Bloomington Commission on Sustainability and Resilience
Meeting Packet

Tuesday, November 10, 2026, 6:00 P.M.
McCloskey Conference Room (Room 135), City Hall
401 N Morton St, Bloomington, IN 47404

This meeting may also be accessed by Zoom
https://bloomington.zoom.us/j/84327085962?pwd=naI8LVmKZSoinPUHbXuw3h7oqMyi5g.1
Meeting ID: 843-2708-5962, Passcode: 034238

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Bloomington Commission on Sustainability and Resilience

Regular Meeting
Tuesday, November 10, 2026, 6:00pm
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Commission Members & Terms

Tara Dunderdale, appointed by Common Council, February 1, 2025 through January 31, 2027
Justin Vasel, appointed by Common Council, February 1, 2025 through January 31, 2027
Rebecca Payne, appointed by Common Council, February 1, 2026 through January 31, 2028
Christopher Miles, appointed by Common Council, February 1, 2026 through January 31, 2028
Zach Ammerman, appointed by Common Council , February 1, 2026 through January 31, 2028
Dave Rollo, appointed by Common Council on January 10, 2024
Terese Dorau, appointed by IU Office of Sustainability on September 9, 2026
Alex Jorck, appointed by the Mayor, February 1, 2026 through January 31, 2028
Maria Aarstad, appointed by the Mayor, February 1, 2026 through January 31, 2028
Diana Ogrodowski, appointed by the Mayor, February 1, 2025 through January 31, 2027
Ross Carlson, appointed by Monroe County Commissioners on November 24, 2025

Agenda

1. **Call to Order** **6:00 PM**
2. **Approval of the Agenda**
3. **Approval of Minutes**
    a. October 13, 2026 — Regular Meeting
4. **Public Comment** **6:05 PM**
   3 minutes per person
5. **Commissioner Reports** **6:15 PM**
    a. **Chair's Report**
       Justin Vasel
    b. **Council Ex-Officio**
       Dave Rollo
6. **Discussions Not the Subject of Resolution** **6:30 PM**
    a. **Hoosier EVA Introduction**
       Guest Speaker: Paul Bordenkircher
    b. **BCOSR Grant Proposal**
       Presenter: Christopher Miles
        i. Action Item: Vote to approve
7. **Resolutions for Second Reading** **6:50 PM**
    a. **Resolution 2026-07: Enhancing the City's Protection of Significant and Heritage Trees**
       Presenter: Zach Ammerman
        i. Action Item: Vote to adopt

8.	**Resolutions for First Reading**	**7:15 PM**
9.	**Staff Liaison Report** Shawn Miya	**7:15 PM**
10.	**Member Announcements**	**7:30 PM**
11.	**New Business**	**7:30 PM**
12.	**Adjournment**	**by 7:30 PM**

BLOOMINGTON COMMISSION ON
SUSTAINABILITY AND RESILIENCE

MINUTES
BLOOMINGTON COMMISSION ON SUSTAINABILITY AND RESILIENCE

McCloskey Conference Room (Room 135), City Hall
401 N Morton St, Bloomington, IN 47404

Regular Meeting, Tuesday, October 13, 2026

FOR APPROVAL

Commissioners Present In-Person: Tara Dunderdale, Justin Vasel, Rebecca Payne, Christopher Miles, Zach Ammerman, Dave Rollo, Terese Dorau, Alex Jorck, Maria Aarstadi, Ross Carlson

Commissioners Present Virtually: Commissioner Jorck appeared virtually from 6:01 pm - 6:06 pm, Commissioner Carlson appeared virtually from 6:01 pm to 6:08 pm.

Guest Presenter: Alberto Ortega, O'Neal School of Public Policy

Commissioners Absent: Diana Ogrodowski, Councilmember Rollo was absent from 6:05-6:19 and again from 7:15-7:19pm

Staff Present: Jolie Perry

1. CALL TO ORDER

Chair Justin Vasel called the meeting to order at 6:01 PM. At roll call, a quorum of 10 of 11 commissioners was present. Commissioners Jorck and Carlson appeared virtually for the start of the meeting.

2. APPROVAL OF AGENDA

ACTION: Commissioner Ammerman moved to approve the agenda. Commissioner Ammerman seconded, Councilmember Rollo seconded. Motion passed with a roll-call vote of 10-0-0.

3. APPROVAL OF MINUTES

No corrections were offered to the minutes of the September 8th 2026, regular meeting and the September 15, 2026 special joint session with the Environmental Commission.

ACTION: Commissioner Ammerman moved to approve both sets of minutes. Commissioner Payne seconded. The motion passed by roll call vote, 9-0-0.

4. PUBLIC COMMENT

- No public comment was made

5. REPORT FROM COMMISSIONERS

a. Chair's Report (Justin Vasel)

Chair Vasel reviewed the organizational chart and welcomed new commissioner from IU Office of Sustainability, Terese Dorau.

Commissioners Dunderdale, Vasel and Ogrodowski have terms expiring at the end of January 2027.

Chair provided a summary of news and updates relevant to the commission's work.

b. Council Ex-Officio (Dave Rollo)

Councilmember Rollo provided an update on upcoming legislation relevant to the commission's work. Of note was a second reading on legislation prohibiting ALPR cameras on October 14, 2026.

6. DISCUSSION OF TOPICS NOT THE SUBJECT OF RESOLUTIONS

a. Capstone Project Proposal: Social Housing Scenario Study for Bloomington/Monroe County

Commissioner Ammerman shared an overview of the proposed capstone partnership with Guest Speaker Alberto Ortega, the planned instructor for the course, adding additional context and answering questions from the commission.

Commissioner Ammerman asked commissions to vote today on committing to the partnership, if passed, to send recommendations for changes 1 week before the next meeting on November 10, 2026.

ACTION: Commissioner Carlson moved to accept the proposal, Commissioner Dunderdale seconded. Motion passed with a unanimous voice vote.

b. Mayor's response to Flock Letter. Discussion of the response and possible next steps (Justin Vasel)

ACTION: Commissioner Ammerman moved to authorize chair Vasel to forward the commission's original letter, the mayor's response, and a comment from the commission on the inadequacy of the response.

Commissioner Miles seconded. The commission discussed key points to address in the letter.Motion passed by majority voice vote.

7. RESOLUTIONS FOR SECOND READING

a. Resolution 2026-07: Enhancing the City's Protection of Significant and Heritage Trees

ACTION: Motion by commissioner Jorck to table to the next meeting, commissioner Dorou seconded. Passed by majority voice vote.

8. RESOLUTIONS FOR FIRST READING

No resolutions for first reading.

9. REPORT FROM STAFF LIAISON

- Working group grants for 2027 will be reduced to $1,000 including administrative costs
- Staff liaison confirmed that our bylaws are still the rule to use for determining quorum

10. MEMBER ANNOUNCEMENTS

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11. NEW BUSINESS

There was no new business.

12. ADJOURNMENT

The meeting adjourned at 7:30 PM.

NEXT MEETING:
Tuesday, November 10, 2026, 6:00 PM

Bloomington Commission on Sustainability and Resilience Working Group Grant Application

Applicant Information

Date: 10/24/2026

Project Name: Neighborhood Planting Project
Website: https://neighborhoodplantingproject.org/

BCOSR Commissioner(s)
Christopher Miles - February 1, 2026 through January 31, 2028

Community Partner
Organization Name: Center for Sustainable Living
Address: 611 W. 12th
Contact Name: Micol Seigel
Email: president@simplycsl.org
Phone Number: 213 595 5192

Project Location
Location Name: Overlook
Address: 611 W. 12th
Contact Name: Melissa Shelton
Email: melissasheltonlac@gmail.com
Phone Number: 812 345 0752

Grant Application Justification

a. Description of Project

We request $4000 to support the 2026-2027 Neighborhood Planting Project. This funding would allow us to distribute 6000 native fruit and nut trees in Bloomington, contributing to reduced heat island effects through increase tree canopy, neighborhood-level planning and resilience, education about native foods, and enhanced biodiversity and habitat growth in Bloomington. This will be our 10th year of planting, and we have a strong, proven track record in planting, education, and events. For more information about the NPP, our website is here, and here is a WFHB feature on our 2022 planting.

The funding we request from BCOSR would put us on firmer footing for 2027, allowing us to hold two large distributions of native fruit and nut trees on Bloomington's west side in early April. This support is especially critical this year, as we experienced an unprecedented drop in donations during our usual funding season last Spring, despite giving away a similar number of trees to previous years. As a result, we have a gap to bridge between paying for our tree and supplies orders and collecting donations during our usual donation season in Spring 2027. We plan to approach the design of our events in a fresh way with clearer guides for donating in order to address the funding dropoff, but support from BCOSR would provide a critical lifeline for continuing our efforts toward strengthening native biodiversity, ecological health, local food systems robustness, and community resilience without experiencing a severe reduction in our services in 2027. Given additional inflationary pressures, this year's funding shortfall represents an existential challenge for us – but on the other hand, rising cost of living has greatly increased interest in native fruit trees and we are excited to rise to the challenge, with your support.

On average, our trees cost roughly $.45 when processing fees added by the vendor are taken into account. From a planting perspective, these small trees (usually "large whips" in nursery parlance) establish themselves better and grow faster over time than the $100-300 trees that people buy from box stores, since these whips experience less transplant shock. These small trees are also much easier to transport, so while the majority of our distributions are planted in Bloomington, people come from across Indiana to collect trees from our events, which have been planted throughout the state. Accordingly, through our approach we are able to distribute more trees, more widely, more economically than through a box store model, which in addition to the community-led and community-growing nature of our events we view as a significant advantage.

Our tree distributions are usually around March 31st each year, but we always ask Vallonia in January to confirm pickup dates, because winter weather affects schedule. We usually pick up trees three days before distribution and planting weekend and rent a large U-Haul to pick them up. We are experienced in storing

the trees so that they are intact for planting and they are usually stored at Overlook where they are sorted and organized. Distribution days typically last four hours, with teams of volunteers available to help neighbors who want trees but are unable to plant themselves. These days generally feel like a big neighborhood festival, since hundreds of people participate, often with music and planting demonstrations.

The trees are ordered but not yet paid for. Without funding, we will have to use personal credit card(s) to attempt to cover the gap as we wait for donations in the Spring, placing significant financial burden and personal risk on individuals we seek to avoid if at all possible. In addition to avoiding shortfall and potential loss of services, funding from BCOSR would also position us to explore new collaborations to add neighborhood plantings in several key places. One example is that neighbors on the Near West Side and Maple Heights have asked if we could collaborate with the new Stepping Stones housing on Fairview, as well as Friendly Beasts, Cicada Cinema, and the City, to address some of the invasives filled in-between spaces on that block. Supplies and refreshments for hosting meetings and collaborations of this kind are essential to creating the foundation for these future partnerships and expanded services.

