



City of Bloomington Common Council

Legislative Packet

Regular Session

followed by

Continuation of the Special Session
for consideration of Ordinance 09-12

05 August 2009

Office of the Common Council
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Packet Related Material

- **Memo**
- **Agenda**
- **Revised Notice and Schedule for Special Session to Consider Ord 09-12**
(which, in part, sets forth items to be considered on Wednesday, August 5th)
- **Calendar**

Committee Reports:

- **Request to from Chair of Peak Oil Task Force to Postpone Submission of Report**
 - **Letter from Chair of the Peak Oil Task Force**
Contact: Dave Rollo at 349-3409 or rollod@bloomington.in.gov
- **Amended Council Sidewalk Committee Report – Recommendations**
 - **Narrative**
 - **Amended Recommendations**
 - **Draft Memorandum of July 16, 2009 Meeting**
 - **Table of Recommended Allocations and Actual Expenditures**
Contact: Dan Sherman at 349-34562 or sherman@bloomington.in.gov

Legislation and Background Material for First Reading:

None

Legislation and Background Material for First Reading:

None

Minutes from Regular Session:

None

Items for Consideration at the Continuation of Special Session to Consider Ord 09-12 which Brings Forward Dozens of Amendments to the Unified Development Ordinance

There are 13 amendment items to be considered on August 5th.¹ All but seven of the amendments can be found in the Council Legislative Packet prepared for the [8 July 2009 Special Session](#). Those seven new or revised amendments are included in this packet and are listed below:

- **CCL-009 (Amends UDO-069) – Plan Staff – Re: Revises list of landscaping plants to add native species and prohibit certain invasive species (*Note: Plan Staff submitted this amendment to clarify which cultivars of the “flower crabapple” tree are suitable and unsuitable for planting in our Planning jurisdiction.*)**
- **CCL-004 (Amends UDO-094) – Piedmont-Smith – Re: Requires grading permit for single family lots which have not been part of a larger grading plan.**
- **CCL-008 (Amends UDO-066) – Plan Staff – Re: Clarifies “masonry” materials to be used in residential projects**
- **CCL-007 – Satterfield – Re: Allows banks to have up to three drive-through bays in CG district**
- **CCL-010 (Amends UDO-075) – Volan – Re: Converts density from units per acre to bedrooms per acre; Creates a weighting system that encourages efficiencies and 1-bedroom units and discourages 4-bedroom and 5-bedroom units.**
- **CCL- 011 (Amends UDO-077) – Sturbaum Looking for a Sponsor – Re: Reduces void to solid ratio on first floor facades in all Downtown Overlay districts. (*Note: CLL-011 applies the regulation to the B-Line Trail*)**

¹ Many of these items have more than one amendment associated with them which may make the evening longer than one might otherwise expect.

- **CCL-003(a) / CCL-003(b) (Amending UDO-082) – Sturbaum Looking for Sponsor – Re: Requires landscaping be installed when buildings are demolished unless a development plan is approved. (Note: There are two versions of CCL-003 available for introduction Wednesday night.)**

Memo

Two Committee Reports at the Regular Session and 13 Amendment Items to the Unified Development Ordinance (UDO) at the Special Session on Wednesday, August 5th

Reminder: Regular Session Starts at 7:00 p.m.

The Council will hold a Regular Session at 7:00 p.m. , adjourn, and then reconvene the Special Session to Consider Ord 09-12 next Wednesday evening. The only business at the Regular Session is three requests or reports from committees. The requests are mentioned and information regarding them can be found in this packet. After adjourning the Regular Session and reconvening the Special Session, the Council is scheduled to conclude its deliberation of **Ord 09-12**, which offers dozens of amendments to the Unified Development Ordinance (UDO).

Requests from Three Committees

There will be requests from three Council committees next Wednesday. The first is a request from the Chair of the Peak Oil Task Force to postpone submission of its Report on community vulnerabilities and proposed mitigation strategies until October 14, 2009. The second presents a recommendation from the Council Sidewalk Committee to amend its 2009 Report in order to fund the two recently approved traffic-calming projects this year. The third is request by staff to cancel the Internal Work Session scheduled for August 14, 2009. The following paragraphs provide some background and summarize the first two of these requests:

Peak Oil Task Force – Motion to Postpone Submittal of Report

At the August 5 Regular Session, Councilmember Rollo intends to make a motion to postpone the submission date for the Peak Oil Task Force Report from July 31, 2009 to October 14, 2009. As explained by Councilmember Rollo in the *Memo* provided herein, the seven members of the Task Force have been working diligently since March 2008 to assess our community's vulnerability to a decline in cheap oil and to map out researched and prudent mitigation strategies. To date,

Task Force members have logged over 100 meeting hours and even more time researching and writing.

