

**ORDINANCE 23-05**

**TO AMEND TITLE 20 (UNIFIED DEVELOPMENT ORDINANCE)  
OF THE BLOOMINGTON MUNICIPAL CODE –  
Re: Amendments and Updates Set Forth in BMC 20.03; 20.05; and 20.07**

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-05-23 (“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 20<sup>th</sup> day of April, 2023.

  
JOHN HAMILTON, Mayor  
City of Bloomington

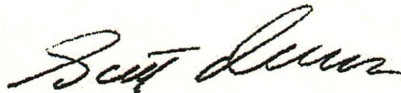
#### SYNOPSIS

This petition contains amendments related to use regulations in Chapter 3, subdivision standards in Chapter 5, and definitions in Chapter 7 of the UDO. There are 61 amendments identified.

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 23-05 is a true and complete copy of Plan Commission Case Number ZO-05-23 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-05-23 amends the Unified Development Ordinance (UDO), with amendments and updates to use-specific standards, 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-05-23 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

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The Plan Commission heard case ZO-05-23 on March 6, 2023 and voted to send the petition to the Common Council with a positive recommendation with a vote of 9-0, as amended. The Plan Commission voted to remove the proposed changes to 20.03.010(e)(1) in order to have time for additional information to be gathered and discussion.

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, 23-05:

1. ZO-05-23 | Chapter 3: Use Regulations; Chapter 5: Subdivision Standards; Chapter 7: Definitions

ZO-05-23 | Chapter 3: Use Regulations; Chapter 5: Subdivision Standards; Chapter 7: Definitions

This petition contains amendments for Chapter 3 related to use-specific standards for uses allowed in the code. The amendments relate to changes to rules for vehicle fuel stations, outdoor storage, self-storage facility design, and the process for ADU paperwork when no building permit is required. The amendment for Chapter 5 deals with clarifying how to regulate existing structures involved on land that is being subdivided or otherwise altered. The Chapter 7 amendments are related to clarifying how to define basement, footprint, average surface grade, and landscape area in line with how they are currently regulated. Excluding the change over of individual tenants in multitenant centers from requiring site improvements is also included. The remainder of the Chapter 7 changes are definitions that are required by the State of Indiana for floodplain regulation administration. There are a total of 8 amendments in Chapter 3, 1 in Chapter 5, and 52 in Chapter 7. The changes are necessary for various reasons. Those unrelated to the floodplain are largely needed to further clarify existing provisions, so that administration



of the code is more straightforward. The floodplain changes are a requirement to sync our regulations with the State floodplain regulations.

1. The accessory structure is located, designed, and intended to serve only the needs of the park; and
2. The establishments located within the accessory structure present no visible evidence of their business nature to areas outside the park.

ii. **Maximum Number**

Each manufactured home or mobile home is allowed no more than one accessory structure in addition to a carport or garage.

iii. **Maximum Cumulative Area**

The total area of all accessory structures, including the area of detached or attached garages or carports, shall not exceed 10 percent of the dwelling site.

(D) **Infrastructure**

Infrastructure shall be installed in accordance with Indiana Code 16-41-27-1 et seq., Rule 410 IAC 6-6 and their subsequent amendments, the State Board of Health requirements, and the requirements of this UDO.

(10) **Fraternity or Sorority House**

- ~~(A) If a fraternity or sorority house that has previously been officially recognized by and has maintained active affiliation with a college or university within which the residents are enrolled is no longer recognized by and/or no longer has an active affiliation with that college or university, the owner or operator of the facility may submit a petition to the City to nevertheless be treated as a fraternity or sorority house under this UDO.~~
- ~~(B) The process to make the petition referred to in subsection (A), and the process for City review and decision on the petition, shall be pursuant to Section 20.06.080(b): Variance.~~
- ~~(C) The criteria used by the City to make a decision on the application referred to in subsection (A) shall be those listed in paragraph 20.06.080(b)(3)(E)i.1: General Approval Criteria, plus the following additional criterion:~~
- ~~i. The behavior of the residents of the facility has not caused a nuisance or disturbance to the surrounding community, as evidenced by the fact that:~~
- ~~1. No complaint or criminal charge based on resident behavior resulting in injury or death, or a felony has been documented during the previous three years; and~~
  - ~~2. No more than one complaint or criminal charge regarding the residents' behavior not involving injury or death or a felony has been documented during each of the previous three years, or if more than one such complaint or criminal charge has been filed during any one of the previous three years, the owner or operator of the facility has given the City adequate assurances that similar behavior will not occur at the facility in the future.~~

**(11) Artist Studio or Workshop**

In the R1, R2, R3, and R4 zoning districts:

- (A) The artist studio shall be accessory to a residential use.
- (B) No retail activity shall be permitted in association with the artist studio.
- (C) No display of art pieces for public viewing, such as within a gallery, shall be permitted.
- (D) Use of the artist studio shall be limited to the production of art by the resident of the home in which the studio is located.

**(12) Office**

In the MH zoning district, only office uses performing services related to the medical or health care industries are permitted.

**(13) Equipment Sales and Rental**

- (A) Outdoor display of equipment for sale or rental shall only be permitted in the MC and EM zoning districts.
- (B) In the MC zoning district, all outdoor display of merchandise shall be contained on an improved surface such as asphalt, concrete, or pavers.
- (C) Any outdoor display area shall not block ADA-accessible parking areas, parking lot access aisles, or sidewalk areas, and shall not reduce the number of parking spaces below any minimum requirement for the use in this UDO.

**(14) Vehicle Fuel Station**

- (A) In the MM, MD, and ME zoning districts, the use shall be limited to a total of four metered fuel dispenser units. For the purpose of this section, each hose shall count as one fuel dispenser unit.
- (B) In the MM, MD, and ME zoning districts, major overhaul, body and fender work, upholstery, welding and spray painting shall be prohibited as an accessory use of a vehicle fuel station.
- (C) In the MM, MD, MC, and ME zoning districts, all activities other than vehicle fueling shall be conducted within a completely enclosed building.
- (D) In the MM, MD, MC, and ME zoning districts, no outdoor storage of automobile parts, discarded tires, or similar materials shall be permitted.
- (E) Outdoor storage of more than three wrecked or temporarily inoperable vehicles awaiting repairs shall be prohibited.
- (F) All structures including fuel canopies shall be similar in appearance to the surrounding development with respect to architectural style, color, and materials.~~In the ME zoning district:  
i. All structures including fuel canopies shall be similar in appearance to the surrounding development with respect to architectural style, color, and materials;~~



- (G) Fuel canopies shall be located to the side or rear of properties to minimize visual impact from public streets, ~~and~~
- (H) At least 50 percent of the total number of dispenser units shall provide alternative fuels including, but not limited to biodiesel, electricity, majority ethanol blend, hydrogen or natural gas.

**(15) Vehicle Impound Storage**

Vehicle impound storage lots shall be screened with a solid fence or wall at between eight and 10 feet in height and shall provide at least one tree and three shrubs per 10 linear feet of fencing to minimize the visual impact of the use on surrounding properties, public streets, and public open spaces. Required plantings shall be located on the side of the fence closest to abutting properties.

**(16) Vehicle Parking Garage**

- A. In the MD-CS, MD-DC, MD-UV, MD-DG, and MD-ST Downtown Character Overlays, a freestanding primary use vehicle parking garage, or a parking garage that is attached to but not located within the building envelope of a structure containing another primary use shall require conditional use permit approval pursuant to Section 20.06.050(b) (Conditional Use Permit).
- B. In all districts, if exterior facades of a parking garage structure are not covered with residential or commercial spaces, then the following design elements shall all be included:
  - a. Exterior facades shall utilize a punched-out window design with a minimum of 2' solid space between openings and defined lintels and sills that utilize different finishing material than adjacent facade.
  - b. The building shall be designed so that the presence of parked vehicles is not visible.
  - c. A minimum of one pedestrian entrance with required entrance detailing is required per street frontage.
  - d. A minimum of 25% of each facade facing a public street shall incorporate public art, planter boxes, or similar elements.

**(17) Vehicle Repair, Major or Minor**

- (A) All major overhaul, body and fender work, upholstery and welding, and spray painting shall be conducted within a completely enclosed building.
- (B) No outdoor storage of automobile parts, discarded tires, or similar materials shall be permitted.
- (C) Outdoor storage of more than three wrecked or temporarily inoperable vehicles awaiting repairs shall be prohibited.

**(18) Vehicle Wash**

Where a car wash facility is located adjacent to a Residential zoning district, the following restrictions shall apply:

- (A) The hours of operation for automated car wash facilities shall be limited to between 7:00 a.m. and 10:00 p.m.
- (B) Automated audio warnings (e.g., beepers), instructions and other audio recordings associated with the car wash facility are not permitted.

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**(e) Employment Uses**

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**(1) Storage, Outdoor****(A) Parking of Vehicles**

All outdoor parking of vehicles in all zoning districts shall comply with the following standards:

- i. Vehicles and trailers shall not be stored or parked on an unimproved surface.
- ii. Stored or parked vehicles shall not block, impede, or otherwise encroach upon a sidewalk.
- iii. Stored or parked vehicles shall not be used for other purposes, including, but not limited to, living quarters, or storage of materials.

**(B) Screening**

Primary use outdoor storage yards shall be screened with a solid fence or wall at between eight and ten feet in height and shall provide at least one tree and three shrubs per 10 linear feet of fencing to minimize the visual impact of the use on surrounding properties, public streets, and public open spaces. Required plantings shall be located on the side of the fence closest to abutting properties.

**(C) Prohibited Storage Materials**

In all zoning districts ~~where this use is allowed~~, except for the MI zoning district, outdoor storage of equipment, materials, waste or scrap materials, and pallets is prohibited.

**(D) Shipping Containers and Portable Storage Units**

Shipping containers, cargo containers, and portable on-demand storage units may not be used for long-term storage, and may only be located on a lot or parcel:

- i. To provide storage for construction projects during the period of an approved construction project on the same lot or parcel; or
- ii. During the process of being loaded or unloaded, the duration of which may not exceed 72 consecutive hours.

**(2) Storage, Self-Service**

- (A) All storage shall be kept within an enclosed building, except recreation or other oversized vehicles, which shall be stored only in exterior areas screened from view from any street frontage.
- (B) Only storage of goods and materials are allowed in self-storage rental spaces. The use of storage spaces to conduct or operate a business is prohibited.
- (C) The use of power tools, paint sprayers, or the servicing, repair or fabrication of furniture, boats, trailers, motor vehicles, lawn mowers, appliances, and other similar equipment within a storage unit is prohibited.
- (D) The storage of hazardous materials is prohibited.
- (E) Security fencing shall not include razor wire or barbed wire.
- (F) Where the site is adjacent to a Residential zoning district or a portion of a PUD zoning district designated for single-family residential uses:
  - i. Loading docks are prohibited on the side of the facility facing the residentially zoned land;



- ii. A permanent screen shall be required along all property boundaries and shall conform to landscaping and screening requirements in Section 20.04.080(m) (~~Screening~~ Screening);
  - iii. Public access shall only be permitted between 6:00 a.m. and 10:00 p.m.
- (G) ~~If the facility is located in an MN, MM or MD district, a~~All storage shall be contained within a fully enclosed structure that:
- i. Is at least a two-story structure with a defined use on the upper floor(s) and if storage units are provided on the upper floors, then access to the units shall be from interior hallways.
  - ii. Does not have any garage doors or access doors to any storage unit facing any public street, park, or open space, unless the doors are screened from all visible public streets, parks, and open spaces.