Specific details regarding planting partnerships (planting layouts and plans, partnership agreements etc.) are typically hammered out over the winter prior to the planting process, and this year as indicated our ability to proceed with each of the three planned partnerships is largely contingent on securing funding. The community partnerships currently lined up for 2027 are as follows: we will collaborate with Bloomington Cooperative Living to plant a community orchard at their new affordable housing project at 823 N. Maple, and with Avalon Community Land Trust and other Waterman neighbors. We are pursuing details on the plantings on Fairview at a retreat with Stepping Stones on November 6th. The design and scale of plantings will be dependent on a collaborative design process that could grow to include additional partners, especially if we can engage BCOSR on this.

b. Purpose

We began the NPP to close a gap between street tree design, neighborhood-level planning for green space, and individual families seeking access to affordable native trees for private or boundary space plantings. We also work to connect this work in Bloomington with other NPPs we've supported across the state, creating a broad conversation on grassroots resilience.

c. Goals and measurable outcomes

Distribution of 6000 native trees and education of the roughly 400 individuals who participate every year in planting, care, and basic ecological design. Addition of three new fruit tree green space projects and/or pocket orchards in Waterman, the Near West Side, and Maple Heights. As noted we also have growing collaborations with neighborhoods on the east side and are exploring possibilities for public plantings there, expanding our networks and increasing our services at a critical moment for mitigating and redressing acute social and environmental crises.

d. Budget:

Vendor Name	Item Description	Purpose/Event	Cost/ item	Quantity	Total Cost (no taxes)
Vallonia	Native trees	To plant at events and for free distribution.	$00.45/ tree	6000	$2700
Neighborhood Planting Project	Tree planting gear (tools, gloves, pads, buckets, wheelbarrows, etc.), refreshments and meal supplies	Event costs 1 (volunteers) - Supplies necessary to host planting and outreach events	Variable	Variable, 5-15 volunteers per event	$800
Neighborhood Planting Project	Mulch, deer cages, tree watering bags/skirts	Event costs 2 (planting supplies)	Variable	TBD – currently 3 planned sites, more in the works	$500
Grand Total					$**4000**

The Neighborhood Planting Project thanks you for your consideration. We look forward to working with BCOSR toward increasing ecological and economic resilience in the city through increased native plantings and green space, building robust local food infrastructure, increasing biodiversity, soil health, runoff water management capacity, and reducing albedo, as well as developing skills and networks in neighborhood coordination and cooperation, agroforestry/urban forestry, and city-community collaboration.

BLOOMINGTON COMMISSION ON
SUSTAINABILITY AND RESILIENCE

Passed X-Y-Z

Sponsor:
Zach Ammerman

RESOLUTION 2026-07

ENHANCING THE CITY'S PROTECTION OF SIGNIFICANT AND HERITAGE TREES

WHEREAS, Indiana was once more than 80% covered by woods, with its 20 million acres of primeval forest nearly long enough to encircle the globe one and a quarter times in a mile-wide band; early Europeans arriving in the region that would later become our state described a realm of forests without end, naturalists who had explored the jungles of South America were mesmerized by the size of our trees and the seeming endlessness of the woodland expanse, they described multitudinous trees in the range of 200 feet tall, 90 feet to the first limb, and 25 feet in girth, and sycamore trees so large that 29 men were able to stand side-by-side within one's trunk[1]; and

WHEREAS, almost immediately after the arrival of Europeans and the forced removal of the indigenous peoples of Indiana, who had managed the forest sustainably for endless generations, the once-expansive forests of Indiana declined measurably in size, and by 1870 tens of millions of acres had been consumed by ax and plow and, like the buffalo, passenger pigeon, wolves, bears, and mountain lions who once called our state home, were replaced by hubris, so that today there remains scarcely enough old growth forest in the entire state to cover the Indianapolis Motor Speedway[2]; and

WHEREAS, Bloomington sits in the midst of the only region of Indiana surrounded by relatively intact forests, forests that were restored after past destruction and as such are living monuments to the potential of human stewardship and renewal, the last bastion of the state whose land remembers what it once resembled, and as such our city bears a special responsibility to maintain, restore—and yes, expand—its forest canopy for present and future generations; and

WHEREAS, the Bloomington Commission on Sustainability and Resilience is established under BMC §2.12.100 with broad authority to advise and make recommendations to the Common Council, city administration, and other city boards and commissions on policies and programs related to sustainability and community resilience; to advise, consult, and cooperate with other agencies, boards, and commissions of the City on matters of sustainability; and to assess Bloomington's current and future sustainability status in cooperation with city staff and other boards and commissions; and

WHEREAS, the preservation of urban tree canopy and ecosystems is central to sustainability and community resilience, and recommendations spanning the Unified Development Ordinance, the Bloomington Municipal Code, and citywide environmental policy fall squarely within this mandate; and

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[1] *Indigenous Prosperity: Indiana Women of the Ohio River Valley*. Susan Sleeper-Smith
[2] Ibid.

WHEREAS, the Bloomington Tree Commission under BMC §2.20.150(1)(a) is charged with advising the Board of Park Commissioners primarily on urban forestry policies as set forth in BMC Chapter 12.24, and may under §2.20.150(1)(d) advise other bodies on tree-related matters as necessary; and

WHEREAS, this resolution addresses matters both within and beyond the Tree Commission's statutory scope, including amendments to the Unified Development Ordinance, strategies relating to enforcement of tree-related infractions, and citywide canopy policy; and

WHEREAS, the Common Council has established several city commissions with overlapping goals and mandates, in the recognition that cooperation and collaboration are critically important aspects of good municipal government; and

WHEREAS, the Commission on Sustainability and Resilience deeply values the Tree Commission's expertise in urban forestry operations and looks forward to its collaboration and input on the implementation of these recommendations; and

WHEREAS, heritage and significant trees are irreplaceable ecological assets that take decades or centuries to mature, providing stormwater absorption, air filtration, carbon sequestration, urban cooling, wildlife habitat, and soil stabilization at levels that newly planted trees cannot approach for generations; a single mature tree can intercept thousands of gallons of stormwater annually, sequester hundreds of pounds of carbon, and reduce surrounding air temperatures by several degrees; and

WHEREAS, Bloomington became the first city in Indiana to receive Tree City USA designation from the Arbor Day Foundation in 1984, has maintained that designation for over 40 consecutive years, and has been named a Tree City of the World by the Arbor Day Foundation and the United Nations Food and Agriculture Organization; the Commission commends this legacy and believes the city is well-positioned to build on it by closing the significant gaps in its code that currently leave the vast majority of Bloomington's trees unprotected; and

WHEREAS, many cities across the country and internationally have adopted strong protections for significant and heritage trees on both public and private property, including permit requirements, mandatory replacement ratios, and meaningful penalties for unauthorized removal, and a non-exhaustive list of these include Atlanta, GA; Austin, TX; Seattle, WA; Savannah, GA; San Francisco, CA; Portland, OR; Charlotte, NC; Ann Arbor, MI; Asheville, NC; Charlottesville, VA; Somerville, MA; Chapel Hill, NC; Athens, GA; and Gainesville, FL; and

WHEREAS, several of the aforementioned cities protect trees as small as 6 inches in diameter at breast height by right, including those that are dead, diseased, or dying and those that are on private property, requiring a permit and replacement for their removal even outside of development contexts, permits which can be and often are denied[3]; and

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[3]*Some examples: Atlanta protects trees by right starting at 6" DBH, including on private property outside of development, and requires a permit for their removal, even if they are dead or dying. Seattle "generally prohibits" removing any healthy tree over 6" DBH, with few exceptions, and requires a permit for their removal. Somerville, MA, has similar rules to Atlanta, but starts protecting trees at 8" DBH. Ann Arbor's landmark tree threshold is species-specific, and starts as low as 8" for native understory trees.*

WHEREAS, very few other cities in the state of Indiana currently define or offer any degree of protection for heritage trees in development, or any degree of protection for trees on private property outside of development; and

WHEREAS, Bloomington's current code only provides relatively limited protection for trees on public property or in the public right-of-way, and limited protections in development review but only on sites with “closed-canopy wooded areas”; and

WHEREAS, BMC §12.24.075 provides some protections for trees during construction and the Urban Forester currently applies an “equal value” replacement standard based on professional discretion; the Commission commends this practice and the quality and value of the work generally provided by the Urban Forester, and believes that formally codifying clear, consistent standards for tree replacement would strengthen and build upon the framework the Urban Forester has already established; and

WHEREAS, Bloomington’s municipal code currently contains no explicit special protections for significant or heritage trees and, while the term “heritage tree” is used, it does not explicitly define any of these terms; and

WHEREAS, outside of extremely limited and specific exceptions, there are no significant protections in Bloomington's municipal code for trees on private property, regardless of their size, age, species, or ecological value; a property owner may remove any tree, including an enormous heritage tree that has stood for centuries, without notice, permit, replacement, or consequence; and

WHEREAS, the urban tree canopy is one of the most effective and cost-efficient tools available to municipalities for adapting to the effects of climate change, including increasing temperatures, more intense rainfall events, declining air quality, and urban heat island effects; and

WHEREAS, according to the draft 2026-2036 Urban Forestry Master Plan, Bloomington's canopy coverage currently stands at approximately 38% and has declined by 2% over the past two decades, a trend that if left unchecked will compound the impacts of climate change on the city's residents, infrastructure, and ecosystems at precisely the time those impacts are accelerating.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE BLOOMINGTON COMMISSION ON SUSTAINABILITY AND RESILIENCE, THAT:

The Commission respectfully recommends that the Common Council make the following changes to the Unified Development Ordinance (UDO) and the Bloomington Municipal Code (BMC) in order to bring Bloomington into line with or exceed national and international peer city benchmarks on tree protection in our city. Upon review of peer cities, it is noted that the protections to trees under the UDO would make Bloomington a national leader in tree protection in development contexts, and the changes to the BMC would make the city the first in the state to pass any type of protection for heritage trees on private property.

SECTION 1. Definitions and General Recommendations

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(1) That the Common Council amend BMC § 12.24.010 by adding the following definitions in alphabetical order:
   (a) *"Heritage tree"* means any tree with a diameter at breast height (DBH) equal to or exceeding twenty-four (24) inches.
   (b) *"Significant tree"* means any tree with a diameter at breast height (DBH) equal to or exceeding twelve (12) inches.

(2) That the Common Council amend UDO Chapter 20.07 (Definitions) by adding the following definitions (identical to (1) above):
   (a) *"Heritage tree"* means any tree with a diameter at breast height (DBH) equal to or exceeding twenty-four (24) inches.
   (b) *"Significant tree"* means any tree with a diameter at breast height (DBH) equal to or exceeding twelve (12) inches.