The Task Force is quickly closing in on its final *Report*. Currently, the draft *Report* is over 200 pages. As the work of the Task Force is already widely cited by energy-awareness groups throughout the country, and as the *Report* is aimed to complement the City's already-robust sustainability efforts, Councilmember Rollo feels it would be wise to postpone the submission of the *Report* to allow the Task Force more time to fully edit, design and thoroughly vet the document.

As you may recall, the *Report* addresses: land use, transportation, housing, municipal services, sustenance and economic context. Each Task Force member has assumed responsibility for a particular subject matter and has drafted material relevant to their charge. In May 2009, the Task Force held a day-long editorial retreat to discuss its burgeoning *Report*. After the retreat, Task Force members revised their drafts and submitted revisions by early July. The document is currently in editing.

The Mayor has indicated his approval of postponement and Councilmember Rollo has spoken with most Council members about the issue.

This motion to postpone submission is tracked on the Council's *Agenda*. The motion must be seconded, is debatable and requires a majority vote.

Proposed Motion

With the consent of the Mayor, I move that the Council postpone the submission date of the Peak Oil Task Force *Report* as outlined in Resolution 08-15 from July 31, 2009 to October 14, 2009.

Council Sidewalk Committee – Request to Amend 2009 Report to Recommend Funding Two Recently Approved Traffic Calming Projects

Each year the Council Sidewalk Committee meets to make recommendations on the use of Alternative Transportation Fund (ATF) monies, which have traditionally been applied toward the installation of new sidewalks that meet certain criteria as well as the installation of traffic-calming devices. In January, the Committee submitted a report to the Council which recommended allocating the \$225,000 of ATF monies in the following manner: \$20,000 for traffic-calming and \$205,000 for six sidewalk projects.

By mid-year, however, approximately \$19,935 had been spent on an old traffic-calming project at Windsor and Wilton while two new traffic-calming projects were approved by the Council. Those new projects are estimated to cost \$61,934.40 and include:

- West 7th Street between Rogers and Adams with an estimated cost of \$24,299, and
- Diamond Gardens / J.N. Alexander Neighborhood with an estimated cost of \$37,135.40.

On July 16, 2009, the 2010 Committee met to discuss funding these two recently approved traffic-calming projects. The Committee acknowledged the logic of funding the two traffic-calming projects this year and heard about progress on expenditures for the six sidewalk projects to see whether there were any opportunities to reallocate funds. Approximately \$13,394 had not been allocated and could be used for these two projects. That meant that another \$48,540 would be needed from somewhere else.

The likely source of funds was the up-to-\$50,000 the Committee recommended for the acquisition of right-of-way for the East 3rd Street Project. This project would install sidewalks on the north side of the street from Bryan Street to Hillsdale, which is part of a major pedestrian corridor between the IU campus and the College Mall commercial area, now marked by a dirt path. The cost was estimated at about \$231,000, but all the funding has not yet been identified.

Justin Wykoff, Manager of Engineering Services, indicated that the City Engineering Department was designing the project in-house and did not need to acquire the right-of-way this year. About \$14,000 could be used to pay for appraisals, but the purchase of the right-of-ways should follow within six months of the appraisals.

After acknowledging that the East 3rd Street Project was a high priority for funding under the Council Sidewalk Committee criteria and still deserved funding in the future, the Committee voted to reallocate those funds to the two aforementioned traffic-calming projects.

Councilmember Sturbaum, Chair, will not be at the meeting next week and has asked the Council Administrator/Attorney to give the Report and request that the Council approve it.

Items for Consideration at the Continuation of Special Session to Consider Ord 09-12 which Brings Forward Dozens of Amendments to the Unified Development Ordinance

The Council will be entering into a fourth meeting of deliberation on Ord 09-12 and its dozens of amendments to the UDO next Wednesday evening. The schedule for that evening includes 13 items which, if completed, will wrap up what has been one, long, Special Session. Please note that while there are just 13 items on the agenda, many of item items are accompanied by alternate amendments which, with the defeat of one, may lead to a discussion and vote on another. If the Council is unable to conclude its business that evening, I suggest continuing this Special Session for one final evening on September 16th.

The following are amendments that are scheduled to be considered next Wednesday but were not included in your [8 July 2009 Special Session](#) packet. Please note that one amendment rearranging the Appendices may be forthcoming next week.