**(3) Gravel, Cement, or Sand Production, or Quarry**

Each facility shall be screened with a solid fence or wall between eight and 10 feet in height and shall provide at least one tree and three shrubs per 10 linear feet of fencing to minimize the visual impact of the use on surrounding properties, public streets, and public open spaces. Required plantings shall be located on the side of the fence closest to abutting properties.

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**(f) Utilities and Communication**

**(1) Communication Facility**

**(A) Purpose**

These standards are intended to provide sensible and reasonable development standards that comply with the requirements of state and federal law for public and private telecommunication service and to:

- i. Maximize the use of any communication facilities in order to reduce the total number of facilities needed to serve the communications needs of the area;
- ii. Minimize the adverse, undesirable visual effects of communication facilities; and
- iii. Provide for the reasonable location of communication facilities in the city.

**(B) Compliance with State Law**

**i. Eligible Petitioners**

All communication facilities shall comply with the standards of Indiana Code § 8-1-32.3-19.

**ii. New Communication Facilities**

Petitions for new communication facilities shall comply with the standards of Indiana Code § 8-1-32.3-20.

**iii. Modifications to Existing Communication Facilities**

Modifications of existing antennas, communication towers and communication equipment shall comply with Indiana Code § 8-1-32.3-21.

**(C) Co-Location**

If co-location is not possible, a sworn statement shall be submitted documenting why co-location on an existing communication tower cannot meet the petitioner's requirements. Such statement must demonstrate that co-location of communication facilities on an existing communication tower is not a viable option because co-location:



**(3) Detached Garage Design**

- (A) For detached garages accessory to residential uses, exposed or corrugated metal facades are not permitted. The exterior finish building materials used for a detached garage shall comply with the standards in Section 20.04.070(d)(3)(B) (Materials).
- (B) Detached garages and carports shall be located a minimum of 10 feet behind the primary structure's front facade and five feet from side and rear property lines, except for exceptions listed in Section 20.04.020(e)(3) (Exceptions to Setback Requirements).

**(4) Drive-Through**

- (A) In the MM district, all uses, except for financial institutions shall be limited to one drive-through bay. Financial institutions shall be allowed up to three drive-through bays.
- (B) In the MC district, all uses, except for financial institutions shall be limited to two drive-through bays. Financial institutions shall be allowed up to three drive-through bays.

**(5) Dwelling, Accessory Unit****(A) Purpose**

These accessory dwelling unit ("ADU") standards are intended to permit the creation of legal ADUs that are compatible with residential neighborhoods while also adding housing options for the City's workforce, seniors, families with changing needs, and others for whom ADUs present an affordable housing option.

**(B) Generally**

- i. This use shall be accessory to a single-family or duplex dwelling that is the principal use on the same lot or parcel.
- ii. Not more than one ADU may be located on one lot.
- iii. ADUs shall not contain more than two bedrooms.
- iv. No more than one family, as defined in Chapter 20.07: (Definitions), shall reside in one accessory dwelling unit; provided, however, that units lawfully in existence prior to the effective date of the ordinance from which this section derives where the number of residents located in one accessory dwelling unit lawfully exceed that provided by the definition of family in Chapter 20.07: (Definitions), may continue to be occupied by the same number of persons as occupied the accessory dwelling unit on that effective date. For purposes of this section, attached ADUs with internal access that were approved under this ordinance shall be considered one dwelling unit.
- v. A request for an ADU shall be required to submit a separate site plan petition with the Planning and Transportation Department if no building permit is processed for the ADU.

**(C) Utilities**

All ADUs shall be connected to the public water main and sanitary sewer that are adjacent to the property on which the ADU is located, per City of Bloomington Utilities' Rules and Regulations or Construction Specifications. Where water or sanitary sewer mains are not adjacent to the property and the primary dwelling on the lot uses a septic system, the ADU may use the septic system in compliance with Monroe County Health Department Standards.

**(c) Generally**

- (1) In planning for the development of areas within the jurisdiction of the Plan Commission, the owner and petitioner shall make every effort to assure that the proposed project will be accomplished in agreement with the intent and purpose of the Comprehensive Plan.
- (2) The proposed development shall also be consistent with the property's zoning classification and shall result in a project that is harmonious with the environmental character of the property as well as the overall community of the City of Bloomington.
- ~~(2)~~(3) Existing buildings, structures, parking areas, or improvements that require a setback and are on lots involved in either a subdivision or an exempted adjustment of lot lines listed in 20.06.060(a)(2)(B) do not have to meet setback standards related to existing property lines that do not change. The setback standards of this UDO shall apply for all newly created lot line locations.

**(d) Specific Standards for Subdivision Types**

In addition to the standards in this Section 20.05.050 (Subdivision Design Standards), each subdivision type defined in 20.05.030 (Subdivision Types Subdivision Types) shall comply with the specific standards summarized in Table 05-5: Subdivision Development Standards below.

**Table 05-5: Subdivision Development Standards**

	IS	CS	TD	CI
Applicable base zoning districts	All base zoning districts	All base zoning districts	R2, R3, R4, RM, RH, MS, MN, MM	MS, MN, MM, MC, ME, MI, MD, MH, and EM
Parent tract size (minimum)	None	5 acres	3 acres	None
Parent tract size (maximum)	3 acres	None	None	None
Open space required (minimum) [1]	Not required	50%	5%	None
Block length (maximum)	Not required	1,760 feet	800 feet	1,320 feet
Cul-de-sac length (minimum)	Not permitted	Not permitted	Not permitted	200 feet
Cul-de-sac length (maximum)	Not permitted	Not permitted	Not permitted	600 feet
Transportation facilities	Required to meet Transportation Plan guidance			
On-street parking [2]	Not required	RE zone: not permitted R1 zone: not required R2 zone: not required	Required on at least one side of all streets	Not required
Lots served by alleys (minimum percentage)	Not required	Not permitted	67%	Not required
Tree plot width (minimum)	Per Transportation Plan	5 feet [3]	Residential areas: 7 feet Mixed-use/nonresidential areas: 0 feet, tree grates required	Per Transportation Plan
Sidewalk/multiuse path width (minimum)		Per Transportation Plan	Residential areas: 5 feet Mixed-use/nonresidential areas: 8 feet	



**Abutting**

Bordering or touching, such as sharing a common lot line. Lots that are separated by a street, right-of-way, or platted alley are not abutting.

**Accessory Dwelling Unit (ADU)**

See "Dwelling, Accessory Unit."

**ADA**

The Americans with Disabilities Act.

**Addition (to an existing structure)**

Any walled and roofed expansion of the perimeter of a structure. For purposes of floodplain regulations, any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction.~~Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction. For purposes of floodplain regulations, any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall.~~

**Adjacent Property**

Any property that physically touches a given property. For the purposes of this UDO, properties across a public right-of-way are also considered adjacent.

**Affordable Housing**

Residential developments with a recorded restriction that requires the housing for a certain minimum number of years to be rented or owned by qualified very low and low-income households.

**Agriculture**

See "Crops and pasturage." And "Urban Agriculture, Noncommercial."

**Alley**

A right-of-way through or partially through a block, intended for secondary vehicular access to the rear or side of properties. However, where vehicle access from the street is not permitted or not possible, an alley may provide primary vehicle access.

**Alteration of a Watercourse**

For purposes of floodplain regulations, means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other modification which may alter, impede, retard or change the direction and/or velocity of the flow of water during conditions of the base flood.

**Amenity Center**

A building or facility owned or operated by a corporation or homeowners association intended for a place of meeting, social, cultural, educational, or recreational purposes, to which membership or residency in a specific development or neighborhood is required for participation. Examples may include communal areas, swimming pools, health club facilities, media rooms, or the like.

**Apartment**

See "Dwelling, Multifamily."



**Appeal**

For purposes of floodplain regulations, a request for a review of the floodplain administrator's interpretation of any provision of this ordinance, a request for a variance, or a challenge of a board decision.

**Architectural Features**

Ornamentation or decorative features attached to or protruding from an exterior wall.

**Area of Shallow Flooding**

For purposes of floodplain regulations, a designated AO or AH Zone on the community's Flood Insurance Rate Map (FIRM) with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**Area of Special Flood Hazard**

For purposes of floodplain regulations, is the land within a community subject to a one percent (1%) or greater chance of being flooded in any given year.

**Art Gallery, Museum, or Library**

A facility or area that is open to the public and is intended for the display, appraisal, purchase, sale, loan, of art books, paintings, sculpture, or other works of original art that have architectural, artistic, cultural, literary, historical, or scientific value. Accessory uses can include meeting rooms or cafes.

**Art, Public**

A visual work of art that is permanently displayed in a way that it is visible from a public place, street or way. The work of art may include but need not be limited to sculptures, murals, monuments, frescoes, fountains, stained glass, or ceramics.

**Artist Studio or Workshop**

A facility that includes work or teaching space for one or more artists, artisans, or musicians.

**Assisted Living Facility**

A facility combining housing, supportive services, personalized assistance, and health care, designed to respond to the individual needs of those who need help with activities of daily living, such as dressing, grooming and bathing, diet, financial management, evacuation of a residence in the event of an emergency, or medication prescribed for self-administration, but do not require hospitalization. An "assisted living facility" does not contain equipment for surgical care or for treatment of disease or injury and does not include "nursing or convalescent home."

**Awning**

A roof-like cover intended to either protect from the weather or as a decorative embellishment, and which is supported and projects from a wall or parapet of a structure over a window, walk, door, or a similar feature.

**Balcony**

An architectural appurtenance located above the first floor that is either entirely unenclosed or covered only by a roof or railing.

**Banner**

A sign with characters, letters, illustrations, or ornamentations applied to cloth, paper, flexible plastic, or fabric of any kind with only such material for backing.

**Bar or Dance Club**

A facility open to the public and characterized by live or televised entertainment, dancing or the serving of alcoholic beverages. Food or packaged alcoholic beverages may be sold but are generally accessory to the primary use.

**Base Flood**

For purposes of floodplain regulations, means the flood having a one percent (1%) chance of being equaled or exceeded in any given year. The base flood may also be referred to as the 1% annual chance flood or one hundred (100) year flood.

**Base Flood Elevation (BFE)**

The water surface elevation of the base flood in relation to a specific datum, usually the North American Vertical Datum of 1988. The elevation of the one-percent annual chance flood.

**Basement****Basement (Generally)**

In all other contexts, that portion of a building that is partly or wholly below grade, as measured four feet from the exterior of the foundation wall, regardless of whether the interior space is finished or unfinished. A basement shall be counted as a story for determining building setbacks and number of stories if the front exterior wall of the basement facing a street is not completely below grade and each side of the foundation wall facing the side yard is less than 50 percent covered by grade.

