barberry	<u>Buddleia davidii</u> <u>Berberis thunbergii</u>
<u>Burning Bush</u> Butterfly Bush	<u>Euonymus alatus</u> <u>Buddleia davidii</u>

Table 04-1847: Prohibited Plant Species

+* = Indiana State-listed noxious weeds (USDA, INDNR, &/or State Seed Commissioner) (C 15-16-7)

*+ = Indiana detrimental plants (INDNR) (C 15-16-8) ^ = Indiana terrestrial plant rule (312 IAC 18-3-25)

@ = Indiana multiflora rose and purple loosestrife restrictions (312 IAC 18-3-13)

= Indiana control of kudzu rule (312 IAC 18-3-16)

Common Name	Scientific Name
Blunt-Leaved Privet Burning-Bush	<i>Ligustrum obusifolium</i> ^ <i>Euonymus alatus</i>
Common Privet Blunt-leaved Privet	<i>Ligustrum vulgare</i> ^ <i>Ligustrum obusifolium</i>
Bush or Amur Honeysuckle Common Privet	<i>Lonicera maackii</i> ^ <i>Ligustrum vulgare</i>
Morrow's Honeysuckle Bush or Amur Honeysuckle	<i>Lonicera morowii</i> ^ <i>Lonicera maackii</i>
Tatarian Honeysuckle Morrow's Honeysuckle	<i>Lonicera tatarica</i> ^ <i>Lonicera morowii</i>
Bell's Honeysuckle	<i>Lonicera x bella</i> ^
Heavenly Bamboo, Sacred bamboo Tatarian Honeysuckle	<i>Nandina domestica</i> <i>Lonicera tatarica</i>
Jetbead	<i>Rhodotypos scandens</i> ^
Bristly Locust Bell's Honeysuckle	<i>Robinia hispida</i> <i>Lonicera x bella</i>
Multiflora Rose Jetbead	<i>Rosa multiflora</i> @ <i>Rhodotypos scandens</i>
Wineberry Multiflora Rose	<i>Rubus phoenicolasius</i> <i>Rosa multiflora</i> *
Japanese Spirea or Japanese Meadowsweet Winberry	<i>Spiraea japonica</i> <i>Rubus phoenicolasius</i>
Atlantic Poison Oak Japanese Spirea	<i>Toxicodendron pubescens</i> , syn. <i>Rhus pubescens</i> <i>Spiraea japonica</i>
European Highbush Cranberry Atlantic Poison Oak	<i>Viburnum opulus</i> var. <i>opulus</i> <i>Toxicodendron pubescens</i> , syn. <i>Rhus pubescens</i>
Poison Sumac	<i>Toxicodendron vernix</i> , syn. <i>Rhus vernix</i>
European Highbush Cranberry	<i>Viburnum opulus</i> v. <i>opulus</i>

(f) Street Trees

(1) Number

The minimum number of required street trees to be planted shall be one large canopy tree for every 30 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. A minimum of one canopy tree shall be planted per 40 feet of property that abuts a public right-of-way or 20 feet for small trees under overhead utility lines.

(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 15 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. Street trees planted within the front yard shall not count towards other landscaping requirements.

(C) Proximity of Adjacent Street Trees Separation

The spacing between adjacent street trees shall be no less than 10 feet from the center of one tree to the next, and no more than 40 feet. Street trees shall be planted no more than 30 feet apart, from the center of one tree to the next, except that street trees with separation exceeding 30 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.

(E)(F) Vision Clearance

~~i. Street trees shall be planted outside the vision clearance triangle as defined in Section 20.04.050(c)(4) (Connectivity)~~

~~ii. Where properties have adjacent street or access drive stubs intended for connection, these stubs shall be extended and connected on the developing property.~~

~~iii.i. Vision Clearance Triangle), 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.~~

~~iv.ii. Low-branching species shall not be allowed within 50 feet of an intersection.~~

~~v.iii. Locations for street trees within 50 feet of an intersection shall be approved by the City Engineering Department.~~

~~vi.iv. Street trees shall be located a minimum of 10 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 Transportation and Traffic Engineer.

(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 Transportation and Traffic Engineer.

- i. Street trees may be planted in a minimum five-foot-wide grassed tree plot area; or
- ii. Street trees may be planted in a large curbed planting area.

(3) Buffer Yard Types

Required buffer yards shall be installed according to the following standards:

Table 04-1948: Required Buffer Yard Types

Buffer Yard Treatment	Buffer Type		
	Type 1	Type 2	Type 3
Minimum width setback [1]	10 feet	15 feet	20 feet
Deciduous trees	1 tree every 30 linear feet	1 tree every 25 linear feet	1 tree every 20 linear feet
Evergreen trees	No requirement	2 trees every 25 linear feet	(see below)
Other	No requirement	No requirement	Any one of the following: 1 evergreen tree every 10 linear feet; or A 6-foot opaque fence; or A stone/brick wall; or A 5-foot tall undulating berm planted with shrubs

Notes:

[1] The buffer yard setback is measured from the property line along the boundary between the subject and adjoining properties, ~~and shall be provided in addition to the required building and parking setbacks required by this UDO.~~

(4) Buffer Yard Requirements

Buffer yards shall be required by the developing use pursuant to ~~Table 04-19: 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'.~~

Table 04-19: Required Buffer Yards

Developing Use	Adjacent Use Type or Category			
	Single-family detached, duplex, triplex, or fourplex	Multifamily or single-family attached	Mixed-use, commercial, or institutional	Employment
Single-family detached, duplex, triplex, and fourplex		1	3	3
Multifamily and single-family attached	4		2	3

(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 canopy tree per 500 square feet. Open areas less than 10 feet in width may substitute ornamental trees for required canopy trees.
- (B) A minimum of eight shrubs per 500 square feet. One ornamental tree may be substituted for every four shrubs; however, substitution shall not exceed 50 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).

