



# City of Bloomington Common Council

## Legislative Packet – 2<sup>nd</sup> Addendum

Posted on Wednesday, 6 August 2025

Wednesday, 6 August 2025

Regular Session at 6:30pm



## RULES FOR MAKING PUBLIC COMMENT ON AGENDA & NON-AGENDA ITEMS

The Bloomington Common Council greatly values the voices of its citizens-residents and welcomes public comment on non-agenda items of community concern at two points on its *Regular Session* agenda. Citizens-Residents may make general comments at either the beginning of the meeting under *Reports from the Public* (limited to a total cumulative time of 20 minutes) or at the end under *Additional Reports from the Public* (limited to a total cumulative time of 25 minutes).

In order to conduct meetings in the most effective manner possible, the following rules apply to periods of general public comment and to periods of public comment on a particular item:

1. At each meeting, citizens-residents may speak at only *one* of the two opportunities for general public comment, but not both.
2. Citizens-Residents are limited to one comment, not to exceed three (3) minutes. When giving your comment, please state your name for the record and speak directly into the microphone.
3. All in-person comments must be made from the podium; speakers may not approach the Council dais without permission of the Chair.
4. Reports are intended to be statements from speakers; speakers may not engage the Council in a question-and-answer exchange during the *Reports from the Public* periods.
5. The City Council encourages civility in public discourse and requests that speakers refrain from language which would incite an immediate breach of the peace; refrain from undue repetition, extended discussion of irrelevancies, obscenity, and personal attacks against private individuals unrelated to the operation of the City.

These rules are intended to foster a fair, respectful, and productive meeting. Any person who violates these rules will be declared out of order by the Chair and will receive a warning. If an attendee receives three (3) warnings, the Chair may, upon issuing the third warning, direct: 1) the attendee to leave the meeting; and 2) a law enforcement officer to remove the attendee from the meeting, if the attendee refuses to leave when directed by the Chair for a violation of these rules.

Nothing in these rules may be construed to prohibit a law enforcement officer from immediately removing an attendee from a meeting if: 1) removal of the attendee is necessary to maintain order or ensure the safety of another person; 2) the attendee commits a criminal offense; or 3) the attendee violates these rules governing the conduct of the meeting. Ind. Code § 5-14-1.5-3.3 (effective July 1, 2024).

Adopted June 5, 2024



**MEMO FROM COUNCIL OFFICE:**

**To:** Members of the Common Council

**From:** Lisa Lehner, Council Administrator / Attorney

**Date:** July 24, 2025

**Re:** Ordinance 2025-25 through Ordinance 2025-29 – Five proposals certified to the Council by the Plan Commission to amend the text of Title 20 of the Bloomington Municipal Code (BMC) entitled “Unified Development Ordinance” (UDO)

**Background**

On July 14, 2025, the Plan Commission considered five proposals brought forward by city planning staff to make various changes to the Unified Development Ordinance (“UDO”). The proposals were all certified on July 21, 2025. The following table lists the four proposals and relevant information for each:

Council Ordinance #	Plan Com. Case #	Plan Com. Vote	Date certified to Council	90 days from certification
Ordinance 2025-25 – Use Table Amendment and Use Specific Standards- “Storage, self-service”	ZO-19-25	5-0	July 21, 2025	Oct. 19, 2025
Ordinance 2025-26 – Use Table Amendment- “Fraternity or sorority house”; “Artist Studio or workshop”; “Vehicle Fleet Operations, Large and Small”	ZO-20-25	5-0	July 21, 2025	Oct. 19, 2025
Ordinance 2025-27 – Use Table Amendment- “Vehicle Fuel Station”	ZO-21-25	5-0	July 21, 2025	Oct. 19, 2025
Ordinance 2025-28 – Use Table Amendment- “Vehicle Wash”	ZO-22-25	5-0	July 21, 2025	Oct. 19, 2025
Ordinance 2025-29 – Use Table Amendment and Definitions- “Tattoo or piercing parlor”	ZO-23-25	5-0	July 21, 2025	Oct. 19, 2025

This memo addresses relevant procedures and considerations applicable to these five ordinances. Planning staff have prepared individual memos that explain the proposals.

**Relevant Materials**

- Ordinance 2024-25 through Ordinance 2024-29
- Red-lined text marked as Attachment A and showing proposed amendments
- Certification forms from Plan Commission for each ordinance
- Staff Memoranda



## City of Bloomington Indiana

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### Summary

The administration is proposing text amendments to the UDO as described in the Staff Memos. A summary of the proposed changes is as follows:

- [Ordinance 2025-25](#) reduces the zoning districts where the use “Storage, self-service” would be allowed.
- [Ordinance 2025-26](#) amends Table 03-1: Allowed Use Table within Section 20.03.020.
- [Ordinance 2025-27](#) updates provisions to allow the use of “Vehicle fuel station.”
- [Ordinance 2025-28](#) amends to limit the use of “Vehicle Wash.”
- [Ordinance 2025-29](#) remove the use “Tattoo or piercing parlor” from the use table and related standards, allowing it wherever “Personal service” are permitted.

For more information on the specific details regarding the proposed changes, please consult the Staff Memo for each ordinance.

### Council’s Role

Proposals to amend the text of the UDO are governed by state law under [Indiana Code \(IC\) 36-7-4 in the “600 Series – Zoning Ordinance.”](#)

Further, in considering UDO text amendments, both state code ([IC 36-7-4-603](#)) and local code (BMC [20.06.070\(d\)\(4\)](#)) require the legislative body to pay reasonable regard to:

1. the Comprehensive Plan;
2. current conditions and the character of current structures and uses in each district;
3. the most desirable use for which the land in each district is adapted;
4. the conservation of sensitive environmental features (a local criteria);
5. the conservation of property values throughout the jurisdiction; and
6. responsible development and growth.