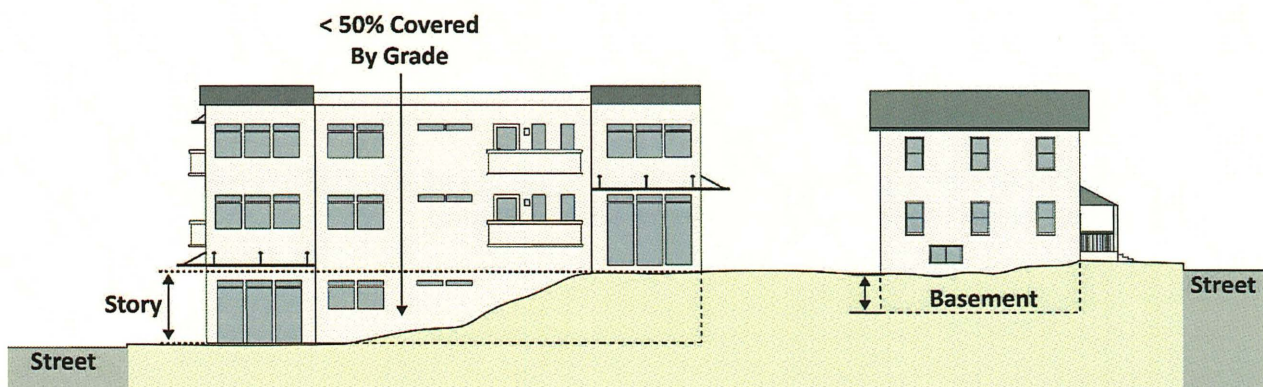


Figure 4: Basement Definition

**Basement (Floodplain Regulations)**

For purposes of floodplain regulations, that portion of a structure having its floor sub-grade (below ground level) on all sides.

**Bay Window**

A large window or series of windows projecting from the outer wall of a building and forming a recess within and that does not extend to the ground on the exterior.

**Bed and Breakfast**

Means a single-family detached dwelling where transient lodging and meals are provided for compensation, that does not meet the definition of a "Hotel or Motel," or "Residential Rooming House."



**Berm**

A man-made, formed, earth mound of definite height and width used for landscaping and screening purposes, the intent of which is to provide a transition between uses of differing intensity or to screen uses from sight.

**Best Available Flood Layer**

For the purposes of floodplain regulations, means floodplain studies and any corresponding floodplain maps prepared and/or approved by the Indiana Department of Natural Resources which provide base flood elevation information, floodplain limits, and/or floodway delineations for flood hazards identified by approximate studies on the currently effective FIRM (Zone A) and/or for waterways where the flood hazard is not identified on available floodplain mapping.

**Bicycle Parking Facility, Class I**

Long-term parking facilities that provide a high level of security for long durations (day, overnight, or longer). Class I facilities can include individual lockers, racks in an enclosed, lockable room, or racks or lockers in an indoor area always visible to employees.

**Bicycle Parking Facility, Class II**

Short-term parking facilities that provide medium level security for relatively short durations (usually two hours or less). These facilities often include stands or racks and allow a user to secure a bicycle frame and one or both wheels to the facility with a lock.

**Bike Lane**

A portion of the street that has been designated and designed for the exclusive use of bicycles with distinct signage and pavement markings.

**Block**

Property abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, intersecting railroad, intersecting waterway, or the end of a dead-end street.



For all other contexts, any structure having a roof supported by columns, walls or air pressure.

**Building (Floodplain Regulations)**

For purposes of floodplain regulations, see "Structure."

**Building, Prefabricated**

For purposes of floodplain regulations, a building that is manufactured and constructed using prefabrication. It consists of factory-made components or units that are transported and assembled on-site to form the complete building.

**Building Base**

The street level portion of a building facade. The building base is typically one or two stories tall in height and contains such features as display windows, kick plates, pedestrian entrances and a sign band.

**Building Cap**

The uppermost portion of a building facade. The building cap is typically located above the uppermost windows and contains a cornice that is integrated with the roof form and downspouts/gutters for stormwater diversion.

**Building Code**

The Indiana Building Code, which establishes and controls the standards for constructing all forms of permanent structures and related matters.

**Building Middle**

The area of the facade of a building between the base and the cap. This area includes evenly spaced and similarly sized windows, as well as balconies and other architectural features.

**Building or Structure, Accessory**

Means a subsidiary or auxiliary building or structure located on the same zoning lot with the primary building or structure and that is customarily incidental to the primary building or structure or to the primary use of the land. This includes, but is not limited to, Automated Teller Machines (ATMs) and automated ice dispensers.

**Building or Structure, Attached**

A building or structure that is structurally connected to another structure by a foundation, wall, bridge, or roof line, or appears to be connected. Carports, garages, porch awnings, and the like are considered attached structures and must abide by all regulations pertaining to primary structures.

**Building or Structure, Detached**

A building or structure that has no structural connection with the primary building or structure or any other building or structure.

**Building or Structure, Enclosed**

A building or structure that is fully enclosed on all sides by solid walls and a roof that are integral parts of the building and are distinguished from the side or top surfaces of the contents of the building or structure.

**Building or Structure, Lawful Nonconforming**

Any building or structure that does not comply 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 building or structure does not comply.

**Building or Structure, Primary**

A building or structure in which is conducted any primary use that is a permitted use of the lot on which it is located.

**Density**

A unit of measurement describing the number of dwelling units per measured acre. This UDO may regulate density by establishing the permitted number of units per acre or the amount of land, measured in square feet or acres, required per individual unit on the resulting lots.

**Development****Development (Generally)**

In all other contexts, the construction, reconstruction, conversion, structural alteration, relocation, or enlargement of any structure, any mining, excavation, landfill or land disturbance, or any change in use, or alteration or extension of the use of land.

**Development (Floodplain Regulations)**

For purposes of floodplain ~~management regulations~~, any man-made change to improved or unimproved real estate including but not limited to:

- 1) construction, reconstruction, or placement of a structure or any addition to a structure;
- 2) installing a manufactured home on a site, preparing a site for a manufactured home or installing a recreational vehicle on a site for more than 180 days;
- 3) installing utilities, erection of walls and fences, construction of roads, or similar projects;
- 4) construction of flood control structures such as levees, dikes, dams, channel improvements, etc.;
- 5) ~~mining, dredging, filling, grading, excavation, or drilling operations;~~
- 5)6) ~~construction and/or reconstruction of boat lifts, docks, piers, or seawalls;~~
- 6)7) ~~construction and/or reconstruction of bridges or culverts;~~
- 7)8) ~~storage of materials; or~~
- 8)9) ~~any other activity that might change the direction, height, or velocity of flood or surface waters.~~

"Development" does not include activities such as the maintenance of existing structures and facilities such as painting, re-roofing; resurfacing roads; or gardening, plowing, and similar agricultural practices that do not involve filling, grading, excavation, or the construction of permanent structures.

**Development Plan, PUD**

The name for PUD final plans under the Bloomington Zoning Ordinance effective 1973-1995. See "Final Plan, PUD."

**Development Standards**

Means height, bulk, density, environmental performance standards, and other standards for development as set forth in this UDO, including landscaping, parking, and other required improvements, excluding those provisions that specifically regulate the use of property.

**Diameter at Breast Height (DBH)**

The diameter of an existing tree trunk or the cumulative diameter of multiple trunks measured four and one-half feet or 54 inches above natural grade.

**Display Window**

A window of a store facing onto the street that is used to display merchandise or signage. Display windows typically include a kick plate and are not typically double-hung windows.



**Elevated Structure**

For purposes of floodplain regulations, a non-basement structure built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, filled stem wall foundations (also called chain walls), pilings, or columns (posts and piers).

**Elevation Certificate**

For purposes of floodplain regulations, a FEMA form that is routinely reviewed and approved by the White House Office of Management and Budget under the Paperwork Reduction Act, that is encouraged to be used to collect certified elevation information, certified statement that verifies a structure's elevation information. This certification must be signed and sealed by a land surveyor, engineer, or architect authorized by law to certify elevation information.

**Emergency Program**

For purposes of floodplain regulations, the first phase under which a community participates in the NFIP. It is intended to provide a first layer amount of insurance at subsidized rates on all insurable structures in that community before the effective date of the initial FIRM.

**Enclosed Area**

For purposes of floodplain regulations, (enclosure) is an area of a structure enclosed by walls on all sides.

**Enclosure Below the Lowest Floor**

For the purposes of floodplain regulations, see "Lowest Floor" and "Enclosed Area."

**Enlargement**

The expansion of any use or structure into or onto any portion of a structure or lot not previously occupied by said use or structure or increase in any physical dimension of a structure. Also, expansion of a use into any structure floor area not previously occupied by said use. Enlargement includes expansion of a principal use into floor area previously used as an accessory use, such as expansion of residential living area into a basement, attic or garage not previously used as living area.

**EPA**

United States Environmental Protection Agency.

**Equipment Sales or Rental**

An establishment engaged in the display, sale, and rental of equipment, tools, supplies, machinery or other equipment used for commercial, industrial, or construction enterprises, such as, but not limited to, trucks, trailers, semi-tractor trailers, farm equipment, bulldozers, cranes, backhoes, rollers, loaders, or lifts. This use includes the selling of manufactured homes that are not intended to be used on the same lot on which they are sold and the sale of farm-specific vehicles such as tractors, tillers, farm trailers, back hoes, graders, boom lifts, and front-end loaders, but not including "Vehicle Sales or Rental."

**Erosion**

The general process by which soils are removed by flowing surface or subsurface water, or by wind, ice or gravity.

- 3) A group of people whose right to live together is protected by the federal Fair Housing Act Amendments of 1988, and/or the Bloomington Human Rights Ordinance, as amended and interpreted by the courts, including but not limited to persons that are pregnant.
- 4) In the R1, R2, R3, and R4 zoning districts, and in single-family residential portions of Planned Unit Developments, a group of no more than three adults, and their dependent children, living together as a single housekeeping unit in a dwelling unit.
- 5) In all other zoning districts, "family" also includes a group of no more than five adults and their dependent children, living together as a single housekeeping unit in a dwelling unit.
- 6) A group of people who are shareholders in the same cooperative corporation that owns a facility meeting the definition of cooperative housing in which no more than two adults per bedroom occupy the facility.

#### **Farm Produce Sales**

The seasonal selling or offering for sale at retail directly to the consumer of fresh fruits, vegetables, flowers, herbs, or plants, processed food stuffs and products such as jams, honey, pickled products, sauces, and baked goods, where the vendors are generally individuals who have raised the produce or have taken the same or other goods on consignment for retail sales.

#### **Farmer's Market**

An occasional or periodic market held in an open area or structure where groups of individual sellers offer for sale to the public items such as fresh produce, seasonal fruits, fresh flowers, arts and crafts items, and food and beverages dispensed from booths located on site.

#### **FCC**

United States Federal Communications Commission.

#### **FEMA**

~~The United States~~ Federal Emergency Management Agency.

#### **FHA**

The Fair Housing Act.

#### **Fill**

For floodplain management purposes, means any material deposited or placed which has the effect of raising the level of the ground surface above the natural grade elevation. Fill material includes but is not limited to consolidated material such as concrete and brick and unconsolidated material such as soil, sand, gravel, and stone.

#### **Final Plan, PUD**

The detailed construction drawings for all or part of a Planned Unit Development.

#### **Financial Institution**

A federal or State-regulated facility that provides financial and banking services to individuals and businesses. These services may include deposit banking and closely related functions such as making loans, investments, and fiduciary activities. The term does not include "check cashing," except where separately permitted. Accessory uses may include automatic teller machines and offices.



**Findings of Fact**

The written findings of an approving body as required by Indiana Code 36-7-4-707 for subdivisions of land, Indiana Code 36-7-4-915 for actions of the Board of Zoning Appeals, and Indiana Code 36-7-4-1406 for site plans.

**Firearm Sales**

A business in which at least 10% of the gross floor area is used for or 10% of sales revenues are earned from, the wholesale or retail sale of firearms and ammunition, the repair of firearms, or the creation or fitting of special barrels, stocks, or trigger mechanisms for firearms. This does not include "Pawn Shop."