(3) Parking Lot Landscape Bumpouts, Islands, and Endcaps

See Section 20.04.080(h)(2).

(k) Mixed-Use and Nonresidential Landscaping

(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 75 percent of the required trees shall be canopy trees.
- (B) A minimum of 27 shrubs per acre. One ornamental tree may be substituted for every four shrubs; however, substitution shall not exceed 50 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).

(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).

(2) Timing

Landscaping or ground cover shall be installed as required in Section 20.04.080(l)(3) on the lot where demolition activity has occurred within 180 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

(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).
- 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 10 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
- 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

- ~~i. Fences and walls shall meet all vision clearance standards in Section 20.04.050(c)(4) (Connectivity~~

~~Where properties have adjacent street or access drive stubs intended for connection, these stubs shall be extended and connected on the developing property.~~

~~Vision Clearance Triangle). Fences and walls shall meet all vision clearance standards in Section 20.04.050(c)(4) (Vision Clearance Triangle).~~

(3) Roofs

On the roof of a structure, or extending above the eave, roof line 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.

(4) Vision Clearance Triangle

~~Within a vision clearance triangle as specified in Section 20.04.050(c)(4) (Vision Clearance Triangle).~~

~~Within a vision clearance triangle as specified in Section 20.04.050(c)(4) (Connectivity~~

~~Where properties have adjacent street or access drive stubs intended for connection, these stubs shall be extended and connected on the developing property.~~

~~Vision Clearance Triangle).~~

(4)(5) Miscellaneous

On any traffic control signs, highway construction signs, fences, 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 of at least 40 percent of the total horizontal width of the sign; or have supports that are less than 25 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 18 inches above the height limit specified in this Section 20.04.100. 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.

- (D) Temporary signs shall not exceed 16 square feet in area per side;
- (E) Freestanding temporary signs shall not exceed six feet in height; and
- (F) External illumination of temporary signs is prohibited.
- (G) Display of temporary signs shall be permitted for a maximum of three periods of up to 30 days per period, per calendar year. These permitted periods may be combined into one or two periods per year provided that the total display period does not exceed 90 days.

(j) MS, MM, MC, ME, MI, MH, EM, and PO District Sign Standards

(1) Applicability

This sign standards section applies to the MS, MM, MC, ME, MI, MH, EM, and PO zoning districts.

(2) Wall Signs

The following standards shall apply to wall signs for individual uses or tenants within a multi-tenant center:

(A) Allowance**i. Individual Nonresidential Uses**

The cumulative square footage of all wall signs shall not exceed one and one-half square feet per lineal foot of primary facade facing a public or private street.

ii. Multi-tenant ~~Nonresidential~~ Center

The cumulative square footage of all wall signs for any individual tenant shall not exceed one and one-half square feet per lineal foot of the tenant's facade width facing either a public or private street or facing a parking area if no street frontage is adjacent. For purposes of this Section 20.04.100(j), only one facade of the building may be used to measure the sign allowance, with the exception of corner locations in multi-tenant buildings, which shall be permitted to use the side facade as additional facade width.

iii. Size Limits

No use shall be limited to less than 30 square feet of wall signage. Uses with less than 200,000 square feet of building area shall not be permitted to exceed 300 square feet of wall signage. Uses with 200,000 square feet or more of building area shall not be permitted to exceed 400 square feet of wall signage.

(B) Maximum Projection

Except an awning sign, no part of a wall sign shall project more than 12 inches from the wall or face of the building to which it is attached.

(C) Location

Wall signs for individual tenants within a multi-tenant nonresidential center shall be located on a wall of the tenant's lease space.

(D) Multi-tenant Nonresidential Centers

In addition to other wall signs permitted in this Section 20.04.100(j)(2), multi-tenant nonresidential centers shall be permitted a single wall sign not exceeding 20 square feet in area.

- 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.

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-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.

(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~~ 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~~ 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, 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 has been approved by the decision-making body:
 - i. Fees associated with right-of-way excavation permits for the project shall be waived; and
 - ii. 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 50 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.

ii. Tier 1 Projects

Projects that meet the Tier 1 affordability standards may increase the primary structure height by one floor of building height, not to exceed 12 feet, beyond the maximum primary structure height established for the zoning district where the project is located, as identified in Section 20.04.020 (Dimensional Standards).

iii. Tier 2 Projects

Projects that meet the Tier 2 affordability standards may increase the primary structure height by two floors of building height, not to exceed 24 feet, beyond the maximum primary structure height established for the zoning district where the project is located, as identified in Section 20.04.020 (Dimensional Standards).

iv. Sustainable Development Bonus

1. Tier 1 Projects: Projects that are eligible for increased primary structure height for affordable housing and sustainable development shall be eligible for one additional floor of building height, not to exceed 12 feet.
2. Tier 2 Projects: Projects that are eligible for increased primary structure height for affordable housing and sustainable development shall be eligible for one additional floor of building height, not to exceed 12 feet. The additional floor of building height granted under this subsection (iv)(2) shall be limited to 50 percent of the building footprint area of primary structure, and that additional floor shall be set back at least 10 feet further ~~than that~~ the lower floors of the building.

(6) Other Standards

The following standards shall apply to all affordable housing projects seeking incentives under this section 20.04.110(c).

(A) Agreement Required

Petitioners shall enter into an affordable housing program or agreement administered by the federal, state, or local governments, or an organization approved by those governments to ensure that no person shall sell, rent, purchase, or lease an affordable housing unit created pursuant to this Section 20.04.110(c)(5) except to income-eligible households and in compliance with the provisions of this section.

(B) Advertising Requirement

Proof that the income eligible units will be marketed and leased similar to the market-rate units is required before occupancy can be issued.

(C) Location

- i. All affordable units constructed or rehabilitated under this Section 20.04.110(c)(5) shall be located either on site or within 1,320 feet of the project site. Required affordable dwelling units shall not be located in less desirable locations than market-rate units and shall not, on average, be less accessible to public amenities, such as open space, than the market rate units.

