

Passed 9-0

ORDINANCE 14-17

TO AMEND TITLE 20 OF THE BLOOMINGTON MUNICIPAL CODE
ENTITLED "UNIFIED DEVELOPMENT ORDINANCE"
(Revising the Definition of "Standardized Business"
Under BMC 20.11.020 [Defined Words])

WHEREAS, on June 11, the Common Council adopted Ordinance 14-05, which created a Conditional Use process for the review of Standardized Businesses in the Courthouse Square and University Village Overlay Districts in the Commercial Downtown zoning district; and

WHEREAS, the clearly stated purpose of the Conditional Use process adopted by the Common Council was to regulate visual impacts associated with the architecture, scale, building façades, and signage displays of standardized businesses; and

WHEREAS, the visual impacts associated with ground floor standardized retail and office uses are clearly much more significant than upper-story business and professional offices, which have very limited signage allotments and negligibly affect building facades, architecture, or scale; and

WHEREAS, the Plan Commission has considered this case, ZO-22-14, and made a positive recommendation in favor of amending the definition of Standardized Business to remove upper-story offices from the required Conditional Use process;

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

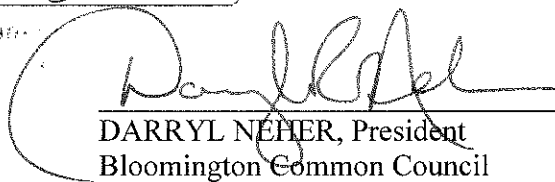
SECTION 1. Section 20.11.020, entitled "Defined Words", shall be amended by revising the definition of "Standardized, Business" to read as follows:

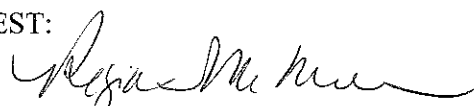
"Business, Standardized: Any type of commercial establishment, not including business/professional offices located above the ground floor and any commercial businesses located in such a manner as to be devoid of any building frontage which is visible to a street, located in the Courthouse Square Overlay and University Village Overlays, which are required by contractual or other arrangement or affiliation to offer or maintain standardized services, merchandise, menus, employee uniforms, trademarks, logos, signs, or exterior design."

SECTION 2. If any section, sentence, chapter or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any other section, sentence, chapter, provision or application 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 3. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington, with approval of the Mayor, and after any required waiting and/or notice periods under Indiana law.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 17th 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 18th day of September, 2014.



REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 18th day of September, 2014.



MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

Ordinance 14-17 proposes a minor amendment to the recently approved Standardized Business Ordinance (Ordinance 14-05). This amendment revises the definition of Standardized Business to remove upper-story business and professional offices from the Conditional Use review process required for proposed ground floor retail and office uses within the Courthouse Square and University Village Overlay Districts.

Signed copies to:
legal (5)
controller
planning & transp

OA/CA
Clerk (2)
BMC (2)