- **CCL-009 (Amends UDO-069 – Plan Staff – Re: Revises the list of landscaping to add native species and prohibit certain invasive species**
(Note: Plan Staff submitted this amendment to clarify which cultivars of the “flower crabapple” tree are suitable and unsuitable for planting in our Planning jurisdiction.
 - *Note this amendment was carried over from last week.*

- **CCL-004 (Amends UDO-094) – Piedmont-Smith – Re: Requires grading permit for single family lots which have not been part of a larger grading plan.**
 - *CCL-004 amends UDO-093, which was not adopted by the Plan Commission. UDO-093 was requested by the Environmental Commission and would eliminate an exemption in the UDO that allows land-disturbing activity on single-family lots without the prior receipt of a grading permit.*
 - *CCL-004 amends UDO-093 by: 1) identifying ‘tree removal’ as an activity that can be regulated through the site plan review process, 2) identifying certain tree removal activities that are exempt from review, and 3) identifying other tree removal activities which require Certificates of Zoning Compliance, site plan review, and compliance with the tree preservation standards of the UDO.*

- **CCL-008 (Amends UDO-066) – Plan Staff – Re: Clarifies “masonry” materials to be used in residential projects**

 - *CCL-008 amends UDO-066 and was prepared by Plan staff to address concerns of a number of Council members. UDO-066 was approved by the Plan Commission and would revise the list of materials allowed for residential dwellings constructed in single family and multifamily zoning districts by specifying the types of materials typically characteristic of a masonry product. CCL-008 adds other potential residential building materials to accommodate the possibility of newer and more sustainable materials. Those materials include:*
 - *Split face block, ground face block, or brick;*
 - *Cast or cultured stone;*
 - *Cast in place concrete;*
 - *Earthen structural materials; or*
 - *Other materials that replicate the look and durability of the above materials, as approved by the planning staff.*

- **CCL-007 – Satterfield – Re: Allows banks to have up to three drive-through bays in CG district**

 - *This amendment would allow banks to have up to three drive-through bays when located in the Commercial General (CG) zoning district. Currently, banks, like other drive-through uses, are limited to a single bay for vehicle transactions. Since patrons of banks typically conduct a large number of transactions using personal vehicles, this allowance for additional drive-through bays is more reflective of the how this particular land use functions.*
 - *Note: CCL-007 does not amend any Plan Commission action and, therefore, will be treated as a Council initiated amendment to the UDO. Under IC 36-7-4-607(b), the Plan Commission would hold a hearing on the proposal within 60 days of receiving it and certify its recommendation within 10 days after the action was taken. At that point, the Council would be in the same position as it is now with the packet of amendments that have come forward from the Plan Commission.*
 - *Note: It is my understanding that Plan Staff does not support this amendment.*

- **CCL-010 (Amends UDO-075) – Volan – Re: Converts density from units per acre to bedrooms per acre; Creates a weighting system that encourages efficiencies and 1-bedroom units and discourages 4-bedroom and 5-bedroom units.**

 - *CCL-010 was prepared on behalf of Councilmember Volan in order to replace UDO-075, which was adopted by the Plan Commission. It would change the calculation of residential density in the UDO to create a weighting system that would encourage efficiency and 1-bedroom units but discourage 4-bedroom and 5-bedroom units. The weighting system proposed by Councilmember Volan is modeled after an existing weighting system in the UDO called dwelling unit equivalents (DUEs). This proposal revises the DUE system by increasing the weights (incentives) for efficiencies and one-bedroom units while creating first-time weighting (a disincentive) for 4-bedroom and 5-bedroom units. UDO - 075, which converts the UDO’s unit-per-acre calculation of density into bedroom densities, also achieves a similar goal, but without increasing the weighting system.*
 - *Note: It is my understanding that Plan Staff does not support this amendment.*
 - *In the event the Council does not adopt CCL-010, UDO-075 would still be before the Council for consideration. UDO-075 comes forward with a positive recommendation from the Plan Commission and would go into effect 90 days after their action was certified to the Council (which occurred on June 25th), unless denied or replaced by the Council. In other words, lack of action at this point, would result in adoption of UDO-075.*

- **CCL- 011 (Amends UDO-077) – Sturbaum Looking for a Sponsor – Re: Reduces void-to-solid ratio on first floor facades in all Downtown Overlay districts.**

 - *CCL-011 amends UDO-007, which came forward with a positive recommendation from the Plan Commission and was adopted by the Council on July 15th;*
 - *CLL-011 extends the regulation to the B-Line Trail*

- **CCL-003(a) /CCL-003(b) (Amending UDO-082) – Sturbaum Looking for Sponsor – Re: Requires landscaping be installed when buildings are demolished unless a development plan is approved.**

 - *There are two versions of CCL-003 –Version (a) and Version (b). Both amend UDO-082, which was not adopted by the Plan Commission, by*

adding new requirements for demolition permits. Specifically, any request for a demolition permit would be required to provide a post-demolition plan for the site that could include turf grass, other ground cover, trees/shrubs, or planters. Once the demolition has been completed, the post-demolition landscape plan would have to be implemented as shown on the approved plan. A site could only be released from this requirement if the demolition permit is accompanied by a proposed development plan that is submitted to the Planning Department to initiate the review process.