Table 04-2120: Minimum Solar Reflectance Index (SRI)

	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 70 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 70 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 17 points from the LEED v4.1 BD+C Optimize Energy Performance credit; or
2. Demonstrating that the project qualifies for a minimum of 100 points from the Assessing Energy Performance standards, as provided in Section 3.3.1.1 of the Green Globes for New Construction v1.5 Technical Reference Manual.

(B) Option 2

Projects seeking the sustainable development incentives established in Section 20.04.110(d)(3) shall submit proof that the project is being reviewed and expects to receive certification by the following verified third-party sustainability programs:

- i. Silver Certification by the U.S. Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating system;
- ii. Silver Certification by the Home Innovation National Green Building Standard (NGBS) Green Certified rating system;
- iii. Petal Certification by the International Living Future Institute Living Building Challenge (LBC) rating system; or
- iv. Three Green Globes Certification by the Green Building Initiative (GBI) Green Globes Certification rating system;
- v. Another verified third-party sustainability program producing equal or greater sustainability benefits to at least one of the programs listed in subsections (i.) through (iv.) above, as determined by the Planning and Transportation Director.

- (F) The Plan Commission may approve alternative setback standards in order to create a zero-lot line development plat, subject to the following standards:
- i. The petitioner shall request a zero-lot line development designation with the primary plat;
 - ii. All individual units shall be placed on an individual lot; and
 - iii. All units shall have individual utility service.

(f) Monuments and Markers

(1) Installation of Monuments and Markers

All monument and marker improvements shall be installed per 865 IAC 1-12-18.

(2) Centerline Monuments

Monuments conforming to 865 IAC 1-12-18(a)(2) shall be set on street centerlines at the beginning and end of curves and at the intersection of centerlines. When it is not practical to set a centerline monument in accordance with 865 IAC 1-12-18(a)(2), a centerline monument conforming to 865 IAC 1-12-18(a)(3) shall be set.

(3) Reporting

Upon completion of the development, as-built drawings shall be submitted showing where monuments and markers were placed. This shall be accompanied by an affidavit from the surveyor certifying that the monuments and markers are still accurately in place, and were not removed, moved, or buried such that they do not accurately denote surveyed lines or cannot be easily located.

(g) Open Space

(1) Generally

- (A) All residential developments shall have a percentage of the land set aside for open space.
- (B) Subdivisions shall provide the minimum required open space per Table 05-5: Subdivision Development Standards.

(2) Common Areas

In addition to easements required by Subsection- ~~20.05.040~~~~20.07.080(b)~~: Easements, the following environmental features shall be placed within Common Areas on the plat:

- (A) Karst Features: All karst features and their required buffer zones that have a total area of one-half (0.5) acre or greater.
- (B) Riparian Buffers: All riparian buffers defined as Streamside or Intermediate Zones.
- (C) Floodways: All areas within regulatory floodways.
- (D) Wetlands: All delineated wetlands and required wetland buffer areas.
- (E) Forested Areas: All contiguous areas of tree cover totaling one (1) acre or greater that are required to be preserved.

(3) Site Features that Qualify as Open Space

The following features count toward the minimum open space requirements as described:

- (A) **Conservation Areas**
Any required preservation/conservation area shall count toward open space requirements.
- (B) **Man-made Water Features**
Any man-made water feature (including retention facilities) shall count toward minimum open space if it supports aquatic life and provides native habitat as follows:
- i. **Surface Area**
A surface area at normal pool elevation of at least 32,670 square feet (0.75 acres); and
 - ii. **Perimeter Access**
 1. A buffer area around the full circumference of the water feature of at least 50 feet from the top of bank shall be available as open space.
 2. This open space shall be planted and maintained as wildlife habitat. This includes use of native (no more than 20 percent lawn grass) species including prairie grasses and/or tree planting.
- (C) **Dry Detention Facilities**
Man-made stormwater detention facilities (dry) shall count toward the minimum open space if they meet the following standards:
- i. **Area**
The facility shall have at least 10,890 square feet of flat bottom (0.25 acres).
 - ii. **Depth**
The man-made depth of the detention facility shall not exceed four feet from top of bank.
 - iii. **Slope**
The man-made slopes within the detention facility shall not exceed a ~~four to~~four to one ratio.
 - iv. **Perimeter Access**
 1. A buffer area around the full circumference of the facility of at least 25 feet from the top of bank shall be available as open space.
 2. This open space (facility and buffer area) shall be planted and maintained as usable area. This includes use of prairie grasses, native species, native ground cover, or lawn grass. Tree planting shall not be within the basin area or on the slopes of the bank.
- (D) **Regulated Floodplain**
The regulated floodplain of any stream, regulated drain, or river shall count toward the open space requirements.
- (E) **Other**
Other common areas set aside to meet open space requirements.

(h) Storm Water

(1) Applicability

All proposed subdivisions submitted for approval, under the provisions of this UDO, shall provide for the collection and management of all surface water drainage.

(7) Arterial Frontages**(A) Residential**

All residential subdivisions shall be designed so that no residential lot directly borders an arterial level street unless those lots use alley access, an access street, or obtain access from a street other than an arterial and provide a buffer to screen the visual impacts of homes along arterial level streets.

i. Alley Access

Individual single-family (attached and detached), duplex, triplex, or fourplex residential lots may directly front arterial streets if rear alleys ~~are used~~ are used for all lots fronting the arterial street.