(3) That the Common Council amend BMC § 12.24.010 by adding the following definition in alphabetical order:
   (a) *"Exempt tree"* means a tree that has been declared dead, dying, invasive, hazardous, or highly deleterious to public infrastructure by a licensed arborist or the Urban Forester. Exempt trees shall not be subject to the protections, replacement requirements, or notification obligations established for significant trees and heritage trees under this chapter or under UDO § 20.04.030(h), except as otherwise provided.

(4) That trees felled as part of legitimate agricultural or continuously operating forestry operations shall be exempted from the provisions of this resolution, as required by Indiana law (but unlikely to legitimately apply to any context within the city limits)

SECTION 2. Recommendations for Strengthening Tree Protection During Development

(1) That the Common Council amend UDO § 20.04.030(h)(1) (Applicability) by striking the current text in its entirety and replacing it with the following:
   (a) **"(1) Applicability**. This section shall apply to all projects requiring a permit from the Planning and Transportation Department that involve construction, land disturbance, or demolition."

(2) That the Common Council amend UDO § 20.04.030(h) by adding a new subsection (8), titled "Protection of Heritage Trees During Development," to read:
   (a) "(8) Protection of Heritage Trees During Development.
      (i) (A) No heritage tree shall be removed as part of any development project subject to this section unless the applicant demonstrates to the satisfaction of the Planning and Transportation Department that it is physically impossible to complete the project without removing the tree, and that no reasonable redesign of the project can avoid the removal.
      (ii) (B) Any application to remove a heritage tree under subsection (A) shall include a written statement from a licensed arborist or the Urban Forester documenting the infeasibility of avoidance, and shall be subject to review and approval by the Planning and Transportation Department in consultation with the Urban Forester."

(3) That the Common Council amend UDO § 20.04.030(h) by adding a new subsection (9), titled "Replacement Requirements for Significant and Heritage Trees," to read:
   (a) "(9) Replacement Requirements for Significant and Heritage Trees.
      (i) (A) Any significant tree removed as part of a development project subject to this section shall be replaced at a ratio of three-to-one (3:1) caliper-inches. For example, removal of a significant tree measuring twelve (12) inches DBH shall require replacement planting cumulatively totaling thirty-six (36) caliper-inches.
      (ii) (B) Any heritage tree removed as part of a development project subject to this section shall be replaced at a ratio of four-to-one (4:1) caliper-inches.

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(iii) (C)Replacement trees shall be native species selected from the approved species list established under UDO § 20.04.080(d)(1).

(iv) (D) Replacement trees shall be planted on the development site. Where the applicant demonstrates that sufficient planting space does not exist on the site, the applicant shall pay the equivalent cost of the required plantings, as determined by the Urban Forester, into the city tree planting fund."

(4) That the Common Council amend UDO § 20.04.030(h) by adding a new subsection (10), titled "Enforcement of Replacement Obligations," to read:

(a) **"(10) Enforcement of Replacement Obligations.** No certificate of occupancy, certificate of zoning compliance, or new development permit shall be issued for any project subject to subsection (9) until the applicant has fulfilled all replacement planting obligations or posted a performance bond in the amount of the estimated cost of the required plantings, as determined by the Urban Forester."

(5) That the Common Council amend UDO § 20.04.110(c) (Incentives, Sustainable Development) by adding a new incentive to read:

(a) **"Canopy Retention Incentive.** Developments that meet or exceed the canopy retention requirements of § 20.04.030(h)(2) shall be eligible for increased density incentives as provided in this subsection."

(6) That the Common Council amend UDO § 20.04.030(h)(2) replacing the values in column 2 of Table 04-8 with the values in column 3 below:

Proposed changes to UDO Table 04-8

Baseline Tree Canopy Cover	CURRENT Retention Requirement	PROPOSED Retention Requirement
80-100%	50%	**60%**
60-79%	60%	**70%**
40-59%	70%	**80%**
20-39%	80%	**90%**
0-19%	90%	**100%**

(7) That the Common Council add the following sentence to the end of UDO § 20.04.030(h)(2):

(a) "Compliance with the canopy retention requirements of this subsection shall not relieve an applicant of the obligations established under subsections (8), (9), and (10) for the protection and replacement of individual significant and heritage trees."

(8) That the Common Council amend UDO § 20.04.030(h)(4) (Smaller Parcels) by adding the following sentence at the end:

(a) "This subsection shall not apply to any site containing one or more heritage trees as defined in Chapter 20.07."

SECTION 3. Recommendations for Tree Protection Outside of Development Contexts.

(1) That the Common Council amend BMC § 12.24.000 (Purpose and intent) by striking the current text in its entirety and replacing it with the following:

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(a) "It is the purpose of this chapter to regulate any and all work, care, enforcement, and maintenance of all flora on public property and in the public right-of-way, and to protect heritage trees throughout the city regardless of land ownership.

(b) It is the intent of this chapter to establish the responsibilities of the city and its residents regarding all flora subject to these provisions and to assure regulations and policies maintain and increase the tree canopy within the city.

(c) The Common Council finds that heritage trees provide measurable public environmental services including stormwater absorption, urban cooling, air quality improvement and particulate filtration, noise reduction, carbon storage, reduction of urban heat island effects linked to heat-related illness, mental health benefits associated with access to mature tree canopy, and wildlife habitat, and that their protection is therefore an exercise of the city's police power to safeguard public health and welfare."

(2) That the Common Council amend BMC Chapter 12.24 by adding a new section, BMC § 12.24.055, titled "Heritage tree protection on private property," to read:

(a) "12.24.055 **Heritage tree protection on private property.**

(i) **(1) Notification Requirement.** Any property owner intending to remove a heritage tree, as defined in § 12.24.010, outside of any development activity subject to UDO § 20.04.030(h) shall provide written notice to the Urban Forester at least thirty (30) days before removal. The notice shall identify the tree by species, location, and approximate diameter at breast height. No fee shall be charged for filing such notice.

(ii) **(2) Replacement Obligation**. Upon removal of a heritage tree under this section, the property owner shall complete replacement planting at a ratio of four-to-one (4:1) caliper-inches using native species from the approved species list established under UDO § 20.04.080(d)(1). Where the property owner demonstrates that sufficient planting space does not exist on the site, the property owner shall pay the equivalent cost of the required plantings, as determined by the Urban Forester, into the city tree planting fund.

(iii) **(3) Contractor Requirements.** Property owners shall provide a copy of the written notice acknowledged by the Urban Forester to any contractor performing the removal of a heritage tree under this section. Contractors shall retain a copy of such notice on file for a period of not less than three (3) years. A contractor found to have removed a heritage tree without a copy of the acknowledged notice on file shall be subject to a fine as provided in § 12.24.120 and may be subject to suspension of tree work permit eligibility for a period no less than three months and no more than one year.

(iv) **(4) Emergency Exception.** A heritage tree that presents a documented, verifiable, and imminent hazard to persons or property may be removed without prior thirty-day notice to the Urban Forester. The property owner shall notify the Urban Forester within five (5) business days following emergency removal, and shall provide documentation of the imminent hazard, which may include photographs, a written statement from a licensed arborist, or other evidence. If the Urban Forester determines upon review that the tree did not meet the standard for imminent hazard, the replacement obligation under subsection (2) shall apply.

(v) **(5) Exempt Trees.** Trees meeting the definition of 'exempt tree' under § 12.24.010 shall not be subject to the notification or replacement requirements of this section."

(b) In order to limit possibilities of pre-emption by the state, it is recommended that this remain a notification and replacement obligation, not a permit, and that it be free-of-cost to file the notice. It is noted that a city requiring paid permits and prior approval for tree removal on private property would appear to not be explicitly barred by the state at this time, although it also appears that no jurisdiction in Indiana has yet attempted to do so.

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(c) The contractor requirements in subsection (iii) above are recommended for enforcement and compliance purposes.
(d) The emergency exception in subsection (iv) above allows for emergency tree removal in the event of a documented, verifiable, and imminent hazard, while preserving the replacement obligation where the hazard standard was not met.

SECTION 4. Recommendations for Enforcement

1. That the Common Council amend BMC § 12.24.120 (Violation and penalties) by striking the current text in its entirety and replacing it with the following, in order to remain compliant with Indiana code (which limits fines for violations of municipal ordinances to $2,500 for first violations) while maintaining strict enforcement of these policies:
    a. "**12.24.120 Violation and penalties.**
    b. (1) Any person violating any of the provisions of this chapter may be issued an official warning.
    c. (2) Any person violating any of the provisions of this chapter shall, upon a written notice of violation (NOV), be subject to a penalty up to the statutory limit as described in Indiana Code Section 36-1-3-8, as amended.
    d. (3) Each individual tree removed in violation of this chapter shall constitute a separate offense subject to a separate penalty under subsection (2).
    e. (4) Failure to complete required replacement planting under § 12.24.055(2) or under UDO § 20.04.030(h)(9) within the time period specified by the Urban Forester shall constitute a continuing violation, with each calendar day of noncompliance constituting a separate offense subject to a separate penalty under subsection (2).
    f. (5) No certificate of occupancy, certificate of zoning compliance, or new development permit shall be issued to any person who has outstanding, unresolved replacement planting obligations under UDO § 20.04.030(h)(9) until such obligations are fulfilled or bonded.
    g. (6) In addition to the penalties provided in this section, the city may seek court orders through civil proceedings to recover costs associated with the remedy of violations under IC 36-1-6-2 and IC 36-1-6-4.
    h. (7) Before any permitted removal of a heritage tree during a development project subject to UDO § 20.04.030(h), the applicant shall post a performance bond in an amount determined by the Urban Forester sufficient to cover the full cost of required replacement plantings."

SECTION 5. Recommendations for the City's Own Tree Standards

1. That the Common Council amend BMC § 12.24.025 (Replacement of the urban tree stock) by striking the current text in its entirety and replacing it with the following:
    a. "**12.24.025 Replacement of the urban tree stock.**
    b. It is the policy of the city to maintain and expand the tree cover of the city as a whole and of individual streets and neighborhoods in particular by planting trees in accordance with practices observed by certified urban foresters. Overall, the city's annual goal shall be to plant at least twice as many trees as it removes, in order to maintain a planting-to-removal ratio of at least two-to-one (2:1). For significant trees removed from public property, the city shall replace at a ratio of three-to-one (3:1) caliper-inches, and

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for heritage trees removed from public property, at a ratio of four-to-one (4:1) caliper-inches. Once a tree has been removed, it shall be replaced, wherever possible, at or near its original location as soon as the planting season permits. Further, an ongoing program of replacing previously removed trees and of planting in new areas shall be conducted. The city shall monitor and publicly report its annual planting-to-removal ratios on the city website or other appropriate platform."