**Fitness Center**

Means a facility where members or nonmembers use equipment or space for the purpose of physical exercise, improved circulation or flexibility, and/or weight control. Facilities and activities can include running, jogging, aerobics, weightlifting, court sports, whirlpools, saunas, massage rooms, yoga, karate, dance and swimming, as well as locker rooms, showers, and lockers. This use includes but is not limited to fitness training studios, exercise facilities, gymnasiums, and health clubs.

- 1) "Fitness Center, Large" is a facility with more than 7,500 square feet of gross floor area.
- 2) "Fitness Center, Small" is a facility with up to 7,500 square feet of gross floor area.

**Flood or Flooding**

A general and temporary condition of partial or complete inundation of normally dry land areas from ~~the overflow, the unusual and rapid accumulation, or the runoff of surface waters from any source.;~~

1. The overflow of inland or tidal waters.
2. The unusual and rapid accumulation or runoff of surface waters from any source.
3. Mudslides (i.e. mudflows) which are proximately caused by flooding and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.

Flood or flooding also includes the collapse or subsidence of land along the shore of a lake or similar body of water as a result of erosion or undermining caused by waves or current of water exceeding anticipated cyclical levels that result in a flood as defined above.

**Flood Boundary and Floodway Map (FBFM)**

An official map on which the Federal Emergency Management Agency (FEMA) or Federal Insurance Administration (FIA) has delineated the areas of flood hazards and regulatory floodway.

**Flood Hazard Area**

For the purpose of floodplain regulations, areas subject to the one percent (1%) annual chance flood. (See "Special Flood Hazard Area")

**Flood Insurance Rate Map (FIRM)**

An~~The~~ official map of a~~the~~ community, on which FEMA~~the Federal Emergency Management Agency (FEMA)~~ has delineated both the areas of special flood hazard and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

**Flood Insurance Study (FIS)**

The official hydraulic and hydrologic report provided by ~~FEMA~~the Federal Emergency Management Agency (FEMA). The report contains flood profiles, as well as the ~~FIRM flood insurance rate maps, flood boundary and floodway maps,~~ and the water surface elevation of the base flood.

**Flood Prone Area**

Any land area acknowledged by a community as being susceptible to inundation by water from any source. (See "Flood~~plain~~")

**Flood Protection Grade (FPG)**

~~The BFE plus two (2) feet at any given location in the SFHA. For sites within a SFHA designated as "Zone AO," the BFE is equivalent to the flood depth specified on the Flood Insurance Rate Map, measured from the highest adjacent grade. If no flood depth is specified, two feet is used as the minimum depth. (See "Freeboard")The elevation of the regulatory flood plus two feet at any given location in the SFHA. (see "Freeboard")~~

**Floodplain or Flood Prone Area**

~~Any land area susceptible to being inundated by water from any source. (See "Flood")The channel proper and the areas adjoining wetlands, lakes or watercourses that have been or may in the future be covered by the regulatory flood. The floodplain includes the floodway and the fringe districts.~~

**Floodplain Administrator**

~~The Planning and Transportation Director.~~

**Floodplain Management**

The operation of an overall program of corrective and preventive measures for reducing flood damage and preserving and enhancing, where possible, natural resources in the floodplain, including but not limited to emergency preparedness plans, flood control works, floodplain management regulations, and open space plans.

**Floodplain Management Regulations**

This UDO and other zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances, and other applications of police power which control development in flood-prone areas. This term describes federal, state, or local regulations in any combination thereof, which provide standards for preventing and reducing flood loss and damage. Floodplain management regulations are also referred to as floodplain regulations, floodplain ordinance, flood damage prevention ordinance, and floodplain management requirements.

**Floodproofing (dry floodproofing)**

A method of protecting a structure that ensures that the structure, together with attendant utilities and sanitary facilities, is watertight to the floodproofed design elevation with walls that are substantially impermeable to the passage of water. All structural components of these walls are capable of resisting hydrostatic and hydrodynamic flood forces, including the effects of buoyancy, and anticipated debris impact forces.

**Floodproofing Certificate**

A form used to certify compliance for non-residential structures as an alternative to elevating structures to or above the FPG. ~~This certification must be issued by a Registered Professional Engineer or Architect.~~



**Floodway**

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.

**Floodway Fringe**

These portions of the floodplain outside the floodway.

**Food Production or Processing**

A facility that produces or processes food for human consumption and certain related products. This use includes but is not limited to commercial bakeries; dairy products processing; fats and oil product processing; fruit and vegetable canning, preserving, and related processing; grain mill products and by-products; meat, poultry, and seafood canning, curing, and by-product processing; and miscellaneous food preparation from raw products, including catering services that are independent from food stores or restaurants.

**Footprint**

The area of a lot or site included within the surrounding exterior walls of a building or portion of a building, exclusive of courtyards. In buildings or structures with no walls, the absence of surrounding exterior walls, the building footprint shall be the area under the horizontal projection of the roof.

**Foundation**

The supporting substructure of a building or other structure, including but not limited to basements, slabs, sills, posts, or frost walls.

**Fraternal Organization**

See "Club or Lodge."

**Fraternity or Sorority House**

A building or portion of a building used for sleeping accommodations, with or without accessory common rooms and cooking and eating facilities, for groups of students where the students living in the building are enrolled at the same college or university, are active members of the same fraternity or sorority, and the fraternity or sorority has been officially recognized by and maintains active affiliation with the college or university. This use shall also include a building or portion of a building in which individual rooms or apartments are leased to individuals, regardless of the ownership of the building, provided that the students living in the building are enrolled at the same college or university, are active members of the same fraternity or sorority, and the fraternity or sorority has been officially recognized by and maintains active affiliation with the college or university.

**Freeboard**

A factor of safety, usually expressed in feet above the BFE, which is applied for the purposes of floodplain management. It is used to compensate for the many unknown factors that could contribute to flood heights greater than those calculated for the base flood.

**Fringe or Flood Fringe**

The portion of the floodplain lying outside the floodway.

**Front Building Wall**

The building elevation that fronts on a public street, public parking lot, private parking lot available to the general public, or pedestrian walk where customer access to a structure is available.

## Chapter 20.07: Definitions

20.07.010 Defined Words

### **Frontage, Building**

Those building elevations that face upon either a road or parking area between the building and the road.

### **Frontage, Lot**

The horizontal distance between the side lot lines measured at the point where the side lot lines intersect the street right-of-way. All sides of a lot that abut a street shall be considered frontage. On curvilinear streets, the arc between the side lot lines shall be considered the lot frontage.

### **Functionally Dependent Use**

For the purposes of floodplain regulation, a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

### **Funeral Home**

See "Mortuary."

### **Garage**

A building or structure, or part thereof, used or designed to be used for the parking and storage of vehicles.

### **Garage, Detached**

A detached accessory building in which the sole use is the storage of vehicles and other incidental personal possessions of the premises.

### **Geographic Information System (GIS)**

A computer system that stores and links non-graphic attributes or geographically referenced data with graphic map features to allow a wide range of information processing and display operations, as well as map production, analysis, and modeling.

### **Glare**

The effect produced by brightness sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.

### **Government Service Facility**

A facility owned, operated, or occupied by any level of government to provide a governmental service, but not including offices for the provision of governmental services or facilities for any government operation separately defined in this UDO.

### **Grade (Surface), Average Finished**

The midpoint between the highest exposed finished grade and lowest exposed finished grade as measured a minimum of 4' from the exterior building façade.

### **Grade, Finished**

The final grade of a plan that conforms to the approved plan.

### **Grade, Natural**

For floodplain management purposes, the elevation of the undisturbed natural surface of the ground. Fill placed prior to the date of the initial identification of the flood hazard on a FEMA map is also considered natural grade.



**Home Occupation**

An activity or occupation carried on within a dwelling or approved residential accessory structure by members of the family occupying the dwelling and where the use of the home as an occupation shall be incidental and subordinate to the use of the home as a dwelling, unless this UDO states that the activity or occupation is not treated as a Home Occupation.

**Hospital**

An acute healthcare establishment providing accommodations, facilities and services on a continuous 24-hour basis with overnight (meaning between twelve midnight and five a.m.) beds and services for persons suffering from illness, injury or conditions requiring medical services. The term "Hospital" does not include "Nursing or Convalescent Home," "Medical Clinic," or "Methadone Treatment Facility," or "Opioid Rehabilitation Facility" except where separately permitted.

**Hotel or Motel**

An establishment in which lodging is provided and offered to the public for compensation, for periods of time not exceeding thirty days and that is commonly known as a hotel or motel in the community in which it is located. This use customarily provides services such as maid service, the furnishing and laundering of linen, telephone and secretarial or desk service, and the use and upkeep of furniture. This use may provide ancillary uses such as conference and meeting rooms, restaurants, bars, gift shops, and recreational facilities. The term "Hotel or Motel" does not include "Residential Rooming House," or "Bed and Breakfast," except where separately permitted.

**HPC**

The City of Bloomington Historic Preservation Commission.

**Hydrologic and Hydraulic Engineering Analysis**

For the purposes of floodplain regulations, analyses performed by a professional engineer licensed by the State of Indiana, in accordance with standard engineering practices that are accepted by the Indiana Department of Natural Resources and FEMA, used to determine the base flood, other frequency floods, flood elevations, floodway information and boundaries, and flood profiles.

**IBC**

Indiana Building Code.

**IC**

Indiana Code.

**IDEM**

Indiana Department of Environmental Management.

**IESNA**

Illuminating Engineering Society of North America.

**Impervious Surface**

Any surface artificially covered or hardened so as to prevent or impede the percolation or absorption of water into the ground, including but not limited to asphalt, concrete, roofing material, brick, plastic, gravel, or swimming pools.

**Impervious Surface Coverage**

The area of the lot covered by the following shall be included in the calculation of impervious surface coverage in all districts:

- 1) Primary buildings;
- 2) Accessory buildings, parking garages, carports, and utility and storage sheds;
- 3) Porches, stairways, elevated walkways, paved areas, or areas otherwise covered with impervious surface; and
- 4) Parking areas and driveways, regardless of surfacing materials unless an alternative pervious paving system is approved by the Planning and Transportation Director.

**Increased Cost of Compliance (ICC)**

For purposes of floodplain regulations, the cost to repair a substantially damaged structure that exceeds the minimal repair cost and that is required to bring a substantially damaged structure into compliance with the local flood damage prevention ordinance. Acceptable mitigation measures are elevation, relocation, demolition, or any combination thereof. All renewal and new business flood insurance policies with effective dates on or after June 1, 1997, will include ICC coverage.

**Indiana State Historic Architectural and Archaeological Research Database**

The Indiana State Historic Architectural and Archaeological Research Database, as the same may be amended from time-to-time, created by and/or administered by the State of Indiana's Division of Historic Preservation and Archaeology.

**International Code Council-Evaluation Service (ICC-ES) Report**

A document that presents the findings, conclusions, and recommendations from a particular evaluation. ICC-ES reports provide information about what code requirements or acceptance criteria were used to evaluate a product, and how the product should be identified, installed.

**Invasive Species**

A nonnative or alien plant whose introduction does, or is likely to, cause economic or environmental harm, or harm to human health. A plant is regarded as invasive if it has been introduced by human action to a location, area, or region where it did not previously occur naturally, becomes capable of establishing a breeding population in the new location without further intervention by humans, and spreads widely throughout the new location.

**ITE**

Institute of Transportation Engineers.