1. Front setbacks for these lots shall be increased to a minimum of 40 feet from the proposed right-of-way indicated on the Transportation Plan.
2. Alleys shall be constructed to standards of Section 20.05.050(j)(6).

ii. Access Street

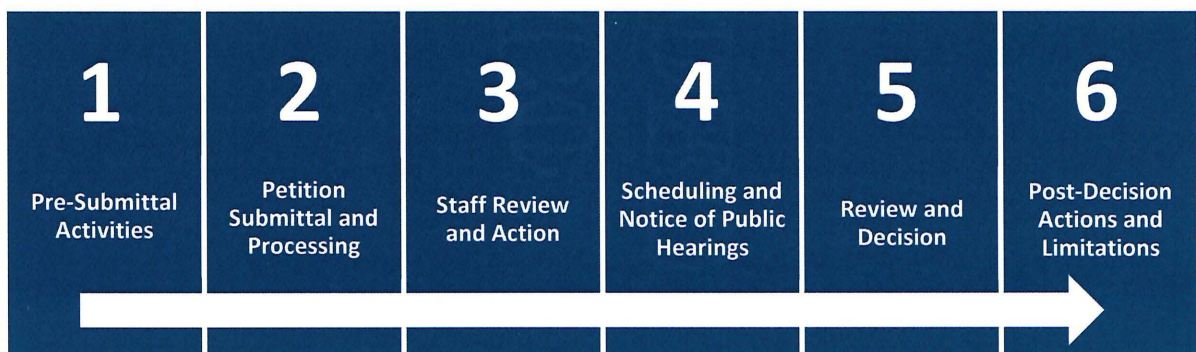
Individual single-family (attached and detached), duplex, triplex, or fourplex residential lots may front arterial level streets if an access street is used.

1. This access street must be separated from the proposed right-of-way indicated on the Transportation Plan by a grass strip of at least 20 feet in width.
2. (An access street shall be designed to accommodate two-way traffic.
3. An access street shall be designed to generally run parallel to the arterial level street.
4. Access streets shall be placed within additional right-of-way or an access easement.
5. Access streets shall be paved to a minimum width established in the most recent Transportation Plan for that street type.
6. In addition to the required pedestrian facility along the arterial level street, a sidewalk five feet in width shall be installed adjacent to the residential lots on the access street.
7. Access streets must provide two points of ingress/egress to the arterial street if they give access to 10 or more residential lots or if they exceed 500 feet in length.
8. No more than two ingress/egress points are permitted for an access street.

iii. Buffer

Through lots may be used with the rear of the lots facing the arterial level street if a buffer is established between the residential lots and the arterial level street and such buffer is maintained as common area through a recorded easement.

1. The buffer shall be a minimum of 30 feet in width measured from the proposed right-of-way indicated on the Transportation Plan.
2. The buffer shall include one of the following features:
 - [a] A solid wall or combination of walls a minimum of three feet in height, combined with landscaping sufficient to achieve a nonlinear, dense buffer of evergreen and deciduous trees, that together equal to at least 75 percent of the subdivision's lineal frontage along an arterial street.



(b) Pre-Submittal Activities

(1) Pre-Submittal Meeting

(A) Purpose

The pre-submittal meeting is intended to provide an opportunity for the petitioner to meet with city staff to review the zoning classification of the site, the regulatory ordinances and materials, the procedures, and examine the proposed use and development of the property. The staff shall aid and advise the petitioner in preparing the petition and supporting documents as necessary. This meeting shall take place on or prior to the pre-submittal meeting deadline as listed on the schedule of meeting dates.

(B) Applicability

A pre-submittal meeting shall be required as indicated in Table 06-1: Summary Table of Review Procedures.

(C) Procedure

The petitioner shall submit a request for a pre-submittal meeting to Planning and Transportation Department staff.

(D) Effect

Any information or discussions held at the pre-submittal meeting shall not be binding on the city or the petitioner. Discussions of potential conditions or commitments to mitigate impacts do not reflect actions by the decision-making body until and unless a decision-making body takes formal action to attach that condition or commitment to an approval.

(2) Development Review Committee (DRC) Meeting

(A) Purpose

The Development Review Committee (DRC) meeting is intended to provide an opportunity for city staff from several departments to discuss details and potential impacts of the proposed project, and to establish points of contact. The staff shall advise the petitioner in preparing the petition and supporting documents as necessary. The ~~petitioner~~ petitioner ~~or~~ petitioner's representative is required to attend the DRC meeting.

(9) Authorization of Site Inspection

By submitting a petition, the petitioner is authorizing city staff to inspect the subject property being considered for development at any reasonable time to obtain the information required for review of compliance with this UDO.

(10) Examination of Petition and Other Documents

Upon reasonable request, and during normal business hours, any person may examine a petition and materials submitted in support of, or in opposition to, a petition ~~in the~~in the Planning and Transportation Department office.

(d) Staff Review and Action

(1) Referral to Staff and Review Agencies

The Planning and Transportation Director shall distribute the complete petition to appropriate staff and appropriate review agencies, per the Administrative Manual.

(2) Petition Routing**(A) Referral to Plan Commission**

- i. If Table 06-1: Summary Table of Review Procedures authorizes staff or the Plat Committee to make a decision, and the Planning and Transportation Director determines that the application is unusually complex or raises potentially unique or serious impacts on the city or the surrounding neighborhoods, the Planning and Transportation Director may, refer the petition to the Plan Commission for decision pursuant to the same criteria that the staff or the Plat Committee would have been required to apply to that petition.
- ii. In cases where the Planning and Transportation Director refers the decision to the Plan Commission, all applicable noticing requirements per Section 20.06.040(e) (~~Scheduling and Notice of Public Hearings~~Scheduling and Notice of Public Hearings) shall apply.

(B) Referral to Board of Zoning Appeals

- i. If Table 06-1: Summary Table of Review Procedures authorizes the Hearing Officer to make a decision, and the Hearing Officer determines that the application is unusually complex or raises potentially unique or serious impacts on the city or the surrounding neighborhoods, the Hearing Officer may refer the decision to the Board of Zoning Appeals for a decision pursuant to the same criteria that the Hearing Officer would have been required to apply to that decision.
- ii. In cases where the Hearing Officer refers the decision to the Board of Zoning Appeals, all applicable noticing requirements per Section 20.06.040(e) (~~Scheduling and Notice of Public Hearings~~Scheduling and Notice of Public Hearings) shall apply.

iv. Creation or expansion of any vehicular parking area.