2. That the Common Council amend BMC Chapter 12.24 by adding a new section, BMC § 12.24.026, titled "Citywide canopy goals," to read:
    a. "**12.24.026 Citywide canopy goals.**
    b. (1) It is the goal of the city that there shall be no net loss of tree canopy coverage from the 2018 baseline of thirty-eight percent (38%) citywide coverage as reported in the Bloomington Tree Canopy Summary Report (published September 2019, using 2018 NAIP data).
    c. (2) The city administration shall base all actions taken and policy developed regarding trees with the goal of increasing the city's canopy coverage beyond the 2018 baseline established in subsection (1)."

SECTION 6. Transmittal

1. The Chair shall, within ten (10) business days of the date of passage, transmit copies of this resolution, or delegate such task to the Vice Chair or Secretary, to the Mayor, to all members of the Common Council, to the Director of Economic and Sustainable Development, to the Director of Parks and Recreation, to the Bloomington Urban Forester, to the Director of Planning and Transportation, to the Director of Public Works, to the Director of Housing and Neighborhood Development, to the Chair of the Tree Commission, and to the Chair of the Environmental Commission.

2. The Chair shall additionally transmit a courtesy copy of the resolution to the Executive Director of Canopy Bloomington.

3. The staff liaison is requested to post a copy of the resolution on the Commission website within ten (10) business days of passage.

4. The Commission further authorizes the resolution author and any co-sponsor(s) to speak before the Common Council on behalf of the Commission in order to communicate the recommendations of this resolution as adopted.

PASSED AND ADOPTED by the Bloomington Commission on Sustainability and Resilience upon this ___ day of _____, 2026.

_____

Justin Vasel, Chair

Bloomington Commission on Sustainability and Resilience

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BLOOMINGTON COMMISSION ON
SUSTAINABILITY AND RESILIENCE

The views expressed here are solely those of the Bloomington Commission on Sustainability and Resilience, as approved in their public meetings, and do not necessarily reflect the views, policies, or positions of the City of Bloomington. Only the Office of the Mayor has the authority to issue policy statements on behalf of the Executive Branch of the City of Bloomington.

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MEMORANDUM

To: All members of the Bloomington Commission on Sustainability and Resilience
From: Zach Ammerman, Vice Chair
Date: Sept. 1, 2026
Subject: Explanations of Proposed Changes to Enhance Tree Protection in the City of Bloomington (Resolution 2026-07), a Closer Look at Bloomington's Current Canopy, and Comparison of Proposed Changes to Selected Cities

TABLE OF CONTENTS:

1. Introduction
2. Bloomington's Current Urban Canopy and Recent Trends
    a. Map 1: Bloomington's Tree Canopy Height from Meta/WRI High Resolution 1m Global Canopy Height Dataset
    b. Map 2: Bloomington Canopy Change from National Urban Tree Canopy Assessment
    c. Map 3: Forest Loss in Bloomington 2000–2024 based on Hansen et al.
    d. Selected historical satellite photos demonstrating areas with large canopy losses
3. Comparison Table of Proposed Changes to Indiana and Selected National and Indiana Cities
4. Proposed changes to the code in context

Introduction

I have introduced resolution 2026-07 which, if adopted by the Commission and implemented by the Common Council, would represent an ambitious leap forward in Bloomington's tree protections, making us the city with the strongest tree protections in the state and one of only a small handful to define or protect heritage trees, would bring us into line with the strongest national and international benchmarks on tree protection in development, extend protections to heritage trees on private property (for what appears to be the first time in Indiana), and strengthen the city's own urban canopy goals.

This is a detailed proposal. As such, I've provided a brief explanation of what each of the main measures would do if adopted by the Council below, as well as the rationale behind some of the choices. Additionally, I've added some maps to help you understand Bloomington's current canopy baseline, and I've attached a table that compares Bloomington's current policies on tree protection to those proposed here, as well as comparing both to a few other Indiana and selected national cities. As you will see, the proposals I'm suggesting would make us a leader in Indiana and bring us into line with the most protective national cities.

Currently, trees have only limited legal protection in Bloomington. Those limited protections are extended mostly in development contexts and only then on sites that have "closed-canopy wooded areas," a subjective term with no legal definition in the code, and as such could be subject to arbitrary distinctions between different sites, depending on who is interpreting the law. The current code states that in these cases, up to 50% of the trees on the most wooded lots may be removed with no obligation to replant or pay into a tree planting fund.

That's essentially the end of the city's statutorily required protections for trees in development. There is no protection or definition of heritage trees. There is no obligation for developers to replant.

And on private property, the limited protections essentially end: There is no significant protection for trees of any size, species, importance, or type on private property: A land owner can legally chop down a several-acre forest filled with massive trees that are hundreds of years old with no notification, no permit, no obligation to replant, no fees, and no say for the city or public. Ideally, that would be replaced with a permit requirement for significant and heritage trees on private property and strict limitation on removing heritage trees at all except in very narrow circumstances. That is what the tree protection plans require in the most ambitious cities nationally, some going so far as to require permits even for the removal of dead or dying trees on private property, and more than one requiring permits for removing trees on private property as small as 6 to 9 inches in diameter. Seattle goes the farthest—its tree protection ordinance *"generally prohibits" removing any tree* as small as 6 inches in diameter (including on private property) unless it's dead, dying, or hazardous, and then requires a permit and includes strict replanting requirements. The realities of Indiana's pre-emption binge of recent years, however, makes that perhaps an unwise strategy for Bloomington. Instead, I've attempted to craft recommendations that are less likely to be subject to state interference while still substantially accomplishing the same goals, albeit in a less ambitious fashion on private property. Protections for trees through the zoning code during development, however, appear to be on much firmer legal ground, and so I propose more ambitious protections through the UDO than for trees outside of the development process.

I want to conclude by saying that I am not opposed to new development, particularly development that brings in new housing units. Bloomington needs *a lot more* housing development, not less. That being said, new development should, to the greatest degree possible, work around the existing environment, particularly the largest heritage trees, and not bulldoze over it, as is too often the case now. This resolution, if adopted as city code, would aim to make that a reality.

Abridged summary of main changes proposed by this resolution:

1. **Greatly expands and more clearly defines cases where tree protections apply during the development process through the UDO**, to all sites undergoing development. Currently, limited tree protections only extend to sites with "closed-canopy woodlands," a subjective term with no legal definition in the code.
2. **Strengthens protections for all trees during development** through the UDO:
    a. Defines significant and heritage trees (12 inches and 24 inches DBH[1], respectively)
    b. Significantly strengthens protections for both categories, and makes ironclad protections for heritage trees during development through the UDO, with high replanting requirements for both types of trees that do get felled;
    c. Increases the canopy retention requirements by 10% across the board. Currently, for example, developers of the most heavily wooded sites are allowed to deforest up to 50% of the site. This would decrease that to 40%.
3. **Adds first-of-its-kind-in-Indiana protection for heritage trees on private property outside of development** through the BMC, structured in such a way as to limit the possibility of pre-emption. The

[1] *DBH = Diameter at breast height*

resolution requires that the private property owner notify the city of their intention to remove any heritage tree (24 inches in diameter or greater) and either replant at the ratio of 4:1 DBH[2] or pay the equivalent value into a city tree planting fund, and suggest some measures for enforcement. It is noted that a city requiring paid permits and prior approval for tree removal on private property would appear to not be explicitly barred by the state at this time, although it also appears that no jurisdiction in Indiana has yet attempted to do so

4. **Suggest strategies for significantly strengthening enforcement** while remaining in compliance with the limitations imposed by state law.
5. **Increases the city's urban canopy goal:**
    a. Requires the city to maintain baseline 2018 canopy coverage (38%);
    b. Requires the city administration to base all of its actions regarding trees with the goal of steadily increasing the canopy beyond the 2018 baseline.

[2] *This is also sometimes referred to as 4:1 caliper-inches. For example, if an owner wishes to remove a 30-inch DBH tree, a cumulative total of 120 inches of replacement trees (e.g. sixty 2-inch DBH nursery trees would satisfy the replanting requirement in this example) would need to be replanted to satisfy a 4:1 caliper-inch replanting requirement, or the equivalent value paid into the city tree planting fund, at a rate determined by the Urban Forester. A high replanting requirement recognizes the fact that smaller trees are nowhere near equivalent to the ecological value of a well-established, mature heritage tree—or at least will not be for many decades or longer. This is also intended to disincentivize unnecessary heritage tree removal by creating a financial cost to the property owner without requiring a permit or authorization from the city. Trees that are certified as dead, dying, hazardous, invasive, or highly deleterious to public infrastructure by a licensed arborist or the urban forester would be exempt from these requirements.*

Bloomington's Current Urban Canopy and Recent Trends

Important context for this entire discussion is the status of Bloomington's current urban canopy. A Sept. 2019 report commissioned by the city from Davey Resource Group (based on analysis of 2018 data from the USDA's National Agricultural Imagery Program) found that the city's urban canopy covered 38% of the area of Bloomington, with that percentage having dropped about 2% over the previous two decades. My independent geo-analysis more or less confirms the *approximate* coverage and broad trends, although I find very slightly more pessimistic figures for current coverage and a more rapid loss of canopy. Using very high resolution (1 m) data from Meta and WRI, a 2024 dataset that measures canopy height on a global scale using a combination of satellite photos and algorithmic analysis, I find that Bloomington's urban canopy covers 37% of the city's area using a threshold of 3 m canopy height, and 34% using a threshold of 5 m. In other words, according to this data, 37% of the city is covered by tree canopy at least 3 m in height, and 34% by canopy at least 5 m in height. See Map 1 on the following page which shows Bloomington's canopy coverage in detail at 1 m resolution.

As for the trend, using National Urban Tree Canopy Assessment data from the U.S. Forest Service and Arbor Day Foundation, which provides historic data on tree canopy coverage for urban areas across the United States by Census tract, I find that Bloomington tracts lost on average 7.6 acres of canopy coverage from 2016 to 2022, and that the average canopy coverage in Bloomington Census tracts dropped from 38% to 35% over the same period. See Map 2 on the following pages for more details. *It is important to note that Census tracts do not exactly match city boundaries*, so there are significant portions of that data that come from just outside of the city itself, but the data nonetheless helps tell a more complete picture of Bloomington's canopy coverage and recent trends.

