

## AN ORDINANCE TO AMEND

**ORDINANCE 01-04, ESTABLISHING THE MCDOEL CONSERVATION DISTRICT,  
ORDINANCE 08-04, ESTABLISHING THE PROSPECT HILL CONSERVATION DISTRICT,  
ORDINANCE 11-05, ESTABLISHING THE GARDEN HILL CONSERVATION DISTRICT,  
AND TITLE 8 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED  
"HISTORIC PRESERVATION AND PROTECTION"**

**Re: Exempting changes in paint color from the certificate of appropriateness requirement, re-titling maps and amending the municipal code to reflect the full historic district status of these districts**

- WHEREAS, Ordinance 01-04 established the McDoel Conservation District and became effective on February 21, 2001; and
- WHEREAS, Ordinance 08-04 established the Prospect Hill Conservation District and became effective on April 17, 2008; and
- WHEREAS, Ordinance 11-05, established the Garden Hill Conservation District and became effective on June 1, 2011; and
- WHEREAS, pursuant to Ind. Code § 36-7-11-19, the McDoel Conservation District automatically elevated to a full historic district on February 21, 2004 and the district is now known as the "McDoel Historic District;" and
- WHEREAS, pursuant to Ind. Code § 36-7-11-19, the Prospect Hill Conservation District automatically elevated to a full historic district on April 17, 2011 and the district is now known as the "Greater Prospect Hill Historic District;" and
- WHEREAS, pursuant to Ind. Code § 36-7-11-19, the Garden Hill Conservation District automatically elevated to a full historic district on June 1, 2014 and the district is now known as the "Garden Hill Historic District;" and
- WHEREAS, Ind. Code § 36-7-11-20 and Bloomington Municipal Code §8.08.010(f) provide that an ordinance approving the establishment of a historic district may exclude changes in paint colors from the activities requiring a certificate of appropriateness; and
- WHEREAS, as the McDoel, Prospect Hill, and Garden Hill Conservation Districts became full historic districts upon automatic operation, Ordinance 01-04, Ordinance 08-04, and Ordinance 11-05 must be amended to exempt a change of paint color from the certificate of appropriateness requirement; and
- WHEREAS, the McDoel Neighborhood Association and the residents of the McDoel Historic District wish to exempt changes in paint color from the certificate of appropriateness requirement; and
- WHEREAS, the Prospect Hill Neighborhood Association and the residents of the Greater Prospect Hill Historic District wish to exempt changes in paint color from the certificate of appropriateness requirement; and
- WHEREAS, the Garden Hill Neighborhood Association and the residents of the Garden Hill Historic District wish to exempt changes in paint color from the certificate of appropriateness requirement; and
- WHEREAS, on August 14, 2014, the City of Bloomington Historic Preservation Commission voted to exclude paint color changes from the certificate of appropriateness requirement for the McDoel Historic, the Greater Prospect Hill Historic, and the Garden Hill Historic Districts; and
- WHEREAS, Ordinance 01-04 incorporated a map known as the "McDoel Conservation District" map and amended Chapter 8.20 of the Bloomington Municipal Code to reflect the name of the conservation district; as the district is now a full historic district, the name on both the map and in the municipal code should be amended to reflect the district's elevated status; and

WHEREAS, Ordinance 08-04 incorporated a map known as the "Prospect Hill Conservation District" map and amended Chapter 8.20 of the Bloomington Municipal Code to reflect the name of the conservation district; as the district is now a full historic district, the name on both the map and in the municipal code should be amended to reflect the district's elevated status; and

WHEREAS, Ordinance 11-05 incorporated a map known as the "Garden Hill Conservation District" map and amended Chapter 8.20 of the Bloomington Municipal Code to reflect the name of the conservation district; as the district is now a full historic district, the name on both the map and in the municipal code should be amended to reflect the district's elevated status.

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

SECTION 1. Ordinance 01-04, an ordinance which established the McDoel Conservation District, shall be amended to exempt a change in paint color from the certificate of appropriateness requirement.

SECTION 2. The map adopted by Ordinance 01-04 and titled, "McDoel Conservation District" shall be re-titled to the "McDoel Historic District" map.

SECTION 3. Ordinance 08-04, an ordinance which established the Prospect Hill Conservation District, shall be amended to exempt a change in paint color from the certificate of appropriateness requirement.

SECTION 4. The map adopted by Ordinance 08-04 and titled, "Prospect Hill Conservation District" map shall be re-titled to, "Greater Prospect Hill Historic District" map.

SECTION 5. Ordinance 11-05, an ordinance which established the Garden Hill Conservation District, shall be amended to exempt a change in paint color from the certificate of appropriateness requirement.

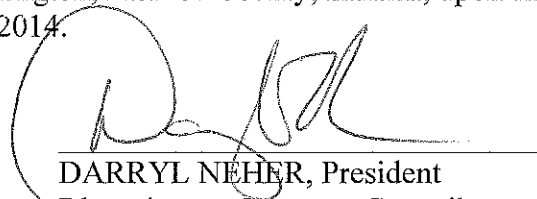
SECTION 6. The map adopted by Ordinance 11-05 and titled, "Garden Hill Conservation District" map shall be re-titled to, "Garden Hill Historic District" map.

SECTION 7. Chapter 8.20 of the Bloomington Municipal Code, List of Designated Historic and Conservation Districts, shall be amended by deleting any reference to the "McDoel Conservation District" and replacing it with the "McDoel Historic District;" and shall be further amended by deleting any reference to the "Prospect Hill Conservation District" and replacing it with the "Greater Prospect Hill Historic District;" and shall be further amended by deleting any reference to the "Garden Hill Conservation District" and replacing it with the "Garden Hill Historic District."

SECTION 8. If any section, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 9. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 3rd day of September, 2014.

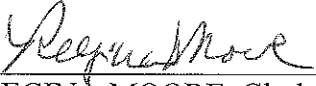
  
DARRYL NEHER, President  
Bloomington Common Council

ATTEST:  
  
REGINA MOORE, Clerk

City of Bloomington


PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this

4<sup>th</sup> day of September, 2014.



REGINA MOORE, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this 7<sup>th</sup> day of SEPTEMBER, 2014.

  
MARK KRUZAN, Mayor  
City of Bloomington

#### SYNOPSIS

This ordinance makes three changes in reference to the McDoel, Greater Prospect Hill, and Garden Hill Historic Districts. It exempts a change in paint color from the certificate of appropriateness requirement in these districts. It also amends the maps and references in the Bloomington Municipal Code to reflect the full historic status of these districts.

Signed copies to:  
Legal (5)  
controller  
HAND

CA/CA 1  
Clerk (2)  
BMC (2)