**Jail or Detention Facility**

A facility established by a law enforcement agency for the detention of adult or juvenile persons while being processed for arrest or detention, awaiting trial, or for punishment and/or counseling as a result of sentencing by a court of jurisdiction for criminal or antisocial behavior.

**Karst**

A type of geology with distinctive characteristics of relief and drainage arising from the solution of soluble bedrock by natural waters, and in which the drainage is underground in solutionally enlarged fissures and conduits. Karst features may include but not be limited to sinkholes, springs, solution valleys, underground rivers, caverns, disappearing streams, towers, grikes, and conical hills.



**Karst, Compound**

Any two or more karst features where the last closed contour of the features is located within one hundred feet of each other. The outer boundary of the compound karst feature shall be drawn by connecting the last closed contour of each individual karst feature with a tangential line.

**Karst, Subsurface**

Karst features expressed under the ground surface.

**Karst, Surface**

Karst features expressed on the ground surface.

**Kennel**

An establishment where any person engages in a business involving boarding, breeding, buying, keeping, letting for hire, training for a fee, or selling dogs, cats or other domestic animals.

**Land Disturbing Activity**

Any man-made change of the land surface including removing vegetative cover, removal of trees, excavating, filling and grading but not including agricultural land uses such as planting, growing, cultivating and harvesting of crops, growing and tending of gardens and landscape modifications.

**Landscape Area**

That portion of a site that is required to be planted with landscape. Areas on the top of buildings, walls, in planters, or other similar areas do not count as landscape area, for the purpose of minimum landscape area requirements.

**Landscape**

Any combination of vegetation, such as trees, shrubs, ground cover, thickets or grasses, that are planted, preserved, transplanted, maintained and groomed to develop, articulate and enhance the aesthetic quality of the area as well as provide erosion, drainage and wind control. Landscape may include structural features, such as fences, terraces, arbors, sculptures, fountains, and other appurtenances.

**LEED Green Building Rating System**

The most recent version of the leadership in energy and environmental design (LEED) commercial green building rating system, or other related LEED rating system, approved by the U.S. Green Building Council.

**Length, Block**

The distance as measured along the street centerline between intersecting streets.

**Length, Cul-de-sac**

The distance as measured along the street centerline between the intersecting street and the center point of the cul-de-sac bulb.

**Letter of Final Determination (LFD)**

A letter issued by FEMA during the mapping update process which establishes final elevations and provides the new flood map and flood study to the community. The LFD initiates the six-month adoption period. The community must adopt or amend its floodplain management regulations during this six-month period unless the community has previously incorporated an automatic adoption clause.

**Letter of Map Change (LOMC)**

A general term used to refer to the several types of revisions and amendments to FEMA maps that can be accomplished by letter. They are broken down into the following categories: They include Letter of Map Amendment (LOMA), Letter of Map Revision (LOMR), and Letter of Map Revision based on Fill (LOMR-F). The definitions are presented below:

1. Conditional Letter of Map Revision (CLOMR) means FEMA's comment on a proposed project that would, upon construction, result in modification of the SFHA through the placement of fill outside the existing regulatory floodway.
2. Conditional Letter of Map Revision Based on Fill (CLOMR-F) means a letter from FEMA stating that a proposed structure that will be elevated by fill would not be inundated by the base flood.
3. Letter of Map Amendment (LOMA) means an amendment by letter to the currently effective FEMA map that establishes that a building or land is not located in a SFHA through the submittal of property specific elevation data. A LOMA is only issued by FEMA.
4. Letter of Map Amendment Out as Shown (LOMA-OAS) means an official determination by FEMA that states the property or building is correctly shown outside the SFHA as shown on an effective NFIP map. Therefore, the mandatory flood insurance requirement does not apply. An out-as-shown determination does not require elevations.
5. Letter of Map Revision (LOMR) means an official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.
- 4.6. Letter of Map Revision Based on Fill (LOMR-F) means FEMA's modification of the SFHA shown on the FIRM based on the placement of fill outside the existing regulatory floodway.

**Letter of Map Amendment (LOMA)**

An amendment by letter to the currently effective FEMA map that establishes that a property is not located in a SFHA through the submittal of property specific elevation data. A LOMA is only issued by FEMA.

**Letter of Map Revision (LOMR)**

An official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.

**Letter of Map Revision Based on Fill (LOMR-F)**

An official revision by letter to an effective NFIP map. A LOMR-F provides FEMA's determination concerning whether a structure or parcel has been elevated on fill above the BFE and excluded from the SFHA.

**Lighting**

Any fixed source of light emanating from a man-made device, including but not limited to incandescent mercury vapor, metal halide, or sodium lamps, spotlights, streetlights, or construction and security lights.

**Lighting Fixture, Full-Cutoff**

Lighting that is shielded in such a manner that light rays emitted by the fixture, either directly from the lamp or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

**Liquor or Tobacco Sales**

An establishment that predominantly sells tobacco products or alcoholic beverages for off-premises consumption. This does not include "Retail Sales" (of any size) or "Grocery or Supermarket" in which tobacco products or alcoholic beverages make up a minority of the sales of the store.



**Lot, Through**

A lot having a pair of opposite lot lines along two more or less parallel public streets and that is not a corner lot.

**Lot, Zoning**

A single tract of land, located within a single block that is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. A zoning lot may or may not coincide with a lot of record.

**Low- and Moderate-Income Housing**

Residential housing units that serve individuals, households, or families with annual incomes less than 80 percent of the Area Median Income. These housing units would qualify under Section 20.04.110(c)(2) (Eligibility) for Tier 2 affordable housing incentives.

**Lowest Adjacent Grade**

For purposes of floodplain regulations, the lowest elevation, after completion of construction, of the ground, sidewalk, patio, deck support, or basement entryway immediately next to the structure.

**Lowest Floor**

For ~~purposes of floodplain~~ management purposes regulations, the lowest elevation described among the following:

- 1) The ~~top of the~~ lowest floor of a building level of the structure.
- 2) The ~~top of the~~ basement floor.
- 3) The ~~top of the~~ garage floor, if the garage is the lowest level of the structure connected to the building.
- 4) The ~~top of the~~ first floor of a structure elevated on pilings or pillars.
- 5) The floor level of any enclosure, other than a basement, below an elevated structure where the walls of the enclosure provide any resistance to the flow of floodwaters. Designs for meeting the flood opening requirement must either be certified by a registered professional engineer or architect or meet or exceed the following criteria:
  - a. The walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of floodwaters.
  - b. At least two (2) openings are designed and maintained for the entry and exit of floodwater; and these openings provide a total net area of at least one (1) square inch for every one (1) square foot of enclosed area. The bottom of all such openings shall be no higher than one (1) foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher. Doorways and windows do not qualify as openings.
- 5) ~~The top of the floor level of any enclosure, other than a basement, below an elevated structure where the walls of the enclosure provide any resistance to the flow of flood waters unless:~~
- 6) ~~The walls are designed to automatically equalize the hydrostatic flood forces on the walls by allowing for the entry and exit of flood waters by providing a minimum of two openings (in addition to doorways and windows) in a minimum of two exterior walls; if a structure has more than one enclosed area, each shall have openings on exterior walls;~~
- 7) ~~The total net area of all openings shall be at least one (1) square inch for every one square foot of enclosed area; the bottom of all such openings shall be no higher than one (1) foot above the exterior grade or the interior grade immediately beneath each opening, whichever is higher; and~~
- 8) ~~Such enclosed space shall be usable solely for the parking of vehicles and building access.~~

**National Flood Insurance Program (NFIP)**

The federal program that makes flood insurance available to owners of property in participating communities nationwide through the cooperative efforts of the Federal Government and the private insurance industry.

**National Geodetic Vertical Datum (NGVD) of 1929**

As corrected in 1929 is a vertical control used as a reference for establishing varying elevations within the floodplain.

**Native Species**

Naturally occurring, indigenous plants within the City of Bloomington. Native species are adapted to the soil and climate in which they live and have evolved defenses to many diseases and pests.

**Nature Preserve**

Areas with environmental resources intended to remain in a predominately natural or undeveloped state to provide resource protection or passive recreation.

**New Construction**

For ~~purposes of~~ floodplain ~~purposes~~ regulations, any structure for which the "start of construction" commenced on or after the effective date of floodplain management regulations adopted by a community and includes any subsequent improvements to such structures.~~the community's first floodplain ordinance.~~

**New Manufactured Home Park or Subdivision**

For purposes of floodplain regulations, a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of the community's first floodplain ordinance.

**Night Club**

See "Bar or Dance Club."

**Non-Boundary River Floodway**

The floodway of any river or stream other than a boundary river.

**North American Vertical Datum of 1988 (NAVD 88)**

As adopted in 1993 is a vertical control datum used as a reference for establishing varying elevations within the floodplain.

**Nursing or Convalescent home**

An extended or intermediate care establishment licensed by the State of Indiana, that maintains and operates continuous day and night facilities providing room and board, personal services and skilled nursing care to individuals who, by reason of advanced age, chronic illness, or infirmity, are unable to care for themselves. Such home does not contain equipment for surgical care or for the treatment of injury. This definition includes "rest home."



**Obstruction**

For purposes of floodplain regulations, includes, but is not limited to, any dam, wall, wharf, embankment, levee, dike, pile, abutment, protection, excavation, canalization, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, vegetation, or other material in, along, across or projecting into any watercourse which may alter, impede, retard or change the direction and/or velocity of the flow of water; or due to its location, its propensity to snare or collect debris carried by the flow of water, or its likelihood of being carried downstream.

**Office**

A facility in which business, professional, administrative and/or clerical activities are conducted, including but not limited to insurance agencies, architects, lawyers, engineers, real estate offices, government offices, motor vehicle licensing branches, post offices, radio/TV stations, research centers, social services, testing laboratories, advertising agencies, travel agencies, abstract and title agencies or insurance companies, and stockbrokers. This use does not include "Medical Clinic," "Methadone Treatment Facility," or "Opioid Rehabilitation Facility." Accessory uses may include cafeterias, health and exercise facilities, or other amenities primarily for the use of employees in the firm or building.

**Official Zoning Map**

A map of the City of Bloomington, Indiana, that legally delineates the boundaries of zoning districts as they apply to the properties within the City. There is only one Official Zoning Map, and it is kept up to date by the Plan Commission and the Planning and Transportation Director.

**One-Percent Annual Chance Flood**

The flood that has a one percent (1%) chance of being equaled or exceeded in any given year. ~~Any flood zone that begins with the letter A is subject to the one-percent annual chance flood.~~ See "Regulatory Flood."

**Open Space**

An area of land not covered by buildings, parking structures, or accessory uses except for recreational structures. Open space may include nature areas; streams and floodplains; meadows or open fields containing baseball, football, and soccer fields, golf courses, swimming pools, bicycle paths, etc. Open space does not include street rights-of-way, platted lot area, private yards, patio areas, or land scheduled for future development.

**Opioid Rehabilitation Facility**

A facility, clinic, or office engaged in treating or counseling patients for reduction and management of opiate use, which may but need not include treatments involving medication, and where patients do not receive housing or overnight accommodation.

**Opioid Rehabilitation Home**

A dwelling where persons are living together, with or without staff, as a single housekeeping unit providing care, supervision, or treatment to reduce dependence or maintain independence of opioid drugs. An Opioid Rehabilitation Home is subject to the protections of the federal Fair Housing Act Amendments of 1988, as defined in that Act and interpreted by the courts, as they apply to citizens in drug addiction treatment programs, and by any similar legislation of the State of Indiana,

**Opioid Rehabilitation Home, Small**

Opioid Rehabilitation Home, Small is a facility designed for and occupied by eight or less residents living together.