Additionally, on Map 3, you can see forest loss within the city limits of Bloomington as mapped from the Hansen et al forest loss dataset, which captures forest loss on a global scale that took place between 2000 and 2025 using analysis from annual satellite photos and an algorithm. It's the gold standard for measuring forest loss on a global scale — I use it in mapping work for environmental organizations measuring deforestation around the world all the time. Using that dataset, I calculated that **Bloomington has lost 200 acres of forest from 2000 to 2025.** 2018 was the year with the largest single loss, with nearly 60 acres lost in that year alone (almost all of it due to large stands of trees being lost at the IU golf course northeast of the bypass and construction of the new hospital nearby). I've attached a few before and after satellite images showing major sources of canopy loss on the pages following the maps.

It should also be noted that it is not unusual to find slightly different figures for canopy coverage data as different datasets naturally use different sources, methods, and tools, and all of these cover slightly different time periods. The same applies to the maps: They are using different data sources including satellite photos from different years, and are measuring at different scales. But my additional analysis does confirm the broad trend: **Bloomington's urban canopy coverage percentage is somewhere in the mid-to-upper 30s, and this figure is on a *downward trajectory* compared to the relatively recent past.**

Bloomington's Tree Canopy Height

HIGH RESOLUTION 1M GLOBAL CANOPY HEIGHT DATA FROM META/WRI

0 m | 5 m | 10 m | 15 m | 20 m | 25 m | 30+ m

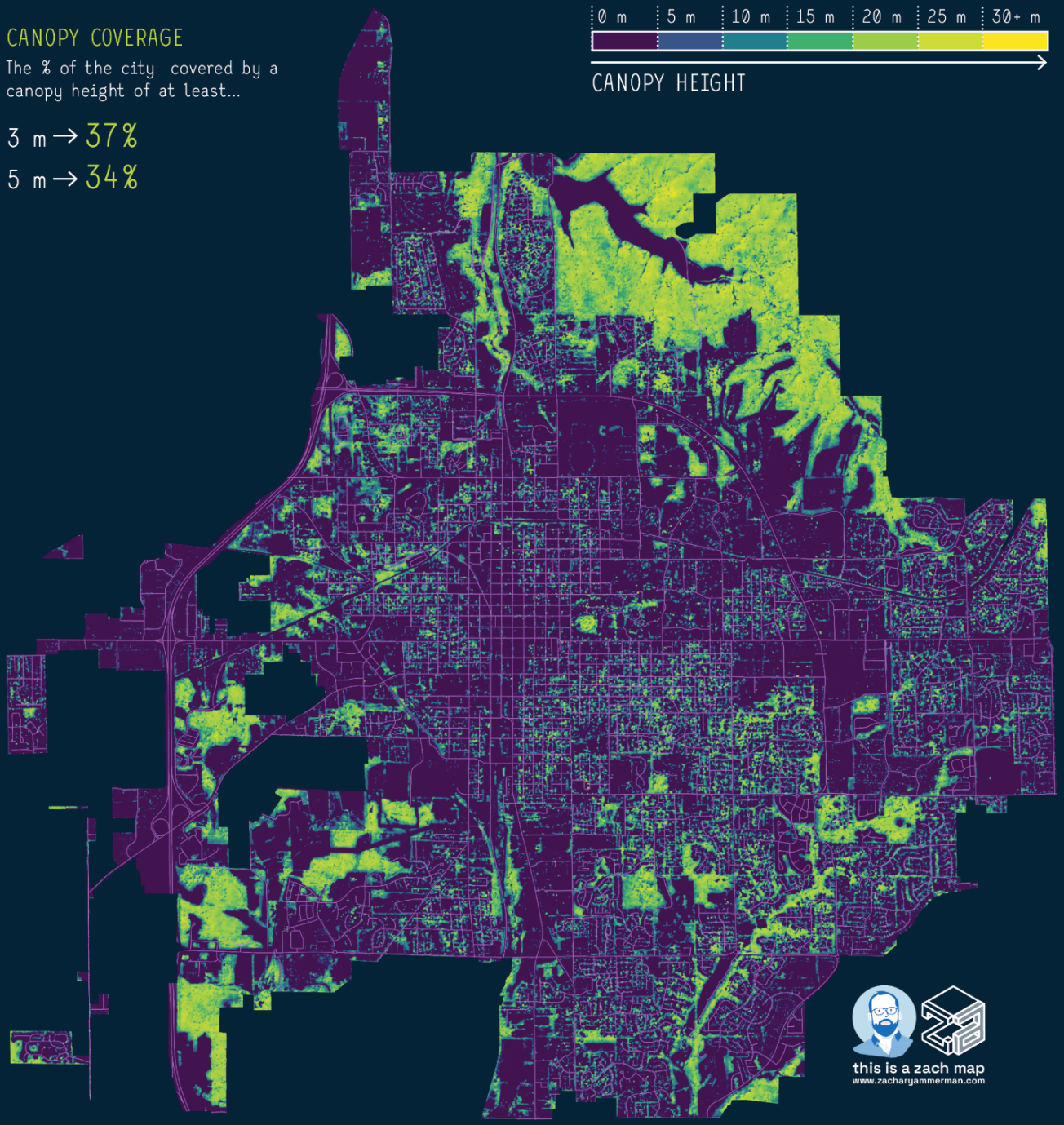
CANOPY HEIGHT

CANOPY COVERAGE

The % of the city covered by a canopy height of at least...