Importantly, these are factors that a legislative body must consider when deliberating on zoning ordinance proposals. However, nothing in statute requires that the Council find absolute conformity with each of the factors outlined above. Instead, the Council is to take into consideration the entire constellation of the criteria, balancing the statutory factors. Notably, Indiana courts have found that comprehensive plans are guides to community development, rather than instruments of land-use control. A municipality must consider all factors and make a balanced determination. *Borsuk v. Town of St. John*, 820 N.E.2d 118 (Ind. 2005) (interpreting [IC 36-7-4-603](#)).

### Next Steps of UDO Text Amendment

[IC 36-7-4-607](#) provides the following procedure that applies to a proposal to amend or partially repeal the text of the UDO:



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1. All five proposals sent to the Council received a favorable recommendation by the Plan Commission (votes listed above). The Council must consider the Commission's recommendation before acting on each proposal.
2. At the first regular meeting of the Council after the proposal is certified (or at any subsequent meeting within 90 days after the proposal is certified), the Council may adopt, reject, or amend the proposal. The Council must post and give notice at least 48 hours in advance of its intention to consider the proposal at a meeting.
3. If the Council fails to act on a proposal that received a positive recommendation within 90 days after certification (deadlines listed above), the proposal would take effect as if it had been adopted (as certified) 90 days after certification.
4. Assuming the Council does act within the 90 days after a proposal is certified to it, the Council can adopt, reject, or amend the proposal. If the Council amends or rejects a proposal, the Council must return that proposal to the Plan Commission along with a written statement of the reasons for the amendment or rejection. Doing so would start a 45-day period for the Plan Commission to consider the Council's amendment or rejection.
5. If the Plan Commission approves of the Council's amendment or fails to act within 45 days, the ordinance would stand as passed by the Council. However, if the Commission disapproves the Council's amendments or rejection, the Council must affirm its original action by a second vote within 45 days after certification of disapproval in order for the ordinance to take effect.

**Contact**

Eric Greulich, Development Services Manager, Planning & Transportation, 812-349-3423, [greulice@bloomington.in.gov](mailto:greulice@bloomington.in.gov)

**\*\*Amendment Form\*\***

**Ordinance #:** 2025-26  
**Amendment #:** Am. 01  
**Submitted by:** Cm. Stosberg  
**Date:** August 6, 2025

**Proposed Amendment:**

1. The Attachment A of Ordinance 2025-26 shall have the following red-lined pages added, deleting UDO section 20.03.030(b)(10) and renumbering the sections after, as appropriate:

- iv. Enlargement or modification of any existing driveway shall require the driveway apron to be surfaced with concrete.

**(B) Parking**

**i. Location**

Required parking shall be located on each dwelling site.

**ii. Surface Material**

1. Parking spaces shall utilize a dustless, hard surface of concrete, asphalt, brick pavers, or a similar durable surface approved by the Planning and Transportation Director.
2. Crushed stone, stone, rock, dirt, sand, or grass shall not be permitted as a parking surface.

**(C) Accessory Structures**

**i. Generally**

Management offices, sales offices, storage, laundry, and other structures customarily accessory to manufactured home parks or mobile home parks are permitted, provided that:

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~~

~~(11)~~ **(10) Group Care Home, FHAA (Small and Large) & Opioid Rehabilitation Home, (Small and Large)**

- (A) Group homes for the exclusive use of citizens protected by the provisions of the federal Fair Housing Act Amendments of 1988 (FHAA), as defined in that Act and interpreted by the courts, or by any similar legislation of the State of Indiana, may be established in any Residential zoning district or portion of a Mixed-Use zoning district or PD district that permits residential dwellings, provided that they meet the definition of "small" and "large" facilities in Chapter 20.07: Definitions) and are located in zoning districts where facilities of that size are allowed pursuant to Table 3-1, and subject to the licensing requirements of the state and the City of Bloomington.
- (B) In the MN and R4 zoning districts, group homes shall not be designed for or occupied by more than 20 residents living together.



- (C) No Group Care Home shall be located within 300 feet of any other Group Care Home.
- (D) No Opioid Rehabilitation Home shall be located within 300 feet of any other Opioid Rehabilitation Home.
- (E) Where minimum spacing is required by subsections (C) and (D) above, the distance shall be measured from the nearest property line of the property from which spacing is required to the nearest property line on which the group home will be located, using a straight line, without regard to intervening structures or public rights-of-way.

~~(12)~~**(11) Residential Rooming House**

- (A) In the RM, RH, and MN Districts, the owner of the property must occupy the rooming house as their primary residence. No residential rooming house shall contain more than four bedrooms, not including the living space occupied by the residential rooming house owner.
- (B) No bedroom occupied by a person other than the residential rooming house owner shall be rented for a period of less than 30 consecutive days.

~~(13)~~**(12) Student Housing or Dormitory**

**(A) Ground Floor Parking**

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

**(B) Location**

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

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

However, if either the affordable housing incentive codified at Section 20.04.110(c) or the sustainable development incentive codified at Section 20.04.110(d) has been earned, only the requirements of 20.03.030(b)(13)(B)(i) apply to each student housing or dormitory use in the RM, RH, MN, MM, MC, and MI zoning districts. If both the affordable housing incentive codified at Section 20.04.110(c) and the sustainable development incentive codified at Section 20.04.110(d), the separation requirements of this section do not apply to each student housing or dormitory use in the RM, RH, MN, MM, MC, and MI zoning districts

## **Synopsis**

This amendment adds the red-lined pages to the Attachment A.

**08/06/25 Regular Session Action:** Pending