**Opioid Rehabilitation Home, Large**

or from any side of the building that faces a street, that side of the porch must be open, and the side(s) that faces the street must not be more than 50 percent enclosed (except for removable screens, or screen doors).

**Preliminary Plan, PUD**

A drawing or map made to measurable scale upon which is presented a description and definition of the way in which the design requirements of the Planned Unit Development are to be met.

**Premises**

See "Property."

**Preschool**

See "School, Public or Private."

**Preservation Area**

Sites with environmental resources intended to be preserved in their natural state.

**Primary School**

See "School, Public or Private."

**Principally Above Ground**

For purposes of floodplain regulations, at least 51 percent of the actual cash value of the structure, less land value, is above ground.

**Property**

A lot, parcel, tract, or plot of land and the improvements thereon.

**Proposal**

Any new construction, including accessory structures of at least eight hundred forty square feet, or any building addition larger than ten percent of the gross floor area of a structure.

**Public Improvements**

The erection, construction, alteration, operation, or maintenance of facilities serving the public interest that may include but is not limited to storm drainage facilities, streets, highways, parkways, sidewalks, pedestrian-ways, transportation corridors, trees, lawns, landscaping, parking areas, lot improvements, or utilities.

**Public Place**

Any area on public or private property that is easily accessible and clearly visible to the general public. If located on private property, the area must be open to the general public and clearly visible from adjacent public property such as a street or other public thoroughfare or sidewalk.

**Public Safety and Nuisance**

For purposes of floodplain regulations, anything which is injurious to the safety or health of an entire community, neighborhood or any considerable number of persons, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay, stream, canal, or basin.

**Public Way**

Any street, alley, channel, tunnel, bridge, easement, right-of-way, or other way that is dedicated or granted for public use.



### **Retail Sales**

Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. This use does not include any form of retail sales or other use listed separately in Table 3-2.

#### **Retail Sales, Small**

A facility or establishment with up to 5,000 square feet of gross floor area.

#### **Retail Sales, Medium**

A facility or establishment with between 5,001 and 10,000 square feet of gross floor area.

#### **Retail Sales, Large**

A facility or establishment with between 10,001 and 60,000 square feet of gross floor area.

#### **Retail Sales, Big Box**

A facility or establishment with more than 60,000 square feet of gross floor area.

### **Retention Facilities**

Facilities dedicated to the permanent on-site maintenance of stormwater.

### **Right-of-way**

A strip of land reserved for, occupied, or intended to be occupied by transportation facilities, public utilities, or other special public uses that may include sidewalks, bicycle or pedestrian pathways, streets, alleys, or other public thoroughfares, or buffers adjacent to same. Right-of-way may be held in the form of easement or fee.

### **Riparian Buffer**

Wooded or vegetated areas along creeks, streams, rivers, or designated regulated drains. The area on each bank designated as a riparian area shall be no wider than the average width of the creek, stream or river at normal flow elevation, but be no less than ten feet in width from the top of banks.

### **Riverine**

For the purposes of floodplain regulations, means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc.

### **Road**

See "Street."

### **Rules of Procedure**

The rules which govern how a decision-making body conducts meetings and reaches its conclusions.

### **Salvage or Scrap Yard**

A facility, usually outdoors, where waste or scrap materials are bought, sold, exchanged, collected, salvaged, stored, baled, packed, disassembled, or handled, including, but not limited to, motor vehicles or parts thereof, used lumber, household garbage, inoperable machinery or appliances, scrap iron and other metals, paper, plastics, glass, rags or tires. Where such materials are a by-product of a permitted use, such activity shall be considered "outdoor storage," as defined and permitted separately in this UDO.

### **Sand Production**

See "Gravel, Cement, or Sand Production."

The line that defines the depth of the required front yard measured from the front property line to a regulated structure. The front setback shall be measured from the proposed right-of-way as indicated on the Transportation Plan except that the front setback adjacent to a street classified as Neighborhood Residential in the Transportation Plan shall be measured from the existing right-of-way. The front setback shall be parallel with the street right-of-way line. For individual building sites in the RMH zoning district, the front setback is measured from the edge of pavement of the interior streets. For corner lots, the front setback shall apply to all frontages adjacent to a street right-of-way.

**Setback, Front Smallest**

The smallest existing front setback of the primary residential structures abutting and along the same block face as the subject property. For corner lots, the smallest front setback of the abutting primary residential structures on both block faces may be used to determine the average front setback.

**Setback, Parking**

The line that defines the minimum distance that any area used for vehicle parking spaces shall be separated from the street right-of-way. The parking setback shall be parallel with the street right-of-way line.

**Setback, Rear**

The line that defines the width or depth of the required rear yard. The rear setback line shall be parallel with the property line.

**Setback, Side**

The line that defines the width or depth of the required side yard. The side setback line shall be parallel with the property line.

**Sexually Oriented Business**

Any establishment, whether conducted permanently or intermittently, that primarily engages in the business of offering a service or product, for sale, display, exhibition, or viewing, that is distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas. This includes but is not limited to adult bookstores, adult cabarets, adult motion picture theaters, adult novelty stores, adult video arcades, bathhouses, and lingerie modeling studios.

**Sheet Flow Area**

For the purposes of floodplain regulations, see "area of shallow flooding".

**Shrub**

A woody plant that is usually greater than three feet but less than twenty feet in height that generally exhibits spreading stems and a bushy appearance.

**Sidewalk**

A hard-surface pathway within the street right-of-way that is designated for the exclusive use of pedestrian traffic.

**Sign**

Any display or device placed on a property in any fashion that can be seen from a public place or a public right-of-way that is designed, intended, or used to convey any identification, message or information other than an address number.

**Sign Height**

The vertical distance measured from either the ground at the base of the sign or from the crown of an adjacent street to the highest point of the sign or sign structure, whichever is greater.



**Sign, Window**

Any sign or advertising device affixed to the interior or exterior of a window or placed immediately behind a window frame so as to be seen from persons outside the building.

**Site Plan**

A map of a site, drawn accurately to scale, showing existing and proposed features of the site including but not limited to buildings and other structures, circulation, grading, trees, and landscaping, sufficient for the review required in this UDO. A "site plan" shall serve as the development plan regulated by the Indiana Code 36-7-4-1400 Series.

**Site, Lawful Nonconforming**

A site used and/or developed such that the site does not conform with one or more development standards contained in this UDO, but where such nonconformity and such use and/or development lawfully existed upon the effective date of the provisions of this UDO with which the site does not conform.

**Solar Collector, Ground or Building Mounted**

A system of panels, wiring, and related equipment used to transform direct solar energy into thermal, chemical, or electrical energy that is mounted either to the ground or to a building.

**Solid Waste Disposal Facility**

For the purposes of floodplain regulation, any facility involved in the storage or disposal of non-liquid, non-soluble materials ranging from municipal garbage to industrial wastes that contain complex and sometimes hazardous substances. Solid waste also includes sewage sludge, agricultural refuse, demolition wastes, mining wastes, and liquids and gases stored in containers.

**Special Event**

A temporary use on public or private property that is not excluded from regulation by this UDO and is not listed as a separate Temporary Use by this UDO. This use includes but is not limited to fundraising activities, educational, historic, religious, and patriotic displays or exhibits, circuses, amusements, outdoor concerts, festivals, revivals, street fairs, outdoor arts and crafts fairs, and other organized community events.

**Special Exception**

A process under the Bloomington Zoning Ordinance effective 1973-1995 whereas a use that is so designated may be approved by the Board of Zoning Appeals if it meets special conditions.

**Special Flood Hazard Area (SFHA)**

For the purposes of floodplain regulation, synonymous with "areas of special flood hazard" and floodplain, means those lands within the jurisdiction of the City subject to a one percent (1%) or greater chance of flooding in any given year. Special flood hazard areas are designated by the Federal Emergency Management Agency on Flood Insurance Rate Maps and Flood Insurance Studies as Zones A, AE, AH, AO, A1 30, A99, or VE. The SFHA includes areas that are flood prone and designated from other federal, state or local sources of data including but not limited to best available flood layer maps provided by or approved by the Indiana Department of Natural Resources, historical flood information reflecting high water marks, previous flood inundation areas, and flood prone soils associated with a watercourse subject to inundation by the regulatory flood. The SFHAs within the City of Bloomington are generally identified as such on the Monroe County and Incorporated Area Flood Insurance Rate Map prepared by the Federal Emergency Management Agency, dated December 17, 2010 as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date.



**Storage, Self-Service**

A building or group of buildings consisting of individual, self-contained units that are leased to individuals, organizations, or businesses for self-service storage of personal property.

**Story**

The portion of a building intended for human occupancy included between the upper surface of a floor and the upper surface of the next floor above or the roof, ignoring atriums and other features that extend vertically more than 15 feet. For single-family, duplex, triplex, and fourplex uses, any portion of a story exceeding 14 feet in height shall be considered as an additional story for each 14 feet or fraction thereof.

**Stream, Intermittent**

A stream that flows during certain times of the year when smaller upstream waters are flowing and when groundwater provides enough water for stream flow. Runoff from rainfall or other precipitation supplements the flow of an intermittent stream, also called a seasonal stream. During dry periods, such streams may not have flowing surface water, but they do have a discernable stream bed. Larger seasonal streams are more common in dry areas. An artificial drainageway (made by humans) is not an intermittent stream.

**Stream, Perennial**

A year-round stream that typically has water flowing in it year-round. Most of the water comes from smaller upstream waters or groundwater while runoff from rainfall or other ~~precipitation~~ precipitation is supplemental.

**Street**

A public thoroughfare, including road, highway, drive, lane, avenue, place, boulevard, and any other thoroughfare that has been constructed to public street standards.

**Street Lighting Plan**

A site plan showing the location and type of streetlights to be installed including type of fixture and bulb type.

**Street, Stub**

A street intended to be extended in conjunction with the subdivision and development of adjacent unplatted land.

**Structural Alterations**

Any change in the supporting members of a building or structure such as bearing walls, partitions, columns, beams, or girders; or any change in the footprint or increase in the size of living space. Structural alterations also include substantial roofing and siding work when repairs are made to the structure beneath.

**Structure****Structure (Generally)**

In all other contexts, anything constructed or erected that requires location on the ground or attachment to something having a location on the ground, including but not limited to buildings, sheds, detached garages, mobile homes, manufactured homes, above-ground storage tanks, freestanding signs, and other similar items.

**Structure (Floodplain Regulations)**

For purposes of floodplain regulations, a walled and roofed building, including a gas or liquid storage tank, structure that which is principally above ground ~~and is enclosed by walls and a roof~~. The term includes ~~a gas or liquid storage tank~~, a manufactured home, as well as a prefabricated building. ~~The term~~ it also includes recreational vehicles ~~to be~~ installed on a site for more than 180 consecutive days.



**Structure, Accessory****Structure, Accessory (Generally)**

See "Building or Structure, Accessory."