- *CCL-003 (b) differs from CCL-003 (a) in regard to the treatment of lots greater than one-half acre. Specifically, it requires a 10-ft wide planting area along all property lines bordering a public street, whereas CCL-003(a) requires that planting area only along the street in front of where the demolition occurred.*
- *Note: It is my understanding that Plan Staff supports Version (a);*

Council Recess Begins at the Conclusion of this Meeting and Concludes with the Regular Session on September 2nd

**NOTICE AND AGENDA
BLOOMINGTON COMMON COUNCIL REGULAR SESSION
AND SPECIAL SESSION
7:00 P.M., WEDNESDAY, AUGUST 5, 2009
COUNCIL CHAMBERS
SHOWERS BUILDING, 401 N. MORTON ST.**

I. ROLL CALL

II. AGENDA SUMMATION

III. APPROVAL OF MINUTES FOR: None

IV. REPORTS FROM:

1. Councilmembers

2. The Mayor and City Offices

3. Council Committees

• **Peak Oil Task Force**

(Motion to Postpone the Submission of the Peak Oil Task Force Report))

• **Council Sidewalk Committee Report**

(Motion to Amend Previous Recommendations)

• **Internal Work Session**

(Motion to Cancel the Internal Work Session Scheduled for August 14, 2009 Anticipated)

4. Public

V. APPOINTMENTS TO BOARDS AND COMMISSIONS

VI. LEGISLATION FOR SECOND READING AND RESOLUTIONS

None

VII. LEGISLATION FOR FIRST READING

None

VIII. PRIVILEGE OF THE FLOOR (This section of the agenda will be limited to 25 minutes maximum, with each speaker limited to 5 minutes)

IX. ADJOURN

(and immediately reconvene for)

SPECIAL SESSION FOR CONSIDERATION OF ORDINANCE 09-12

(See Schedule)

**Schedule for Common Council Consideration of Ordinance 09-12 which
Brings Forward Amendments to the Unified Development Ordinance from the
Plan Commission as a Result of Its Periodic Review of Title 20 of the
Bloomington Municipal Code
(Revised July 31, 2009)**

**SPECIAL SESSION TO CONSIDER AMENDMENTS TO THE UNIFIED
DEVELOPMENT ORDINANCE (ORD 09-12) WHICH WILL BE HELD ON THE
FOLLOWING EVENINGS AT THE FOLLOWING TIMES:**

WEDNESDAY, JULY 8, 2009 - 7:00 P.M.

Motion to Introduce Ordinance 09-12- *adopted*

Motion to Approve Schedule - *adopted*

Motion to Approve Procedure - *adopted*

The Council divided the question regarding the following list of amendments: UDO-001 – UDO-061 (Excluding UDO-025, UDO-02 and UDO-044). All but those noted in italics below were adopted with one motion. As noted below, two were revised before adoption, one was postponed, and another was set for reconsideration on August 5th:

- UDO-001 **Rooming house – adds asterisk.**
- UDO-002 **Establishes parking setback from *proposed* rather than *existing* right of way or easement in IG/QY districts.**
- UDO-003 **Pitched roof exception – extends to Third Street.**
- UDO-004 **Defines “proposal” as it relates to projects within the CD zoning district**
- UDO-005 **Adds one PUD final plan change that may be approved by Planning Director.**
- UDO-006 **Adds missing restrictions on accessory structures in multifamily zoning districts.**
- UDO-007 **Provides for some variation in sidewalk/tree plot designs.**
- UDO-008 **Requires connector paths to link developments to multi-use trails.**
- UDO-009 **Makes reduction of bike parking discretionary rather than automatic in CD zoning district.**
- UDO-010 **Clarifies calculation of amount of bicycle parking.**
- UDO-011 **Clarifies height and accessory status of communication facilities in CD district.**
- UDO-012 **Prohibits driveway design where driveway is parallel to street.**
- UDO-013 **Requires entrance & drive design to be paved (like parking areas).**
- UDO-014 **Requires conservation easements for wetland buffer areas.**
- UDO-015 **Corrects UDO reference.**
- UDO-016 **Clarifies fence height maximum & calculation of decorative features.**
- UDO-017 **Corrects topographic error.**
- UDO-018 **Corrects statutory reference.**
- UDO-019 **Makes landscaping of buffer yards separate from general landscaping requirements.**
- UDO-020 **Planting requirements – increases canopy tree requirements and makes interior requirements consistent.**