(B) Activities Exempt from Site Plan Review

Site plan review is not required for the following activities, but such activities shall be subject to the standards of this UDO and building permit review:

- i. Construction of a single-family detached, duplex, triplex, or fourplex dwelling on a single lot, additions to such dwellings, an accessory dwelling unit, and structures accessory to such dwellings; and
- ii. Construction or erection of accessory buildings, fences, hedges, or walls; and
- iii. Interior tenant alterations or improvements that do not increase parking requirements or alter exterior building appearances.
- iv. Projects that fall below the thresholds for minor site plan review in Section [20.06.050\(a\)\(2\)\(C\)i](#)~~20.06.050(a)(2)(C)i~~.

(C) Thresholds for Minor and Major Site Plan Review

Site plan review is conducted by the Planning and Transportation Director or the Plan Commission, based on the thresholds below:

i. Minor Site Plan Review

Minor site plan review is required for any of the following activities unless that activity is exempt from the site plan process under Section 20.06.050(a)(2)(B), or the project meets or exceeds the thresholds requiring major site plan review under Section 20.06.050(a)(2)(C)ii:

1. A change in use that involves or requires site improvements;
2. Any expansion, alteration, or modification of a lawful nonconforming site feature or building that meets or exceeds the thresholds established in Section 20.06.090(f)(2) (Limited Compliance), and falls below the thresholds for major site plan review in Section [20.06.050\(a\)\(2\)\(C\)\(ii\)](#). ~~Error! Reference source not found.;~~
3. Development that contains 20,000 square feet or less of new non-residential gross floor area;
4. Development that contains 50 dwelling units or less;
5. ~~Expansions, alterations, or modifications that increase the gross floor area of an existing structure by 10 to 25 percent;~~
6. The alteration of any vehicular parking area;
7. Petitions for a ~~permit and/or certificate of zoning compliance for~~ grading permit where site improvements are required; or
8. Projects that qualify for affordable housing incentives and/or sustainable development incentives established in Section 20.04.110 (Incentives), provided that, if located adjacent to one or more lots in an R1, R2, R3, or R4 district or such project does not contain more than 75 dwelling units.

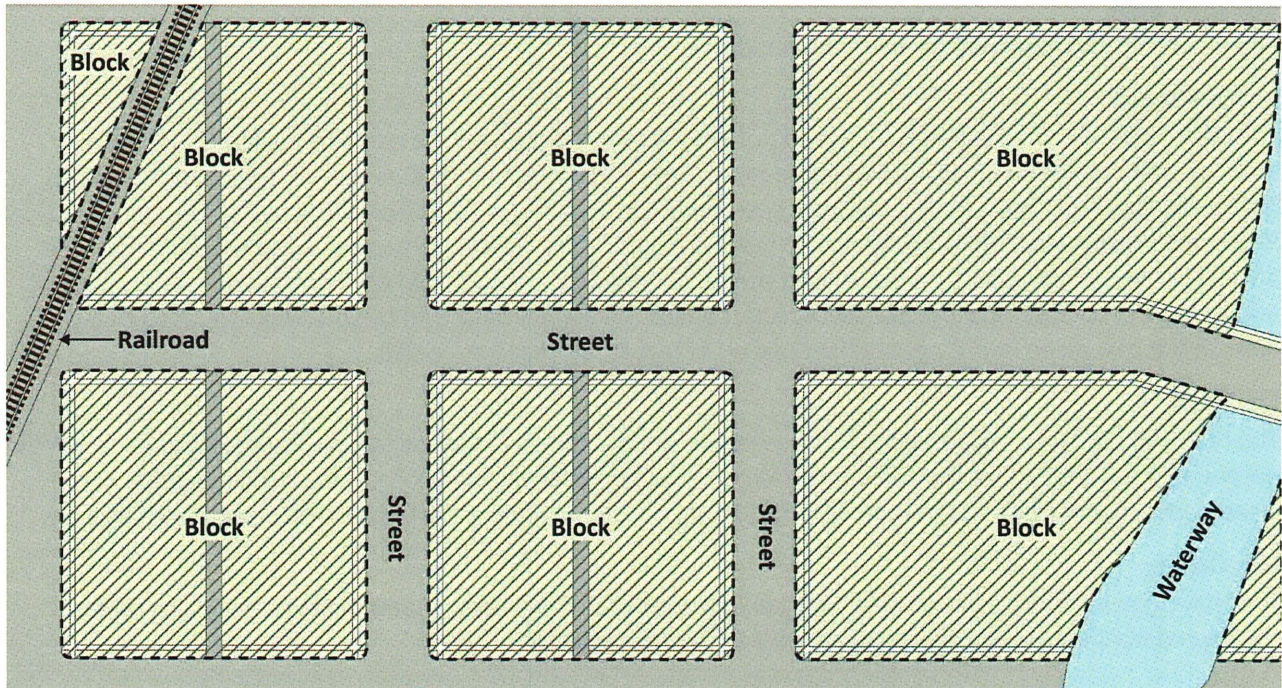


Figure 5: Block Definition

Block face

That portion of a block adjacent and parallel to the abutting public street and normally extending from one intersecting street to another.

Board of Zoning Appeals (BZA)

The City of Bloomington advisory Board of Zoning Appeals or any division or designee thereof.

Book Buyback

A use or business that purchases used higher education books.

Bottled Gas Storage or Distribution

A facility that engages in the holding and transportation of bottled gas products.

Brewpub, Distillery, or Winery

A commercial use that brews ales, beers, meads, distilled drinks, wines, and/or similar beverages on site and serves those beverages on site. Off-site sales are permitted as an accessory use.