**Structure, Accessory (Floodplain Regulations)**

For purposes of floodplain regulations, a structure with a floor area 400 square feet or less that is ~~located~~ on the same parcel of property as ~~at~~ the principal structure and the use of which is incidental to the use of the principal structure; ~~an accessory structure specifically excludes structures used for human habitation.~~

1. ~~Accessory structures are considered walled and roofed where the structure includes at least two outside rigid walls and a fully secured roof.~~
2. ~~Examples of accessory structures include but are not necessarily limited to two-car detached garages (or smaller), carports, storage and tool sheds, and small boathouses.~~
3. ~~The following may have uses that are incidental or accessory to the principal structure on a parcel but are generally not considered to be accessory structures by the NFIP:~~
  - a. ~~Structures in which any portion is used for human habitation, whether as a permanent residence or as temporary or seasonal living quarters, such as a detached garage or carriage house that includes an apartment or guest quarters, or a detached guest house on the same parcel as a principal residence;~~
  - b. ~~Structures used by the public, such as a place of employment or entertainment; and,~~
  - a-c. ~~Development that does not meet the NFIP definition of a structure for floodplain management purposes. Examples includes, but are not necessarily limited to, a gazebo, pavilion, picnic shelter, or carport that is open on all sides (roofed but not walled). Accessory structures should constitute a minimal initial investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.~~

**Structure, Historic**

For purposes of floodplain regulations, any structures ~~that is; individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.~~

1. ~~Listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;~~
2. ~~Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;~~
3. ~~Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or~~
- 1-4. ~~Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by (a) an approved state program as determined by the Secretary of Interior, or (b) directly by the Secretary of Interior in states without approved programs.~~

**Student Housing or Dormitory**

A multiple-family dwelling designed primarily as housing for, or likely to be occupied by, unmarried undergraduate or post-graduate students, including but not limited to:



- 8) Any use that differs from the previous use of a building or land, as determined by subheadings in [Table 03-1: Allowed Use Table](#)~~Table 03-1: Allowed Use Table~~, or where the new use differs substantially in the amount of required parking, traffic generation, number or frequency of customers/users, hours of operation, or other similar aspects of the use; and
- 9) Any establishment of a new use after a previous use has been abandoned, as defined by this UDO.

**Use, Conditional**

See "Conditional use."

**Use, Establishment of**

The initiation of a new use on a property or the initiation of a use on a property where the previous use has been discontinued; or, reestablishment of a prior conforming use that has been discontinued for a period of twelve months or more.

**Use, Individual Nonresidential**

A use and building that is located either on an outlot or not part of a larger commercial building that contains more than one business.

**Use, Lawful Nonconforming**

Any use of land or structure 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 use does not conform.

**Use, Permitted**

A use that may be lawfully established in a particular zoning district provided it conforms to all applicable requirements, regulations and standards.

**Use, Temporary**

Any use that is established only for a fixed period of time, which must be discontinued upon the expiration of the time limit provided in this UDO, and that does not involve the construction or alteration of any permanent structure as distinguished from the same uses when permitted in full compliance with all applicable zoning, site plan, construction, and permit requirements. Temporary uses shall include uses conducted from tents, trailers, and other temporary structures not erected under the state and city permit processes for permanent buildings. The term "temporary use" shall not include events sponsored by the public on park, right-of-way, or other public lands.

**Utility Substation and Transmission Facility**

An assemblage of equipment for purposes other than energy generation or use, through which electric energy in bulk is passed for the purposes of switching or modifying its characteristics to meet the needs of the general public; provided that in residential districts an electric substation shall not include rotating equipment, storage of materials, trucks or repair facilities, housing of repair crews, or office or place of business.

**Variance, Development Standards**

A specific approval to deviate from the development standards (such as height, bulk, area) that this UDO otherwise prescribes, granted pursuant to Indiana Code 36-7-4-918.5.

**Variance, Floodplain**

For purposes of floodplain regulations, ~~a~~<sup>a</sup> grant of relief from the requirements of ~~the floodplain regulation~~<sup>this ordinance consistent with the variance conditions herein, which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.</sup>



### **Vehicle Wash**

A facility for washing, cleaning, drying and waxing of passenger vehicles, recreational vehicles, or other light duty equipment. A car wash may be self-service or full service.

### **Veterinary Clinic**

An establishment where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. This use does not include a "Kennel," and overnight boarding of animals shall only be permitted when incidental to such medical treatment and limited to short periods of time.

### **Violation**

For purposes of floodplain regulations, the failure of a structure or other development to be fully compliant with the ~~ordinance floodplain regulations. A structure or other development without the elevation, other certification, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.~~

### **Vision Clearance Triangle**

An area of unobstructed vision at street intersections between two and one-half and nine feet above the gutter line and within a triangular area at the street corner, which area is bounded by the street property lines of the corner lot. The vision clearance triangle leg length shall be as specified in the most current edition of the Policy on Geometric Design of Highways and Streets published by the American Association of State Highway Transportation Officials (AASHTO).

### **Walled and Roofed**

For the purposes of floodplain regulations, a building that has two or more exterior rigid walls and a fully secured roof and is affixed to a permanent site.

### **Watercourse**

For purposes of floodplain regulations, a lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

### **Wetland**

Those areas inundated or saturated by surface or ground water at a frequency or duration sufficient to support, and under normal circumstances, do support, a prevalence of vegetation specifically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. For the purpose of this definition, a wetland must have one or more of the following attributes:

- 1) At least periodically, the land supports hydrophytes;
- 2) The substrate is predominately undrained hydric soil;
- 3) The substrate is nonsoil and is saturated with water or covered by shallow water at least some time during the year.

### **Wetland, Jurisdictional**

Any wetland under the jurisdiction of the state or federal government.

### **Wind Energy System, Large**

A facility or equipment that converts wind energy into electrical power for the primary purpose of sale, resale, or off-site use and that has an output rating greater than 100 KW.

Chapter	Citation	Current Language	Proposed Language	Synopsis	Difficulty	Type of Change
<b>CHAPTER 3</b>						
	3 20.03.030(b)(10)	Fraternity or Sorority House	Remove Use Specific Standards	The standards are now moot, so should be removed.	easy	revision
	3 20.03.030(d)(14)(F)	In the ME zoning district	<del>In the ME zoning district</del>	Removing the heading, so that the regulations are for all zoning districts.	easy	revision
	3 20.03.030(d)(14)(F)(i)	(i) All structures including fuel canopies shall be similar in appearance to the surrounding development with respect to architectural style, color, and materials;	(F) <del>(i)</del> All structures including fuel canopies shall be similar in appearance to the surrounding development with respect to architectural style, color, and materials;	Modifies applicability standards so this applies to all zoning districts	easy	revision
	3 20.03.030(d)(14)(F)(ii)	(ii) Fuel canopies shall be located to the side or rear of properties to minimize visual impact from public streets; and	(G) <del>(ii)</del> Fuel canopies shall be located to the side or rear of properties to minimize visual impact from public streets; <del>and</del> .	Modifies applicability standards so this applies to all zoning districts	easy	revision
	3 20.03.030(d)(14)(F)(iii)	(iii) At least 50 percent of the total number of dispenser units shall provide alternative fuels including, but not limited to biodiesel, electricity, majority ethanol blend, hydrogen or natural gas.	(H) <del>(iii)</del> At least 50 percent of the total number of dispenser units shall provide alternative fuels including, but not limited to biodiesel, electricity, majority ethanol blend, hydrogen or natural gas.	Modifies applicability standards so this applies to all zoning districts	easy	revision
	3 20.03.030(e)(1)(C)	Prohibited Storage Materials: In all zoning districts where this use is allowed, except for the MI zoning district, outdoor storage of equipment, materials, waste or scrap materials, and pallets is prohibited.	Prohibited Storage Materials: In all zoning districts <del>where this use is allowed</del> , except for the MI zoning district, outdoor storage of equipment, materials, waste or scrap materials, and pallets is prohibited.	Clarifying that outdoor storage of those particular materials is only allowed in MI.	easy	revision
	3 20.03.030(e)(2)(G)	(A) If the facility is located in an MN, MM or MD district, all storage shall be contained within a fully enclosed structure that:	(A) <del>If the facility is located in an MN, MM or MD district</del> , all storage shall be contained within a fully enclosed structure that:	Revises this language to make this standard applicable in all zoning districts	easy	revision
	3 20.03.030(g)(5)(B)(v)	i. A request for an ADU shall be required to submit a separate site plan petition with the Planning and Transportation Department.	i. A request for an ADU shall be required to submit a separate site plan petition with the Planning and Transportation Department <b>if no building permit is processed for the ADU.</b>	Added that those ADUs that are getting building permits do not need separate site plan review.	easy	revision
<b>CHAPTER 5</b>						
	5 20.05.050(c)	New language	<b>(3) Existing buildings, structures, parking areas, or improvements that require a setback and are on lots involved in either a subdivision or an exempted adjustment of lot lines listed in 20.06.060(a)(2)(B) do not have to meet setback standards related to existing property lines that do not change. The setback standards of this UDO shall apply for all newly created lot line locations.</b>	Adds new language to reflect situations where an existing developed lot is being subdivided.	easy	Revision
<b>CHAPTER 7</b>						
	7 20.07.010	Basement- In all other contexts, that portion of a building that is partly or wholly below grade, as measured four feet from the exterior of the foundation wall, regardless of whether the interior space is finished or unfinished. A basement shall be counted as a story for determining building setbacks if the front exterior wall of the basement facing a street is not completely below grade and each side of the foundation wall facing the side yard is less than 50 percent covered by grade.	Basement- In all other contexts, that portion of a building that is partly or wholly below grade, as measured four feet from the exterior of the foundation wall, regardless of whether the interior space is finished or unfinished. A basement shall be counted as a story for determining building setbacks <b>and number of stories</b> if the front exterior wall of the basement facing a street is not completely below grade and each side of the foundation wall facing the side yard is less than 50 percent covered by grade.	Removes the language limiting this to determining setbacks only, since this can also come into play when the number of stories is determined.	easy	revision
	7 20.07.010	Footprint The area of a lot or site included within the surrounding exterior walls of a building or portion of a building, exclusive of courtyards. In the absence of surrounding exterior walls, the building footprint shall be the area under the horizontal projection of the roof.	Footprint The area of a lot or site included within the surrounding exterior walls of a building or portion of a building, exclusive of courtyards. <del>In the absence of surrounding exterior walls</del> , In buildings or structures with no walls, the building footprint shall be the area under the horizontal projection of the roof.	Clarify definition of footprint to align accessory structure regulations and interpretation	easy	Clarification
	7 20.07.010	New language/section	Grade (Surface), Average finished- The midpoint between the highest exposed finished grade and lowest exposed finished grade as measured a minimum of 4' from the exterior building facade.	Adds definition for this existing term and specifies the measuring point is the midpoint of the highest and lowest exposed grade and not an average.	easy	new