3 m → 37%

5 m → 34%

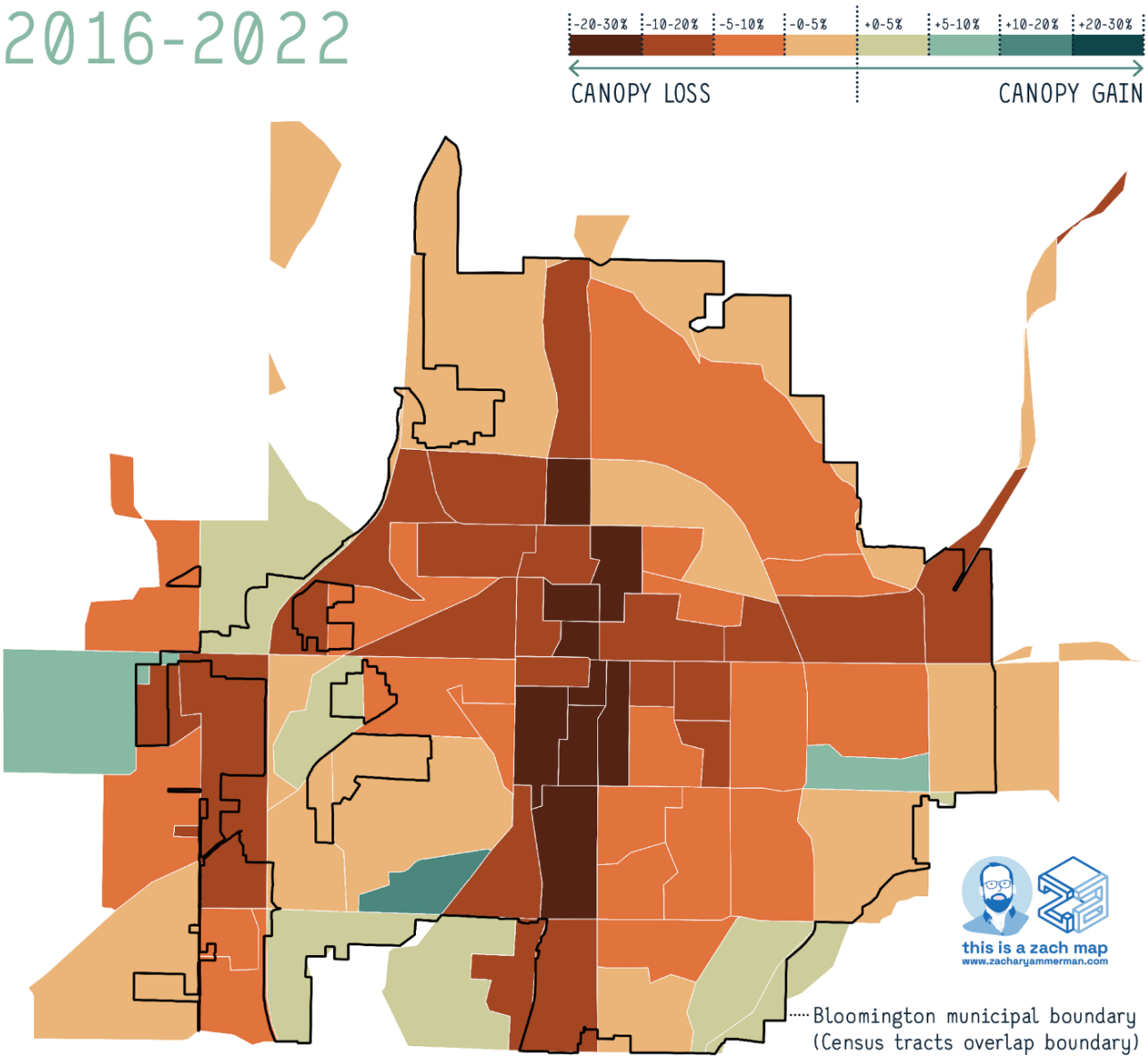


this is a zach map
www.zacharyammerman.com

Bloomington Canopy Change

BY CENSUS TRACT, ARBOR DAY FOUNDATION WITH U.S. FOREST SERVICE

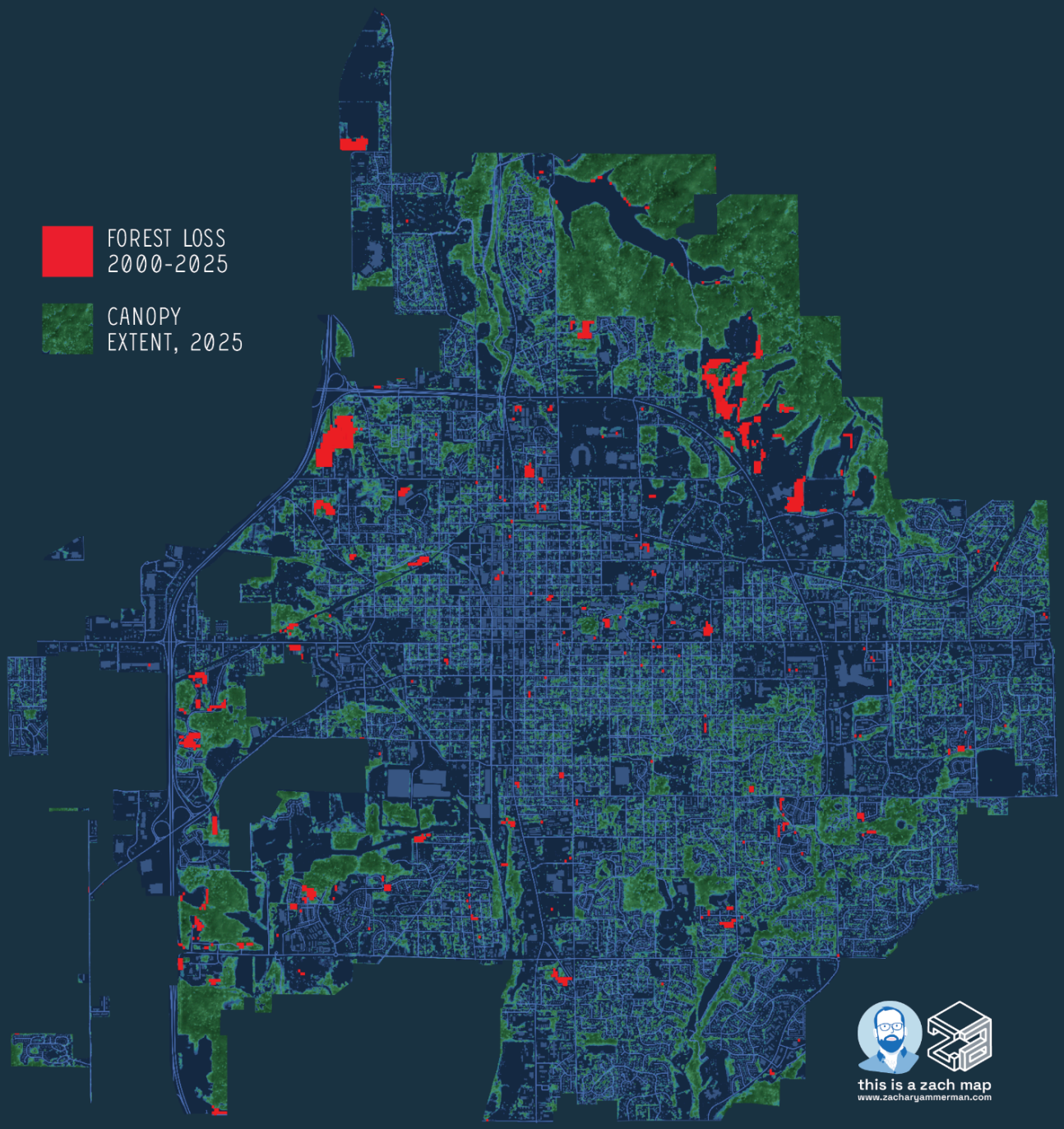
2016-2022



On average, Bloomington Census tracts lost 7.6 acres of canopy coverage between 2016 and 2022, with the average percentage covered by canopy per Census tract dropping 3 points, from 38% to 35%.

Bloomington Forest Loss 2000-2025

HANSEN GLOBAL FOREST CHANGE DATASET



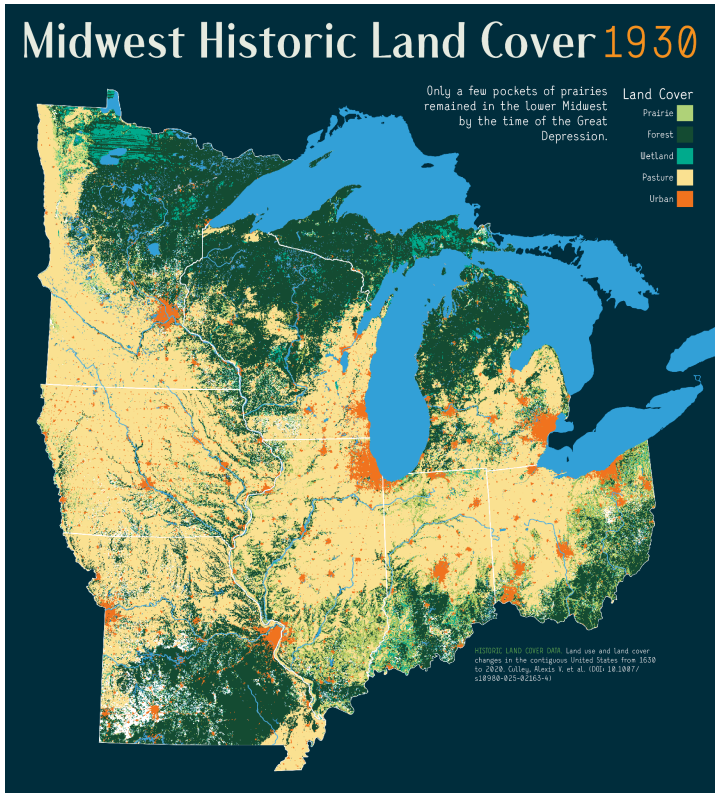
this is a zach map
www.zacharyammerman.com

Source: Hansen, M. C., P. V. Potapov, R. Moore, M. Hancher, S. A. Turubanova, A. Tyukavina, D. Thau, S. V. Stehman, S. J. Goetz, T. R. Loveland, A. Kommareddy, A. Egorov, L. Chini, C. O. Justice, and J. R. G. Townshend. 2013. "High-Resolution Global Maps of 21st-Century Forest Cover Change." Science 342 (15 November): 850-53. 10.1126/science.1244693
Data available on-line at: https://glad.earthengine.app/view/global-forest-change.


Midwest Historic Land Cover 1630
There was very little change in land cover between the 1600s and the early 1800s
Land Cover
Prairie
Forest
Wetland
Pasture
Urban
HISTORIC LAND COVER DATA: Land use and land cover changes in the contiguous United States from 1630 to 2020. Culley, Alexis V. et al. (DOI: 10.1007/s10980-025-02163-4)


Midwest Historic Land Cover 1830
Noticeable forest and prairie loss starts almost immediately after many indigenous peoples were forcibly removed from much of the region.
Land Cover
Prairie
Forest
Wetland
Pasture
Urban
HISTORIC LAND COVER DATA: Land use and land cover changes in the contiguous United States from 1630 to 2020. Culley, Alexis V. et al. (DOI: 10.1007/s10980-025-02163-4)


Midwest Historic Land Cover 1860
By around the time of the Civil War, prairie and forest loss has become widespread and increases pace rapidly.
Land Cover
Prairie
Forest
Wetland
Pasture
Urban
HISTORIC LAND COVER DATA: Land use and land cover changes in the contiguous United States from 1630 to 2020. Culley, Alexis V. et al. (DOI: 10.1007/s10980-025-02163-4)

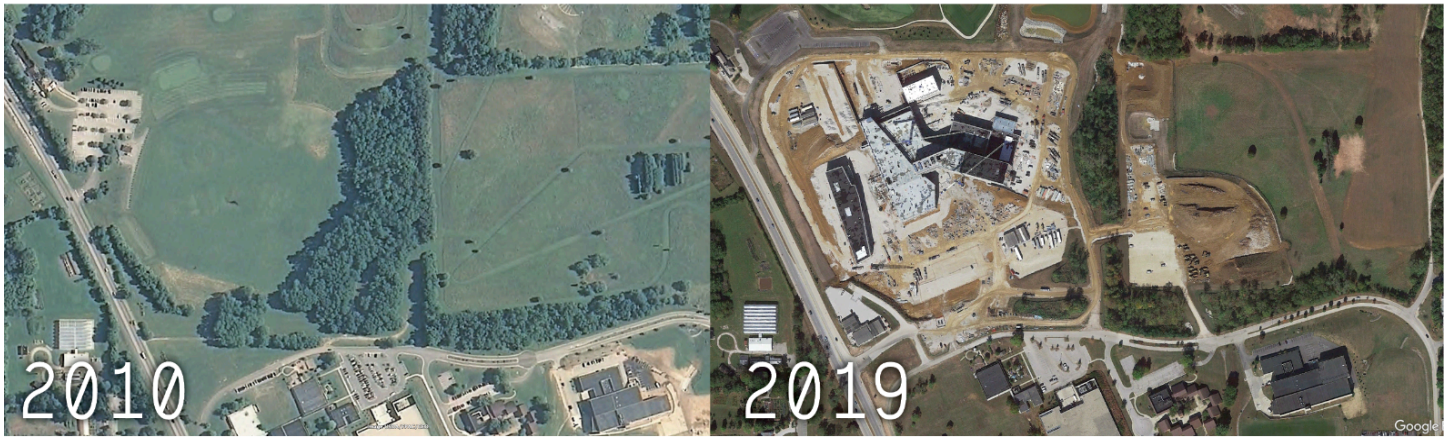

Midwest Historic Land Cover 1930
Only a few pockets of prairies remained in the Lower Midwest by the time of the Great Depression.
Land Cover
Prairie
Forest
Wetland
Pasture
Urban
HISTORIC LAND COVER DATA: Land use and land cover changes in the contiguous United States from 1630 to 2020. Culley, Alexis V. et al. (DOI: 10.1007/s10980-025-02163-4)


Midwest Historic Land Cover 2020
Essentially all prairies have been lost by the present-day, and the only areas with intact forest are in places that are difficult to farm or settle.
Land Cover
Prairie
Forest
Wetland
Pasture
Urban
HISTORIC LAND COVER DATA: Land use and land cover changes in the contiguous United States from 1630 to 2020. Colley, Alexis V. et al. (DOI: 10.1007/s10980-025-02163-4)

IU GOLF COURSE



NEW HOSPITAL



ARLINGTON COMMONS



Proposed Additions to the Bloomington Municipal Code and Unified Development Ordinance for Enhanced Tree Protection

(Reference BCOSR Resolution 2026-XX)

additions ~~deletions~~

PART 1: Bloomington Municipal Code — Chapter 12.24

This shows **excerpts** *of BMC § 12.24, only showing sections with proposed additions and deletions, which are highlighted throughout.*

§ 12.24.000 — Purpose and intent

It is the purpose of this chapter to regulate any and all work, care, enforcement, and maintenance of all flora on public property and in the public right-of-way, and to protect heritage trees throughout the city regardless of land ownership.

It is the intent of this chapter to establish the responsibilities of the city and its residents regarding all flora subject to these provisions and to assure regulations and policies maintain and increase the tree canopy within the city.

The Common Council finds that heritage trees provide measurable public environmental services including stormwater absorption, urban cooling, air quality improvement and particulate filtration, noise reduction, carbon storage, reduction of urban heat island effects linked to heat-related illness, mental health benefits associated with access to mature tree canopy, and wildlife habitat, and that their protection is therefore an exercise of the city's police power to safeguard public health and welfare.

§ 12.24.010 — Definitions

[Existing definitions remain unchanged. The following are added in alphabetical order:]

"Exempt tree" means a tree that has been declared dead, dying, invasive, hazardous, or highly deleterious to public infrastructure by a licensed arborist or the Urban Forester. Exempt trees shall not be subject to the protections, replacement requirements, or notification obligations established for significant trees and heritage trees under this chapter or under UDO § 20.04.030(h), except as otherwise provided.