Buffer Yard

An area adjacent to side and rear property lines, measured perpendicularly from adjacent property lines, intended to reduce the impacts of proposed uses on adjacent property or natural features and to screen incompatible uses from each other. Buffer yards also help to maintain existing vegetation, to block or reduce noise, glare or other emissions and to maintain privacy. ~~Buffer yards are in addition to (separate from) rear or side setbacks.~~

Building**Building (Generally)**

Lot Line, Side

Any lot line that is not a front lot line or a rear lot line.

Lot of Record

A lot that was created by subdivision, the plat of which has been approved as required by applicable city and state law and recorded in the Office of the Monroe County Recorder; or a parcel of land, the bounds of which have been legally established by a separate deed and duly recorded in the Office of the Monroe County Recorder. "Legally established" means not in violation of any city or state subdivision regulations existing at the time the lot was established by deed. Also, a parcel described by a single deed containing more than one metes and bounds description shall be one lot of record unless the parcels described by such separate descriptions have, in the past, been lawfully established parcels of record with separate deeds.

Lot Width

The horizontal distance between side lines measured along a line that is parallel to the front lot line. For lots with existing buildings, the lot width shall be measured at the front building wall of the primary building. For newly created lots, the lot width shall be measured at the minimum required setback distance from the front lot line.

Lot, Corner

A lot having at least two adjacent sides that abut for their full length along streets. Both such lot lines shall be considered front lot lines for the purposes of determining setbacks.

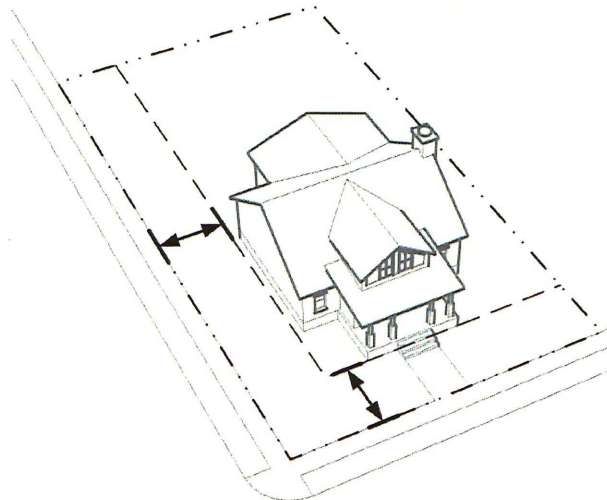


Figure 7: Corner Lot Definition

Lot, Interior

Any lot, the side property line of which abuts the rear property line of one or more lots, and that is not separated by an alley or any other public right-of-way.

[insert lot graphic here]

Lot, Lawful Nonconforming

Any lot of record that does not conform with one or more provisions of this UDO, but that lawfully existed upon the effective date of the provisions of this UDO with which the lot does not conform.

Mixed-Tenant Center

~~A structure that contains more than one use or more than one tenant.~~

Mobile Home Park

See "Manufactured Home Park."

Monopole

A single, self-supporting vertical pole used to support telecommunications equipment, with no guy wire anchors or lattice, usually consisting of a galvanized or other unpainted metal or a wooden pole with below grade foundations.

Mortuary

An establishment where the deceased are physically prepared for final interment.

Mosque

See "Place of Worship."

Motel

See "Hotel or Motel."

Motor Vehicle

Any self-propelled vehicle that requires state license plate registration to be used on public roads and highways, including any non-motorized attachments, such as, but not limited to, trailers or other conveyances that are connected to or propelled by the actual motorized portion of the vehicle.

Multi-tenant Center

A group of separate buildings with multiple tenants, operating under a common name or management; a single building containing multiple uses where there are specific exterior entrance ways for individual uses; or a group of uses on separate but adjoining properties that request treatment as a multiuse complex.

Multi-tenant Nonresidential Center, Large-scale

A group of two or more retail establishments, managed as a unit, sharing a common site, parking area and entrances, and having a gross floor area of one hundred thousand square feet or greater.

Multiuse Path

A hard-surface pathway physically separated from the street by a tree plot, located within the public right-of-way, and designed for bicyclists, pedestrians, and other non-motorized traffic.

Multi-use Trail

A hard-surface, off-road pathway used by bicyclists, pedestrians, and other nonmotorized traffic typically located within or along a greenway.

Mural

A painting on the side of a building, wall, or structure; or a painting on the ground or the ceiling of a building or structure. A mural that does not function as a sign is not regulated by the Unified Development Ordinance. Murals that function as a sign are regulated in the Unified Development Ordinance as a wall sign.

MUTCD

The Manual on Uniform Traffic Control Devices.

A facility designed for and occupied by nine or more residents living together.

Orchard or Tree Farm, Commercial

A group of trees grown for either home or commercial use where products are sold on site or transported to market.

Outdoor Retail and Display

The outdoor sale and display area of retail goods, produce, plants, handcrafts, and the like conducted on the same lot or parcel as the principal business with which such activities are associated.

Outline Plan

The name for PUD district ordinance text and PUD preliminary plans under the Bloomington Zoning Ordinance effective 1973-1995. See "Preliminary Plan, PUD" or "PUD district ordinance."

Outlot

A lot of record in a subdivision, nonresidential center or Planned Unit Development that is adjacent to a (public or private) street, roadway or frontage road, and is intended for an additional and separate building or buildings within the development.

Owner

Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be developed under these regulations, or their legal representative.

Parapet

That portion of a wall that extends above the roof line.

Parcel

See "Lot."

Park

A parcel of land available to the public for passive and/or active recreation and is maintained and governed by the Bloomington parks board.

Parking Garage/Structure

~~A structure or portion thereof composed of one or more levels or floors used exclusively for the parking or storage of motor vehicles. A parking structure may be totally below grade (as in an underground parking garage) or either partially or totally above grade, with those levels being either open or enclosed.~~

Parking Space

Space within a public or private parking area for the storage of one passenger automobile or commercial vehicle under a one and one-half ton capacity.