7	20.07.010	Landscape Area- That portion of a site that is required to be planted with landscape.	Landscape Area- That portion of a site that is required to be planted with landscape. <b>Areas on the top of buildings, walls, in planters, or other similar areas do not count as landscape area, for the purpose of minimum landscape area requirements.</b>	Clarifies the requirements for areas that count toward minimum landscape area.	easy	revision
7	20.07.010	Use, Change In: Includes, for any portion of a building, structure, or lot:	Use, Change In: Includes, for any portion of a building <b>(excluding individual tenant space in a single building multi-tenant center)</b> , structure, or lot:	Clarifies current definition to specifically state that the changeout of a tenant space in a single building multi-tenant center is not a change in use that would trigger site improvements. Reflects previous interpretations.	easy	Clarification
<b>Floodplain Definitions</b>						
7	20.07.010	<b>Addition (to an existing structure)-</b> Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction. For purposes of floodplain regulations, any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall.	<b>Addition (to an existing structure)-</b> means any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction.		easy	revision
7	20.07.010	<b>Addition (to an existing structure)-</b> Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction. For purposes of floodplain regulations, any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall.	<b>Addition (to an existing structure)- Any walled and roofed expansion of the perimeter of a structure. For the purposed of floodplain regulations,</b> any walled and roofed expansion to the perimeter of a structure in which the addition is connected by a common load-bearing wall other than a firewall. Any walled and roofed addition, which is connected by a firewall or is separated by independent perimeter load-bearing walls, is new construction.	Clarifying addition in a non-floodplain context, which is currently unclear.	easy	revision
7	20.07.010	New definition for floodplain regulations	<b>Alteration of a watercourse-</b> means a dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other modification which may alter, impede, retard or change the direction and/or velocity of the flow of water during conditions of the base flood.		easy	New
7	20.07.010	<b>Appeal</b> -For purposes of floodplain regulations, a request for a review of the floodplain administrator's interpretation of any provision of this ordinance.	<b>Appeal-</b> means a request for a review of the floodplain administrator's interpretation of any provision of this ordinance, a request for a variance, or a challenge of a board decision.		easy	revision
7	20.07.010	New definition for floodplain regulations	<b>Area of special flood hazard-</b> is the land within a community subject to a one percent (1%) or greater chance of being flooded in any given year.		easy	New
7	20.07.010	<b>Base Flood</b> -For purposes of floodplain regulations, the flood having a one percent chance of being equaled or exceeded in any given year.	<b>Base flood</b> means the flood having a one percent (1%) chance of being equaled or exceeded in any given year. The base flood may also be referred to as the 1% annual chance flood or one hundred (100) year flood.		easy	Revision
7	20.07.010	<b>Base Flood Elevation (BFE)</b> The elevation of the one-percent annual chance flood.	<b>Base Flood Elevation (BFE)</b> means the water surface elevation of the base flood in relation to a specified datum, usually the North American Vertical Datum of 1988.		easy	Revision
7	20.07.010	New definition for floodplain regulations	<b>Best Available Flood Layer (BAFL)</b> means floodplain studies and any corresponding floodplain maps prepared and/or approved by the Indiana Department of Natural Resources which provide base flood elevation information, floodplain limits, and/or floodway delineations for flood hazards identified by approximate studies on the currently effective FIRM (Zone A) and/or for waterways where the flood hazard is not identified on available floodplain mapping.		easy	New







7	20.07.010	<b>Floodplain Administrator</b> The Planning and Transportation Director.	Delete, no longer a defined term		easy	Revision
7	20.07.010	<b>Floodproofing Certificate</b> A form used to certify compliance for non-residential structures as an alternative to elevating structures to or above the FPG. This certification must be issued by a Registered Professional Engineer or Architect.	<b>Floodproofing certificate</b> is a form used to certify compliance for non-residential structures as an alternative to elevating structures to or above the FPG.		easy	Revision
7	20.07.010	<b>Floodway</b> The channel of a river or stream and those portions of the floodplains adjoining the channel which are reasonably required to efficiently carry and discharge the peak flood flow of the regulatory flood of any river or stream.	<b>Floodway</b> is the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.		easy	Revision
7	20.07.010	<b>Floodway Fringe</b> Those portions of the floodplain outside the floodway.	Delete		easy	Revision
7	20.07.010	New definition for floodplain regulations	<b>Fringe or Flood Fringe</b> is the portion of the floodplain lying outside the floodway.		easy	Revision
7	20.07.010	New definition for floodplain regulations	<b>Functionally dependent use</b> means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.		Easy	New
7	20.07.010	<b>Structure, historic:</b> For purposes of floodplain regulations, any structures individually listed on the National Register of Historic Places or the Indiana State Register of Historic Sites and Structures.	<b>Structure, historic (Floodplain regulations)</b> means any structure that is:  (1) listed individually in the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;  (2) certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;  (3) individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or  (4) individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified by (a) an approved state program as determined by the Secretary of Interior, or (b) directly by the Secretary of Interior in states without approved programs.		Easy	Revision
7	20.07.010	New definition for floodplain regulations	<b>Hydrologic and hydraulic engineering analysis</b> means analyses performed by a professional engineer licensed by the State of Indiana, in accordance with standard engineering practices that are accepted by the Indiana Department of Natural Resources and FEMA, used to determine the base flood, other frequency floods, flood elevations, floodway information and boundaries, and flood profiles.		easy	New



7	20.07.010	New definition for floodplain regulations	<p><b>International Code Council-Evaluation Service (ICC-ES) Report</b> means a document that presents the findings, conclusions, and recommendations from a particular evaluation. ICC-ES reports provide information about what code requirements or acceptance criteria were used to evaluate a product, and how the product should be identified, installed.</p>		easy	New
7	20.07.010	<p><b>Letter of Map Change (LOMC)</b>  A general term used to refer to the several types of revisions and amendments to FEMA maps that can be accomplished by letter. They include Letter of Map Amendment (LOMA), Letter of Map Revision (LOMR), and Letter of Map Revision based on Fill (LOMR-F). The definitions are presented below:  <b>Letter of Map Amendment (LOMA)</b>  An amendment by letter to the currently effective FEMA map that establishes that a property is not located in a SFHA through the submittal of property specific elevation data. A LOMA is only issued by FEMA.  <b>Letter of Map Revision (LOMR)</b>  An official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.  <b>Letter of Map Revision Based on Fill (LOMR-F)</b>  An official revision by letter to an effective NFIP map. A LOMR-F provides FEMA's determination concerning whether a structure or parcel has been elevated on fill above the BFE and excluded from the SFHA.</p>	<p><b>Letter of Map Change (LOMC)</b> is a general term used to refer to the several types of revisions and amendments to FEMA maps that can be accomplished by letter. They are broken down into the following categories:</p> <p>(1) Conditional Letter of Map Revision (CLOMR) means FEMA's comment on a proposed project that would, upon construction, result in modification of the SFHA through the placement of fill outside the existing regulatory floodway.</p> <p>(2) Conditional Letter of Map Revision Based on Fill (CLOMR-F) means a letter from FEMA stating that a proposed structure that will be elevated by fill would not be inundated by the base flood.</p> <p>(3) Letter of Map Amendment (LOMA) means an amendment by letter to the currently effective FEMA map that establishes that a building or land is not located in a SFHA through the submittal of property specific elevation data. A LOMA is only issued by FEMA.</p> <p>(4) Letter of Map Amendment Out as Shown (LOMA-OAS) means an official determination by FEMA that states the property or building is correctly shown outside the SFHA as shown on an effective NFIP map. Therefore, the mandatory flood insurance requirement does not apply. An out-as-shown determination does not require elevations.</p> <p>(5) Letter of Map Revision (LOMR) means an official revision to the currently effective FEMA map. It is issued by FEMA and changes flood zones, delineations, and elevations.</p> <p>(6) Letter of Map Revision Based on Fill (LOMR-F) means FEMA's modification of the SFHA shown on the FIRM based on the placement of fill outside the existing regulatory floodway.</p>		easy	revision





7	20.07.010	New definition for floodplain regulations	<b>Solid waste disposal facility</b> means any facility involved in the storage or disposal of non-liquid, non-soluble materials ranging from municipal garbage to industrial wastes that contain complex and sometimes hazardous substances. Solid waste also includes sewage sludge, agricultural refuse, demolition wastes, mining wastes, and liquids and gases stored in containers.		Easy	New
7	20.07.010	<b>Special Flood Hazard Area (SFHA)</b> Those lands subject to inundation by the regulatory flood. The SFHAs within the City of Bloomington are generally identified as such on the Monroe County and Incorporated Area Flood Insurance Rate Map prepared by the Federal Emergency Management Agency, dated December 17, 2010 as well as any future updates, amendments, or revisions, prepared by the Federal Emergency Management Agency with the most recent date.	<b>Special Flood Hazard Area (SFHA)</b> , synonymous with "areas of special flood hazard" and floodplain, means those lands within the jurisdiction of the City subject to a one percent (1%) or greater chance of flooding in any given year. Special flood hazard areas are designated by the Federal Emergency Management Agency on Flood Insurance Rate Maps and Flood Insurance Studies as Zones A, AE, AH, AO, A1 30, A99, or VE. The SFHA includes areas that are flood prone and designated from other federal, state or local sources of data including but not limited to best available flood layer maps provided by or approved by the Indiana Department of Natural Resources, historical flood information reflecting high water marks, previous flood inundation areas, and flood prone soils associated with a watercourse.		Easy	Revision
7	20.07.010	<b>Structure, Accessory (Floodplain Regulations)-</b> For purposes of floodplain regulations, a structure with a floor area 400 square feet or less that is located on the same parcel of property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures should constitute a minimal initial investment, may not be used for human habitation, and be designed to have minimal flood damage potential. Examples of accessory structures are detached garages, carports, storage sheds, pole barns, and hay sheds.	<b>Structure, Accessory (Floodplain Regulations)-</b> Accessory Structure means a structure with a floor area of 400 square feet or less that is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure; an accessory structure specifically excludes structures used for human habitation.  (1) Accessory structures are considered walled and roofed where the structure includes at least two outside rigid walls and a fully secured roof.  (2) Examples of accessory structures include but are not necessarily limited to two-car detached garages (or smaller), carports, storage and tool sheds, and small boathouses.  (3) The following may have uses that are incidental or accessory to the principal structure on a parcel but are generally not considered to be accessory structures by the NFIP:  a. Structures in which any portion is used for human habitation, whether as a permanent residence or as temporary or seasonal living quarters, such as a detached garage or carriage house that includes an apartment or guest quarters, or a detached guest house on the same parcel as a principal residence;  b. Structures used by the public, such as a place of employment or entertainment; and,  c. Development that does not meet the NFIP definition of a structure for floodplain management purposes. Examples includes, but are not necessarily limited to, a gazebo, pavilion, picnic shelter, or carport that is open on all sides (roofed but not walled).	New State definition	easy	revision

7	20.07.010	<b>Structure (Floodplain Regulations)</b> For purposes of floodplain regulations, a structure that is principally above ground and is enclosed by walls and a roof. The term includes a gas or liquid storage tank, a manufactured home, or a prefabricated building. The term also includes recreational vehicles to be installed on a site for more than 180 days.	<b>Structure (Floodplain Regulations)</b> means a walled and roofed building, including a gas or liquid storage tank, which is principally above ground. The term includes a manufactured home, as well as a prefabricated building. It also includes recreational vehicles installed on a site for more than 180 consecutive days.		Easy	Revision
7	20.07.010	<b>Variance, Floodplain</b> For purposes of floodplain regulations, A grant of relief from the requirements of the floodplain regulations, which permits construction in a manner otherwise prohibited by this ordinance where specific enforcement would result in unnecessary hardship.	<b>Variance (Floodplain Regulations)</b> Variance is a grant of relief from the requirements of this ordinance consistent with the variance conditions herein.		Easy	Revision
7	20.07.010	<b>Violation</b> For purposes of floodplain regulations, the failure of a structure or other development to be fully compliant with the floodplain regulations. A structure or other development without the elevation, other certification, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.	<b>Violation (Floodplain Regulations)</b> means the failure of a structure or other development to be fully compliant with this ordinance.		Easy	Revision
7	20.07.010	New definition for floodplain regulations	<b>Walled and roofed</b> means a building that has two or more exterior rigid walls and a fully secured roof and is affixed to a permanent site.		Easy	New