- UDO-021 **Clarifies landscaping requirement.**
- UDO-022 **Clarifies parking lot island and bump-out location and function.**
- UDO-023 **Clarifies outdoor storage and merchandizing requirements.**
(Revised on July 8, 2009 to correct error)

- UDO-024 **Adds omitted requirement for maximum parking lot slope.**
- UDO-026 **Corrects omission regarding parallel parking dimensions.**
- UDO-028 **Allows back-out parking on non-arterial streets in Core Neighborhoods.**
- UDO-029 **Clarifies setback for recreational equipment.**
- UDO-030 **Establishes same setback for detached and attached carports.**
- UDO-031 **Corrects statutory reference.**
- UDO-032 **Adds cross-references for exceptions to off-premises signs.**
- UDO-033 **Clarifies requirements for changeable copy on freestanding signs.**
- UDO-034 **Prohibits external illumination of temporary signs. *(On July 8th, the Council postponed consideration of this item until August 5, 2009 and on July 15th the Council moved consideration of this item to July 29th.)***
- CCL-006

- UDO-035 **Corrects section heading for multifamily signage.**
- UDO-036 **Creates wall signage allowance for multi-tenant non-residential centers.**
- UDO-037 **Clarifies minimum lot frontage requirements for freestanding signs.**
- UDO-038 **Corrects word usage in reference to drive-though bays. *(On July 10th, Cm. Satterfield declared his intent to request reconsideration and revision of this amendment at future meeting during this Special Session.)***
- CCL-007

- UDO-039 **Clarifies exemption regarding temporary containers used for charitable purposes.**

- UDO-040 **Corrects setback error for conservation subdivisions.**
- UDO-041 **Clarifies permitted activities within conservation/preservation easements.**
- UDO-042 **Requires public street frontage for new residential lots.**
- UDO-043 **Clarifies requirement for installation of no parking signs.**
(Revised on July 8, 2009 to correct error.)
- UDO-045 **Exempts construction of small accessory structures from events that end status as a non-conforming use in non-residential and multifamily properties.**
- UDO-046 **Requires developer to list bike rack model type.**
- UDO-047 **Requires petitioner to list scientific name of landscape species.**
- UDO-048 **Corrects typographical error under subdivision control.**
- UDO-049 **Defines start and duration of timing of final plat.**
- UDO-050 **Clarifies effect of withdrawal of demolition delay application.**
- UDO-051 **Requires submission of complete application before Demolition Delay waiting period begins.**
- UDO-052 **Adds basketball courts and batting cages to definition of recreational equipment.**
- UDO-053 **Clarifies change from one residential use to another and adds abandonment as a change in use.**
- UDO-054 **Adds “florist” to class of use table in definitions.**
- UDO-055 **Establishes depth of projection from wall to definition of wall sign.**
- UDO-056 **Changes definition of impound vehicle storage to include both inside and outside storage.**
- UDO-057 **Conforms erosion and storm water regulations to Title 10 of the BMC.**
- UDO-058 **Corrects references to Bicycle and Pedestrian Plan.**
- UDO-059 **Resolves conflict between temporary use and structure provisions for temporary signs.**
- UDO-060 **Corrects definition of outpatient care facility.**
- UDO-061 **Clarifies definition of basement to establish when it constitutes a “story”.**

The Council considered separate motions regarding the following map amendments and adopted them both:

- UDO-062 **Map Amendment - Rezones remaining part of the Highpoint PUD from PUD to CD/DEO.**
- UDO-063 **Map Amendment – Rezones Basswood area property from IN to RM.**

The Council considered individual motions regarding the following text amendments and took the actions noted in italics in regard to each one:

- UDO-065 **Prohibits primary pedestrian entrance in CD district to be off an alley.** *(On July 8th, the Council adopted this amendment...)*
- UDO-066 **Clarifies “masonry” materials to be used in residential projects.** *(On July 8th, the Council postponed consideration of this item until August 5th.)*
- CCL-008
- UDO-067 **Allows additions to single family attached and detached structures to have flat roofs.** *(Note: On July 8th the Council considered and rejected an amendment (CCL-005) to this item and then adopted UDO-067.)*
- UDO-068 **Clarifies that LEED-NC guidelines used in the UDO are periodically updated by USGBC.** *(On July 8th, the Council adopted this amendment.)*
- UDO-069 **Revises list of landscaping to add native species and prohibit certain invasive species.** *(On July 8th, the Council postponed consideration of this item until August 5th and on July 15th the Council moved consideration of this item to July 29th.)*
- CCL-009
- UDO-070 **Allows window signs on upper floors but counts such signs towards sign allotment.** *(On July 8th, the Council adopted this amendment.)*
- UDO-071 **Allows only attached wall signs and sandwich board signs outside of right-of-way along the B-Line trail** *(On July 8th, the Council adopted this amendment.)*

FRIDAY, JULY 10, 2009 – 10:00 a.m.

- *Deadline for Declaring Intent to Revive Amendments Non-Adopted by the Plan Commission and the Introduction of New Amendments.*
- *Deadline for Submitting Revived Amendments, Revised Amendments, and New Amendments for Consideration on the Evening of Wednesday, July 15, 2009*

WEDNESDAY, JULY 15, 2009

(AFTER REGULAR SESSION WHICH STARTS AT 7:00 P.M.)

The Council considered individual motions regarding the following text amendments and took the actions noted below in italics:

- UDO-075 **Converts density from units per acre to bedrooms per acre.** *(On July 15th, the Council postponed consideration of this amendment until August 5, 2009 at the request of*
- CCL-010

Councilmember Volan, who may amend it or prepare a new amendment to address this issue.

- UDO-077 **Reduces void to solid ratio on first floor facades in all Downtown Overlay districts.** *(On July 15th, the Council adopted this amendment, but allowed for it to be amended on August 5th.)*
- CCL-011
- UDO-079 **Adds architectural design requirement along arterial streets.** *(On July 15th, the Council adopted this amendment.)*
- UDO-080 **Adds requirements for some areas now exempt from riparian buffer zones.** *(On July 15th, the Council voted to consider this amendment on July 29th.)*
- CCL-001 **Promotes Sustainable Development Practices** *(This amendment was not adopted by the Plan Commission. On July 10th, Cm. Piedmont-Smith declared her intent to reintroduce and amend this amendment. On July 15th, the Council adopted CCL-001 which amended this amendment.)*
- UDO-074
- CCL-002 **Restricts use of EIFS and other surface building materials in CD district.** *(On July 10th, Cm. Sturbaum declared his intent to reintroduce and revise this amendment. On July 15th, the Council did not reach consideration of this item which, according to Special Session procedure, meant this item would be taken up at the July 29th meeting.)*
- UDO-076

FRIDAY, JULY 17, 2009 – 10.00 a.m.

- *Deadline for Submitting Revived Amendments, Revised Amendments, and New Amendments for Consideration on the Evening of Wednesday, July 29, 2009*

WEDNESDAY, JULY 29, 2009 – 7:00 P.M.

The Council considered the following text amendments and took the actions regarding them as noted in italics:

- UDO-080 **Adds requirements for some areas now exempt from riparian buffer zones.** *(On July 15th, the Council voted to consider this amendment on July 29th. On July 29th, the Council adopted this amendment.)*
- CCL-002 **Restricts use of EIFS and other surface building materials in CD district.** *(This amendment was not adopted by the Plan Commission. On July 10th, Cm. Sturbaum declared his intent to reintroduce and amend this amendment. On July 15th, the Council did not reach consideration of this item which, according to Special Session procedure, meant this item would be taken up at the July 29th meeting. On July 29th, the Council adopted this amendment.)*
- UDO-076
- UDO-081 **Reduces buffer yard requirements.** *(On July 29th, the Council adopted this amendment.)*
- UDO-083 **Converts minimum to maximum parking in non-residential, multifamily and affordable single family developments.** *(On July 10th, Cm. Volan declared his intent to amend this amendment or introduce a new amendment on this subject. On July 24th, the schedule was revised to note that staff will request consideration of an amendment that incorporates UDO-025, UDO-027, and UDO-044. On July 29th, the Council adopted CCL-013.)*
- CCL-013
- UDO-025 **Clarifies calculation of car dealer parking.** *(On July 29th, the Council denied this amendment because it had been incorporated into CCL-013.)*
- UDO-027 **Allows stacked parking for MF garages** *(On July 29th, the Council denied this amendment because it had been incorporated into CCL-013.)*
- UDO-044 **Clarifies when parking setback, impervious surface, and entrances/drive requirements are necessary for non-conforming properties.** *(On July 29th, the Council denied this amendment because it had been incorporated into CCL-013.)*
- UDO-085 **Adds or changes parking requirements for preschools, outdoor storage, and brewpubs.** *(On July 29th, the Council adopted this amendment.)*
- UDO-086 **Defines and adds parking requirements for “outdoor retail.”** *(On July 29th, the Council adopted this amendment.)*
- UDO-088 **Relaxes restrictions on size and duration of political signs to conform to case law.** *(On July 29th, the Council adopted this amendment.)*
- UDO-089 **Changes restrictions on “reader board” signs to conform to case law** *(On July 29th, the Council adopted this amendment.)*
- CCL-003 **Requires landscaping be installed when buildings are demolished unless a development plan is approved.** *(This amendment was not adopted by the Plan Commission. On July 10th, Cm. Sturbaum declared his intent to introduce CCL-003 which amends this amendment. On July 24th, he declared is intent to request postponement until August 5th to provide time to draft the amendment. On July 29th, the Council agreed to postpone this amendment and place at the end of the August 5th agenda with the possibility that it would be considered in September if the Council did not complete its deliberations that evening.)*
- UDO-082
- UDO-034 **Prohibits external illumination of temporary signs.** *(On July 8th, the Council postponed this item to August 5th and on July 15th moved its consideration to July 29th. On July 17th, Plan Staff submitted CCL-006 which defined “externally” and “internally” illuminated signs. On July 29th, the Council adopted CCL-0006.)*
- CCL-006
- UDO-069 **Revises list of landscaping to add native species and prohibit certain invasive species.** *(On July 8th, the Council postponed consideration of this item to August 5th and on July 15th moved*
- CCL-009

its consideration to July 29th. On July 17th, Plan Staff submitted an amendment which suitable and unsuitable cultivars of the “flowering crabapple” tree. On July 29th, the Council did not reach this item and will, therefore, hear it first on August 5th.)

FRIDAY, JULY 31, 2009 – 10:00 a.m.

- *Deadline for Submitting Revived Amendments, Revised Amendments, and New Amendments for Consideration on the Evening of Wednesday, July 29, 2009*

WEDNESDAY, AUGUST 5, 2009 (AFTER THE REGULAR SESSION WHICH BEGINS AT 7:00 P.M.)

The Council will Consider Individual Motions Regarding the Following Text Amendments:

- CCL-009** **Revises list of landscaping to add native species and prohibit certain invasive species.** (On July 8th, the Council postponed consideration of this item to August 5th and on July 15th moved its consideration to July 29th. On July 17th, Plan Staff submitted an amendment which suitable and unsuitable cultivars of the “flowering crabapple” tree. On July 29th, the Council did not reach this item and will, therefore, hear it first on August 5th.)
- UDO-069**
- UDO-090** **Restricts seasonal sale of fireworks to CA districts and clarifies length seasonal sales are permitted.**
- UDO-091** **Adds maximum suburban parent tract size for Suburban Subdivision type.**
- UDO-092** **Requires more detail for models accompanying downtown development proposals**
- UDO-095** **Defines certain urban agricultural activities and imposes special conditions on community gardens in residential zones.**
- CCL-004** **Requires grading permit for single family lots which have not been part of a larger grading plan.** (This amendment was not adopted by the Plan Commission. On July 10th, Cm. Piedmont-Smith declared her intent to reintroduce and amend this amendment.)
- UDO-093**
- CCL-008** **Clarifies “masonry” materials to be used in residential projects.** (UDO-066 was adopted by the Plan Commission and postponed on July 8th to August 5th by the Council. CCL-008 would amend UDO-066)
- UDO-066**

Other Amendments Declared by Council Members by July 10, 2009 and to be filed with the Council Office by July 31, 2009