Partial Demolition

The complete or substantial removal or destruction of any exterior portion of a structure, which shall include but not be limited to:

- 1) Complete or substantial removal or destruction of a porch, wing, cupola, addition, or similar feature; or

Sign, Awning

A wall sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area.

Sign, Freestanding

A sign anchored directly to the ground or supported by one or more posts, columns, or other vertical structures or supports; and not attached to or dependent for support from any building.

Sign, Lawful Nonconforming

Any sign lawfully existing at the time of the enactment of any provision of this UDO, or any amendment thereto, with which the sign does not comply.

Sign, Multi-tenant

An identification sign for a commercial site with multiple tenants, displaying the names of each tenant on the site.

Sign, Permanent

A sign attached to a building or structure and that is made of materials intended for long-term use.

Sign, Portable

Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported including, but not limited to, signs designed to be transported by means of wheels.

Sign, Projecting

A sign attached to and projecting out from a building face or wall, generally at right angles to the building. Projecting signs include signs that are totally in the right-of-way, partially in the right-of-way, or fully on private property.

Sign, Public

A sign erected by or on the order of a public officer in the performance of a public duty, such as signs to promote safety, no trespassing, or traffic signs; signs to indicate transit stops; memorial plaques; or signs of historic interest.

Sign, Sandwich Board

A movable sign not secured or attached to the ground or surface upon which it is located and constructed in such a manner as to form an "A" or a tent-like shape, hinged or not hinged at the top; each angular face held at an appropriate distance by a supporting member.

Sign, Temporary

Any sign that is not permanently anchored or secured to a building and not having supports or braces permanently secured to the ground, including but not limited to: banners, pennants, or advertising displays including portable signs that are intended to be displayed for a limited period of time.

Sign, Tenant Panel

Individual panels on a multi-tenant sign advertising one specific business within the center.

Sign, Wall

A sign attached to and/or integral with the exterior wall of a building or structure with the exposed face of the sign in a plane parallel to the plane of the exterior wall and that does not project more than 12 inches from the exterior wall surface.

Unified Development Ordinance (UDO)

This entire document as approved and with any subsequent amendments. The Unified Development Ordinance includes both the zoning ordinance, authorized by the Indiana Code 36-7-4-600 Series and the subdivision control ordinance, authorized by the Indiana Code 36-7-4-700 Series.

University

See "School, College or University."

Urban Agriculture, Noncommercial

The cultivation of food and/or horticultural crops, composting, aquaponics, aquaculture and/or hydroponics. Such use may include the production and sale of food products from food grown on the premises. Noncommercial urban agriculture may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. This definition includes gardens, container gardens, edible landscapes, residential greenhouses, herb gardens, rooftop gardens, berry patches, vegetable gardens and other similar activities. Urban agriculture uses shall not include the raising of animals, except as permitted elsewhere in the Bloomington Municipal Code.

Use

The purposes for which land, a building, or structure thereon is designed, arranged, or intended, or for which it is occupied, maintained, let, or leased.

Use, Abandonment of

The relinquishment of property or a cessation of the use of property for a continuous period of twelve months by the owner.

Use, Accessory

An activity that is conducted or located on the same zoning lot as the primary building or use served, except as may be specifically provided elsewhere in this UDO; is clearly and customarily incidental to, subordinate in purpose to, and serving the primary use; and is either in the same ownership as the primary use or is clearly operated and maintained solely for the comfort, convenience, necessity, or benefit of the occupants, employees, customers, or visitors of the primary use.

Use, Change In

Includes, for any portion of a building (excluding individual tenant space in a single building multi-tenant center), structure, or lot:

- 1) Any change from a residential use to a nonresidential use;
- 2) Any change from a nonresidential use to multifamily use;
- 3) Any change from one residential land use to another;
- 4) Any increase in the number of dwelling units;
- 5) Any establishment of a use on a previously unused site, or the inclusion of a new use in addition to an existing use;
- 6) Any use which requires a conditional use approval;
- 7) Any change from a single-tenant to a multi-tenant centersite or building;