"Heritage tree" means any tree with a diameter at breast height (DBH) equal to or exceeding twenty-four (24) inches.

"Significant tree" means any tree with a diameter at breast height (DBH) equal to or exceeding twelve (12) inches.

§ 12.24.025 — Replacement of the urban tree stock

It is the policy of the city to maintain and expand the tree cover of the city as a whole and of individual streets and neighborhoods in particular by planting trees in accordance with practices observed by certified urban foresters. Overall, the city's annual goal shall be to plant at least ~~twenty percent more trees than it removes, in order to maintain a planting to removal ratio of at least one point two to one.~~ twice as many trees as it removes, in order to maintain a planting-to-removal ratio of at least two-to-one (2:1). For significant trees removed from public property, the city shall replace at a ratio of

three-to-one (3:1) caliper-inches, and for heritage trees removed from public property, at a ratio of four-to-one (4:1) caliper-inches. Once a tree has been removed, it shall be replaced, wherever possible, at or near its original location as soon as the planting season permits. Further, an ongoing program of replacing previously removed trees and of planting in new areas shall be conducted. The city shall monitor and publicly report its annual planting-to-removal ratios on the city website or other appropriate platform.

§ 12.24.026 — Citywide canopy goals [NEW]

(1) It is the goal of the city that there shall be no net loss of tree canopy coverage from the 2018 baseline of thirty-eight percent (38%) citywide coverage as reported in the Bloomington Tree Canopy Summary Report (published September 2019, using 2018 NAIP data).

(2) The city administration shall base all actions taken and policy developed regarding trees with the goal of increasing the city's canopy coverage beyond the 2018 baseline established in subsection (1).

§ 12.24.055 — Heritage tree protection on private property [NEW]

(1) Notification Requirement. Any property owner intending to remove a heritage tree, as defined in § 12.24.010, outside of any development activity subject to UDO § 20.04.030(h) shall provide written notice to the Urban Forester at least thirty (30) days before removal. The notice shall identify the tree by species, location, and approximate diameter at breast height. No fee shall be charged for filing such notice.

(2) Replacement Obligation. Upon removal of a heritage tree under this section, the property owner shall complete replacement planting at a ratio of four-to-one (4:1) caliper-inches using native species from the approved species list established under UDO § 20.04.080(d)(1). Where the property owner demonstrates that sufficient planting space does not exist on the site, the property owner shall pay the equivalent cost of the required plantings, as determined by the Urban Forester, into the city tree planting fund.

(3) Contractor Requirements. Property owners shall provide a copy of the written notice acknowledged by the Urban Forester to any contractor performing the removal of a heritage tree under this section. Contractors shall retain a copy of such notice on file for a period of not less than three (3) years. A contractor found to have removed a heritage tree without a copy of the acknowledged notice on file shall be subject to a fine as provided in § 12.24.120 and may be subject to suspension of tree work permit eligibility.

(4) Emergency Exception. A heritage tree that presents a documented, verifiable, and imminent hazard to persons or property may be removed without prior thirty-day notice to the Urban Forester. The property owner shall notify the Urban Forester within five (5) business days following emergency removal, and shall provide documentation of the imminent hazard, which may include photographs, a written statement from a licensed arborist, or other evidence. If the Urban Forester determines upon review that the tree did not meet the standard for imminent hazard, the replacement obligation under subsection (2) shall apply.

(5) Exempt Trees. Trees meeting the definition of 'exempt tree' under § 12.24.010 shall not be subject to the notification or replacement requirements of this section.

§ 12.24.120 — Violation and penalties

(1) Any person violating any of the provisions of this chapter may be issued an official warning.

(2) Any person violating any of the provisions of this chapter shall, upon a written notice of violation (NOV), be subject to a penalty up to the statutory limit as described in Indiana Code Section 36-1-3-8, as amended.

(3) Each individual tree removed in violation of this chapter shall constitute a separate offense subject to a separate penalty under subsection (2).

(4) Failure to complete required replacement planting under § 12.24.055(2) or under UDO § 20.04.030(h)(9) within the time period specified by the Urban Forester shall constitute a continuing violation, with each calendar day of noncompliance constituting a separate offense subject to a separate penalty under subsection (2).

(5) No certificate of occupancy, certificate of zoning compliance, or new development permit shall be issued to any person who has outstanding, unresolved replacement planting obligations under UDO § 20.04.030(h)(9) until such obligations are fulfilled or bonded.

(6) In addition to the penalties provided in this section, the city may seek court orders through civil proceedings to recover costs associated with the remedy of violations under IC 36-1-6-2 and IC 36-1-6-4.

(7) Before any permitted removal of a heritage tree during a development project subject to UDO § 20.04.030(h), the applicant shall post a performance bond in an amount determined by the Urban Forester sufficient to cover the full cost of required replacement plantings.

PART 2: Unified Development Ordinance — § 20.04.030(h)

This shows UDO § 20.04.030(h) Tree and Forest Preservation **in its entirety**, *with proposed additions and deletions highlighted throughout.*

(h) Tree and Forest Preservation

(1) Applicability

This section shall apply to all ~~land-disturbing activities on properties containing closed-canopy wooded areas.~~projects requiring a permit from the Planning and Transportation Department that involve construction, land disturbance, or demolition.

(2) Retention of Existing Canopy

The following table shall be used to determine the minimum amount of existing vegetation canopy that must be retained during land-disturbance activity.

Table 04-8: Minimum Required Vegetation Canopy

Baseline Canopy Cover	Retained Canopy Cover
80—100%	~~0.50~~ **0.60** × Baseline canopy cover
60—79%	~~0.60~~ **0.70** × Baseline canopy cover
40—59%	~~0.70~~ **0.80** × Baseline canopy cover
20—39%	~~0.80~~ **0.90** × Baseline canopy cover

0—19%	~~0.90~~ **1.00** × Baseline canopy cover

Example: For a property of 20 acres with 50 percent canopy cover (i.e., 10 acres), a development would be required to maintain at least ~~seven acres (10 acres × 0.70)~~ eight acres (10 acres × 0.80) of canopy cover.

Compliance with the canopy retention requirements of this subsection shall not relieve an applicant of the obligations established under subsections (8), (9), and (10) for the protection and replacement of individual significant and heritage trees.

(3) Preference to Stands of Vegetation

The retention standards outlined above shall be applied to retain high-quality stands of native trees, undisturbed woodlands, and corridors of contiguous vegetation in priority over individual specimen trees, or younger stands of vegetation. No more than 10 percent of the canopy retention standard shall be met by preserving individual trees not included within preferred wooded areas as defined in this subsection (h). Where individual specimen trees are to be preserved, preference shall be given to protecting heritage trees that are of particular value due to their type, size or age.

(4) Smaller Parcels

For parcels of land less than two acres, the preservation standards in Table 04-8: Minimum Required Vegetation Canopy, may be altered by the City Planning and Transportation Director to allow preservation of individual specimen trees or tree lines along property borders in lieu of the minimum required vegetation canopy. This subsection shall not apply to any site containing one or more heritage trees as defined in Chapter 20.07.

(5) Overlapping Preservation Areas

Where acreage set aside to fulfill the conservation or buffer requirements found in 20.04.030(c), 20.04.030(d), 20.04.030(f), and 20.04.030(g) also meets the requirements for tree and forest preservation under 20.04.030(h)(2), such acreage shall be counted toward fulfillment of all applicable requirements.

(6) Conservancy or Tree Preservation Easement

Where contiguous areas of at least 8,712 square feet (0.20 acres) of tree cover are required to be preserved, a conservancy and/or tree preservation easement shall be required per Section 20.05.040 (Easements). The edges of such easements shall be delineated 10 feet beyond the driplines of the trees to be preserved.

(7) Tree Protection During Construction

A tree protection zone shall be installed per Section 20.04.080(c)(3) and inspected by the Planning and Transportation Department prior to any land-disturbing activities. The tree protection zone and the tree protection barrier shall remain undamaged and unmoved during the entire duration of construction. If a petitioner believes the conditions of a tree protection zone cannot be established, they shall contact the Planning and Transportation Department and the Urban Forester in order to develop an individual plan for tree protection.

(8) Protection of Heritage Trees During Development [NEW]

(A) No heritage tree shall be removed as part of any development project subject to this section unless the applicant demonstrates to the satisfaction of the Planning and Transportation Department that it is physically impossible to complete the project without removing the tree, and that no reasonable redesign of the project can avoid the removal.

(B) Any application to remove a heritage tree under subsection (A) shall include a written statement from a licensed arborist or the Urban Forester documenting the infeasibility of avoidance, and shall be subject to review and approval by the Planning and Transportation Department in consultation with the Urban Forester.

(9) Replacement Requirements for Significant and Heritage Trees [NEW]

(A) Any significant tree removed as part of a development project subject to this section shall be replaced at a ratio of three-to-one (3:1) caliper-inches. For example, removal of a significant tree measuring twelve (12) inches DBH shall require replacement planting cumulatively totaling thirty-six (36) caliper-inches.

(B) Any heritage tree removed as part of a development project subject to this section shall be replaced at a ratio of four-to-one (4:1) caliper-inches.

(C) Replacement trees shall be native species selected from the approved species list established under UDO § 20.04.080(d)(1).

(D) Replacement trees shall be planted on the development site. Where the applicant demonstrates that sufficient planting space does not exist on the site, the applicant shall pay the equivalent cost of the required plantings, as determined by the Urban Forester, into the city tree planting fund.

(10) Enforcement of Replacement Obligations [NEW]

No certificate of occupancy, certificate of zoning compliance, or new development permit shall be issued for any project subject to subsection (9) until the applicant has fulfilled all replacement planting obligations or posted a performance bond in the amount of the estimated cost of the required plantings, as determined by the Urban Forester.

PART 3: Unified Development Ordinance — § 20.04.110(c)

Related Amendment to Section 20.04.110(c) (Incentives, Sustainable Development)

Canopy Retention Incentive. Developments that meet or exceed the canopy retention requirements of § 20.04.030(h)(2) by a margin of ten percent (10%) or more shall be eligible for increased density incentives as provided in this subsection.

PART 4: Unified Development Ordinance — § 20.07 (Definitions)

Related Definitions to Be Added to § 20.07

"Heritage tree" means any tree with a diameter at breast height (DBH) equal to or exceeding twenty-four (24) inches.

"Significant tree" means any tree with a diameter at breast height (DBH) equal to or exceeding twelve (12) inches.

General Exemption

Trees felled as part of legitimate agricultural or continuously operating forestry operations are exempted from these provisions, as required by Indiana law.