Chapter	Citation	Current Language	Proposed Language	Synopsis	Difficulty	Type of Change
Whole Document		Multiple Spell Check or Grammar Corrections	Removed extra periods, added parentheses, removed spaces, etc.		easy	typo
	2 20.02.010(a) Table 02-1		Remove first DCO - Downtown Character Overlay label that is next to CSO district in the District Name column	Minor formatting fix	easy	Revision
	3 20.03.030(g)(6)(G)(i)	i. For Home Occupations located within a primary structure no more than 50 percent of the total interior floor area of the dwelling unit may be used in connection with the Home Occupation.	i. For Home Occupations located within a primary structure no more than 50 perfect percent of the total interior floor area of the dwelling unit may be used in connection with the Home Occupation.	Fixes typo of "perfect" that should say "percent".	easy	typo
	4 Table Names	Chapter 4 Table Labels	Correcting Tables 04-15 through 04-20	There are two tables with the same title in the current UDO. Updating table numbers and references throughout the code.	easy	typo
	4 20.04.020(e)(1)(D)	For lots of record with no street frontage, a minimum building setback of 10 feet is required from the property line where access is gained. The minimum front building façade 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.	(D) For lots of record with no street frontage, a minimum building setback of 10 feet is required from the property line where access is gained. (E) The minimum front building façade 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.	This should be two separate sections	easy	clarification
	4 20.04.070(f)(1)	(1) In multifamily residential buildings and student housing and dormitory buildings constructed after 4/18/2020 that contain more than 25 dwelling units, at least 20 percent of the dwelling units shall incorporate at least one entrance at grade level and not requiring any steps up or down or a ramp for entry.	(1) In multifamily residential buildings and student housing and dormitory buildings constructed after 4/18/2020 that contain more than 25 dwelling units, at least 20 percent of the dwelling units shall incorporate at least one entrance at grade level and not requiring any steps up or down or a ramp for entry.	Typo in spelling of "after"	easy	typo
	4 20.04.080(c)(1)(D)	Landscape materials shall be located to avoid interference with visibility per Section 20.04.050(c)(4) Connectivity Where properties have adjacent street or drive stubs intended for connection, these stubs shall be extended and connected on the developing property. Vision Clearance Triangle).	(D) Vision Clearance: Landscape material shall be located to avoid interference with visibility per Section 20.04.050(c)(4) (Vision Clearance Triangle).	Formatting error and misplaced text	easy	typo
	4 20.04.080(f)(3)(E)(i) and (ii) and (iii) and (iv)	i. Street trees shall be planted outside the vision clearance triangle as defined in Section 20.04.050(c)(4) (Connectivity ii. Where properties have adjacent street or access drive stubs intended for connection, these stubs shall be extended and connected on the developing property. iii. Vision Clearance Triangle), or within that portion of the vision clearance triangle behind the sidewalk.	Sections (i), (ii), (iii) have misplaced text. Should read as follows- i. Street trees shall be placed 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.	Formatting error and misplaced text	easy	typo
	4 20.04.090(n)(4)(C)	Fences and walls shall meet all vision clearance standards in Section 20.04.050(c)(4) (Connectivity Where properties have adjacent street or access drive stubs intended for connection, these stubs shall be extended and connected on the developing property. (Vision Clearance Triangle).	Section marked as #5 has several formatting issues and misplaced text. Where properties have adjacent street or access drive stubs intended for connection, these stubs shall be extended and connected on the developing property. (Vision Clearance Triangle): (C) Vision Clearance: Fences and walls shall meet all vision clearance standards in Section 20.04.050(c)(4) (Vision Clearance Triangle).	Formatting error and misplaced text	easy	typo
	4 20.04.100(f)(4)	(4) Vision Clearance Triangle (5) Within a vision clearance triangle as specified in Section 20.04.050(c)(4) (Connectivity Where properties have adjacent street or access drive stubs intended for connection, these stubs shall be extended and connected on the developing property. Vision Clearance Triangle).	(4) Vision Clearance Triangle (5) Within a vision clearance triangle as specified in Section 20.04.050(c)(4) (Connectivity Where properties have adjacent street or access drive stubs intended for connection, these stubs shall be extended and connected on the developing property. Vision Clearance Triangle).	Formatting error and misplaced text	easy	typo
	4 20.04.100(j)(2)(A)(ii)	Multi-tenant Nonresidential Center	Multi-tenant Nonresidential Center	Syncs with defined term	easy	clarification

4	20.04.110(c)(5)(B)(iv)(2)	1. Tier 2 Projects: Projects that are eligible for increased primary structure height for affordable housing and sustainable development shall be eligible for one additional floor of building height, not to exceed 12 feet. The additional floor of building height granted under this subsection (iv)(2) shall be limited to 50 percent of the building footprint area of primary structure, and that additional floor shall be set back at least 10 feet further than the lower floors of the building.	1. Tier 2 Projects: Projects that are eligible for increased primary structure height for affordable housing and sustainable development shall be eligible for one additional floor of building height, not to exceed 12 feet. The additional floor of building height granted under this subsection (iv)(2) shall be limited to 50 percent of the building footprint area of primary structure, and that additional floor shall be set back at least 10 feet further than the lower floors of the building.	Typographical error		
5	20.05.050(g)(2)	In addition to easements required by Subsection 20.07.080(b): Easements, ...	In addition to easements required by Section 20.07.080(b) 20.05.040 (Easements), ...	Corrects citation left over from old UDO	easy	typo
6	20.06.050(a)(2)(C)(i)(2)	2. Any expansion, alteration, or modification of a lawful nonconforming site feature or building that meets or exceeds the thresholds established in Section 20.06.090(f)(2) (Limited Compliance), and falls below the thresholds for major site plan review in Section Error! Reference source not found.;	Formatting error is causing citation not to show. Citation should be Section 20.06.050(a)(2)(C)(ii)	Formatting error	easy	typo
7	20.07.010	Buffer Yard- An area adjacent to side and rear property lines, measured perpendicularly from adjacent property lines, intended to reduce the impacts of proposed uses on adjacent property or natural features and to screen incompatible uses from each other. Buffer yards also help to maintain existing vegetation, to block or reduce noise, glare or other emissions and to maintain privacy. Buffer yards are in addition to (separate from) rear or side setbacks.	Buffer Yard- An area adjacent to side and rear property lines, measured perpendicularly from adjacent property lines, intended to reduce the impacts of proposed uses on adjacent property or natural features and to screen incompatible uses from each other. Buffer yards also help to maintain existing vegetation, to block or reduce noise, glare or other emissions and to maintain privacy. Buffer yards are in addition to (separate from) rear or side setbacks.	Goes along with other amendment to language within Table 04-18 to remove the stacked setback requirement.	easy	typo
7	20.07.010	Parking garage/structure- A structure or portion thereof composed of one or more levels or floors used exclusively for the parking or storage of motor vehicles. A parking structure may be totally below grade (as in an underground parking garage) or either partially or totally above grade, with those levels being either open or enclosed.	Parking garage/structure- A structure or portion thereof composed of one or more levels or floors used exclusively for the parking or storage of motor vehicles. A parking structure may be totally below grade (as in an underground parking garage) or either partially or totally above grade, with those levels being either open or enclosed.	Duplicate of definition of 'vehicle parking garage'.	medium	revision
7	20.07.010	Sign, Awning: A sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area.	Sign, Awning: A wall sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area.	Adds language identifying awning signs as a type of wall sign so that they are included in the amount of wall signage allowed.	easy	revision
7	20.07.010	Use, Change In	7) Any change from a single-tenant to a multi-tenant site center or building;	Changes word "site" to "center" to match the defined term of "multi-tenant center"	easy	clarification
7	20.07.010	"Mixed Tenant Center"	Delete from definition section.	This term is not used in the UDO.	easy	Clarification