City	Defines Heritage/Significant Trees	Heritage DBH Threshold	Other Tree Threshold(s)	Heritage Tree Removal Prohibition	Development Replacement Requirement	Heritage Trees Protected Outside Development	City's Municipal Replacement Ratio	Canopy Retention Rules	Fee-in-Lieu Tree Fund	Per-Tree Violation
Bloomington CURRENT	No, term used but undefined	None	"Specimen Trees," subjective definition provided: essentially trees on public land deemed specimen trees by Urban Forester, recommends protecting them	None	No	No	1.2:1 codified as "goal shall be" which is less strong the ideal	Yes, tiered requirements but only for sites with Closed-Canopy Wooded Areas	No	No, capped at $2,500 (state cap)
Bloomington PROPOSED	Yes	24" DBH	Significant 12"	Yes, during all development, requires replacement; notification + replacement outside of development	Yes, 3:1 caliper-inches significant, 4:1 caliper-inches heritage (approx. 5x the requirement of Indianapolis)	Heritage Trees Notification + 4:1 caliper-inch Replacement	2:1 statutory for public trees, 3:1 and 4:1 caliper-inches for significant and heritage trees	Yes, extended to all developments, increased retention rules +10% per tier	Yes	Yes, per day and per tree, city may pursue damages in civil court, certificates of occupancy not issued until trees replanted
Indianapolis	Yes	18" limited to 15 listed species only	None	Yes, but only on lots over 20,000 sq feet, excludes single and two-family residences	Yes, uses a per-tree rather than caliper-inch system, so varies but roughly 0.8-1:1 caliper-inches for heritage trees, less for other trees, with exceptions	No	None	None	No	No, capped at $500 per violation
Carmel	No	None	None	None	No	Trees are only protected if part of a Tree Preservation Easement	1:1 plan in city documents, not codified, aspirational	None	No	Yes
Ann Arbor, MI	Yes (Landmark Trees)	24" for any tree, smaller (down to 8") depending species for natives in Table 5.23-1	Woodland trees, any tree 8" DBH or greater in a qualifying woodland	Not prohibited, but code structured to strongly discourage removing landmark trees, monitored and protected up to three years after development as well	Yes, at least 50% of the DBH or the landmark tree being replaced, increases to 200% of the DBH in the event the tree was removed without apprval	No	None	No explicit ratio, canopy loss fee of $250/inch for city trees removed by development	Yes, up to 50% can be satisfied through payment, and trees may be planted elsewhere on public land instead of onsite if not feasible	Yes
Atlanta, GA	Yes	Designated by Commission based on characteristics, no threshold, case-by-case	Any non-pine 6" DBH or greater, pines 12" or greater -- all species ALL PROPERTY	Yes, requires explicit approval from the Tree Conservation Commission	Cumulative DBH must meet or exceed DBH of removed trees	Yes, ANY tree 6" DBH or greater, even dead trees, require a permit that can be denied and replacement on private property.	1:1 cumulative DBH	Minimum tree density requirements codified by zoning district, no net loss policy citywide	Yes, Tree Trust Fund, formula based on DBH	Yes, up to $200,000 per acre where count unattainable

Athens, GA	Yes	Landmark trees by size and age, but designation is voluntary and owner must apply	Any healthy tree 2"+ DBH is "conservable" during development; all public trees protected regardless of size	Only for voluntarily designated landmark trees and only on non-residential lots	1:1 inch-for-inch replacement but only in designated Tree Preservation Areas	No	45% coverage goal codified in city code	Minimum canopy by zoning district during development; must be maintained in perpetuity for commercial/multifamily	Yes	Yes, per day and per tree, certificates of occupancy not issued until trees replanted
Somerville, MA	Yes	NA	All native trees 8" DBH or greater are "significant" trees	NA	1:1 caliper-inch or $600/inch payment into tree fund	Yes, ANY tree 8" DBH or greater requires permit and replacement on private property	Unclear	Unclear	Yes, $600 per caliper-inch of removed tree (owner-occupants pay 10%, $60/in)	Yes, per day and per tree
Austin, TX	Yes	Certain species 24" DBH or greater	Protected Trees, Any tree 19" DBH or greater, Trees 8" DBH or greater are encouraged to be protected during development by code	Yes, nearly impossible for heritage trees	300% of DBH for heritage trees, 100% for protected trees, 50% for other trees	Yes, any tree greater than 19" DBH requires a permit which may be denied	Unclear	Unclear	Yes	Yes
Seattle, WA	Yes	Four-tier system, Tier 1 designated by city; Tier 2 24+ DBH	Tier 3 12-24 DBH, Tier 4, 6-12 DBH	Tier 1 (heritage) and Tier 2: cannot be removed unless hazardous or emergency, even during development; Tier 3 and 4 removal in Neighborhood Residential only if maximum lot coverage cannot otherwise be achieved	Yes, 1:1 or greater; monitored for 5 years	Yes — removal of all Tier 1-4 trees prohibited outside of development; exceptions for hazardous, dead, or diseased trees, those severely interfering with infrastructure. Removal of all healthy trees 6"+ DBH "generally prohibited"	Unclear	Unclear	Yes	Yes, up to 3x the tree's appraised value per tree
Charlotte, NC	Yes	30" DBH for NC native species	Specimen tree: 20-29" DBH	Permit required on all property types, both in and outside of development	Yes, 1:1 or greater with financial rewards for higher ratios (there is a $500 for removal, reduces down to zero as more trees are planted in replacement)	Yes, permit required for all heritage trees in all contexts	Unclear	Unclear	Yes	Yes, $200 per inch DBH plus replanting costs
		KEY								
			No protection							
			Limited Protection							
			Significant							

			Protection							
			Standout protection							

Tree Commission Approval of Bloomington Commission on Sustainability and Resilience Resolution.

July 20, 2026

To Whom it may concern

We wish to formally acknowledge and express our approval of the Bloomington Commission on Sustainability and Resilience's resolution to enhance the City of Bloomington's protection of significant trees and heritage trees. Strengthening these protections is an important step toward safeguarding the ecological, cultural, and community value that mature trees provide.

Significant and heritage trees contribute meaningfully to Bloomington's environmental resilience, neighborhood character, and long-term sustainability. By advancing clearer standards, stronger preservation measures, and more intentional stewardship, this resolution supports a healthier urban forest and reinforces the City's commitment to responsible land-use practices.

We appreciate the Commission's thoughtful work on this issue and affirm our support for the resolution and its goals. We encourage continued collaboration among City departments, community partners, and residents to ensure that Bloomington's tree canopy remains protected for future generations.

Sincerely, The Tree Commission
George Hegeman
Mia Williams
Julie Roberts
Stephanie Freeman-Day
Karl Gaisser
Travis Harding

Jolie Perry <jolie.perry@bloomington.in.gov>

protection for heritage trees

Molly ODonnell <mollysod@gmail.com> Tue, Oct 6, 2026 at 12:55 PM
To: sustain@bloomington.in.gov

Hi,

I am a resident of Bloomington and support clearer protection of heritage trees in the city as proposed by the Bloomington Commission on Sustainability and Resilience and backed by the Tree Commission.

Sincerely,

~Molly

Molly O'Donnell
she/her/hers
mobile: 812-345-7399
602 S. Rose Ave.
Bloomington, IN 47401

BLOOMINGTON

Jolie Perry <jolie.perry@bloomington.in.gov>

Protect Heritage Trees

'Glee Noble' via Sustainability Inbox <sustain@bloomington.in.gov> Tue, Oct 6, 2026 at 8:25 PM
Reply-To: Glee Noble <gleenoble@yahoo.com>
To: "sustain@bloomington.in.gov" <sustain@bloomington.in.gov>
Cc: "mayor@bloomington.in.gov" <mayor@bloomington.in.gov>

Dear PHT group,

I heartily approve of Resolution 2026-07!
I live at 605 West Wylie St., across from a row of mature mixed-species trees which I hope continue to flourish.
They are home for many birds and squirrels and give us oxygen--for free!

Remember the Lorax!
Glee Noble

Jolie Perry <jolie.perry@bloomington.in.gov>

I support resolution 2026-07

Barbara Backler <bbackler@gmail.com> Tue, Oct 6, 2026 at 9:16 PM
To: sustain@bloomington.in.gov

In our Sycamore Land Trust book club we have read several books about trees and their value. I loved when we read that in Ecuador's constitution it states that trees (and rivers and all of nature actually) have rights and need to be treated with respect and dignity and deserve our respect and support. I find that so inspiring. Trees are amazing. We can learn from them. They enhance the beauty of our city immensely. I live in the city and I love our trees. It makes me so sad to see great trees cut down. Let's assure that we are protecting our trees, especially heritage trees.

Barbara Backler
609 N. Plymouth Rd
Bloomington, IN 47408

Jolie Perry <jolie.perry@bloomington.in.gov>

Resolution 2026-07

'Stella Hooker-Haase' via Sustainability Inbox <sustain@bloomington.in.gov> Tue, Oct 6, 2026 at 9:49 PM
Reply-To: Stella Hooker-Haase <altfluit@yahoo.com>
To: sustain@bloomington.in.gov

We want to express our support for resolution 2026-7.
We live within the city limits and think Heritage trees should receive all the protection they can get.

Stella Hooker-Haase
Mark Hooker
704 S Eastside Drive

812-333-7006
Sent from my iPhone

Jolie Perry <jolie.perry@bloomington.in.gov>

Support for Resolution 2026-07…

Matthew O'Donnell <matthewdeanodonnell@gmail.com> Wed, Oct 7, 2026 at 3:42 PM
To: "sustain@bloomington.in.gov" <sustain@bloomington.in.gov>

Greetings,

My name is Matthew O'Donnell, and I am writing in support of Resolution 2026-07.

I have been a Bloomington resident since 2009, a homeowner since 2014, and am raising my family here in Bloomington.

We welcome the opportunity for heritage trees to be protected in our community so that my children can grow up in the shade of those trees and learn all about their helpful impact on our ecosystem.

Please add my name to the list of supporters of this excellent resolution to protect our heritage!

Thank you,

Matt O'Donnell

Jolie Perry <jolie.perry@bloomington.in.gov>

Support for Protecting Significant & Heritage Trees in Bloomington

Madeline Hirschland <mhirschland@gmail.com> Fri, Oct 9, 2026 at 6:42 PM
To: sustain@bloomington.in.gov

Friends,

I am a resident of Bloomington (1228 E. Maxwell Lane) writing in support of Resolution 2067-07 to protect significant and heritage trees in Bloomington. These mature trees provide ecological, cultural and community value. The contribute to local resilience - and make our city beautiful. Intentionally preserving our trees is the responsible thing to do.

Thank you,

Madi (Madeline) Hirschland