- CCL-007** **Allows banks to have up to three drive-through bays in CD district** (On July 10th, during discussion of UDO-038, Cm. Satterfield declared his intent to, among other possible actions, introduce a new amendment on the subject of drive-through bays and banks. On July 31, Cm Satterfield submitted CCL-007 which, if adopted, would be treated as a Council initiative to amend the UDO under I.C. 36—4-607(b).)
- CCL-010** **Converts density from units per acre to bedrooms per acre; Creates a weighting system that encourages efficiencies and 1-bedroom units and discourages 4-bedroom and 5-bedroom units.** (UDO-075 was adopted by the Plan Commission. On July 15th, the Council postponed consideration of this amendment until August 5, 2009 at the request of Councilmember Volan, who intends to introduce CCL-010 in order to amend it.)
- UDO-075**
- UDO-083** ~~**Converts minimum to maximum parking in non-residential, multifamily and affordable single family developments.**~~ (On July 10th, Cm. Volan declared his intent to amend this amendment or introduce a new amendment on this subject. On July 29th, the Council considered CCL-013 which incorporates UDO-025, UDO-027, and UDO-044. By July 31st, Cm. Volan had not submitted an amendment to UDO-083.)
- UDO-094** **Defines “primary” and “secondary” exterior finish materials.** (On July 10th, Cm. Sturbaum declared his intent to amend this amendment, but on July 31st indicated he would not do so.)
- CCL-012**
- CCL-011** **Reduces void to solid ratio on first floor facades in all Downtown Overlay districts.** (On July 15th, the Council adopted this amendment and allowed for it to be amended on August 5th.)
- UDO-077**
- UDO-078** **Prohibits residential uses on the ground floor along key corridors.** (This amendment was not adopted by the Plan Commission. On July 10th, Cm. Sturbaum declared his intent to reintroduce this amendment without change.)
- CCL-003 (a)** **Requires landscaping be installed when buildings are demolished unless a development plan is approved.** (UDO-082 was not adopted by the Plan Commission. On July 10th, Cm. Sturbaum declared his intent to introduce CCL-003, which amends this amendment. On July 24th, he declared is intent to request postponement until August 5th to provide time to draft the amendment. On July 29th, the Council agreed to postpone this amendment and place at the end of the August 5th agenda, with the possibility that it would be considered in September in the event the Council did not complete its deliberations that evening. On July 31st, Cm. Sturbaum submitted CCL-003(a) and CCL-003(b) with the expectation that CCL (a) would be sponsored by a Council member that evening.)
- CCL-003 (b)**
- UDO-082**

Once the Council has finished considering all the foregoing amendments, it will consider a motion to adopt Ordinance 09-12 as Amended by the Council. In the event it has not finished consideration of amendments on this evening, the Council will continue the Special Session and hold meetings in the first half of September to conclude action on this ordinance in a timely manner.

The Council may revise this schedule and continue consideration of the UDO to other dates by a vote of the Council taken at any time during this Special Session.

Posted and Distributed on: Friday, July 31, 2009



**City of Bloomington
Office of the Common Council**

To: Council Members
From: Council Office
Re: Calendar for the Week of August 3-8, 2009

Monday, August 3, 2009

4:30 pm Plat Committee, Hooker Room
5:00 pm Redevelopment Commission, McCloskey
5:00 pm Utilities Services Board, Board Room, 600 E Miller Dr
5:30 pm Bicycle and Pedestrian Safety Commission Work Session, Hooker Room
5:30 pm Plan Commission, Council Chambers

Tuesday, August 4, 2009

1:30 pm Development Review Committee, McCloskey
4:00 pm Bloomington Community Farmers' Market, Madison St, Between 6th & 7th St
5:30 pm Board of Public Works, Council Chambers
7:30 pm Telecommunications Council, Council Chambers

Wednesday, August 5, 2009

12:00 pm Bloomington Urban Enterprise Association, McCloskey
2:00 pm Public Art 101 for Artists, McCloskey
4:00 pm Inclusive Recreation Advisory Council, Bloomington Adult Community Center, 349 S Walnut St
5:30 pm Commission on Hispanic and Latino Affairs, McCloskey
7:00 pm Common Council Regular Session *immediately followed by a* Special Session, Council Chambers

Thursday, August 6, 2009

11:30 am Solid Waste Management District, Monroe County Courthouse, Judge Nat U. Hill, III Room
12:00 pm Community and Family Resources Commission, Hooker Room
4:00 pm Bloomington Digital Underground Advisory Council, McCloskey
5:30 pm Commission on the Status of Women, McCloskey
5:30 pm Board of Zoning Appeals, Council Chambers
7:00 pm Dedication Event for B-Line Sculpture *Bloomington Banquet*,
Farmer's Market Plaza, behind City Hall at 401 N Morton St

Friday, August 7, 2009

No meetings are scheduled for this date.

Saturday, August 8, 2009

8:00 am Bloomington Community Farmers' Market, Showers Common, 401 N. Morton

Posted and Distributed: Friday, July 31, 2009



**City of Bloomington
Office of the Common Council**

To: Council Members
From: Dave Rollo, Council Member, District IV
Chair of the Bloomington Peak Oil Task Force
Re: Request to Postpone Submission of *the Bloomington Peak Oil Task Force*
Date: 31 July 2009

Dear Council Colleagues –

As you are aware, the seven members of the Bloomington Peak Oil Task Force have been working hard to assess our community's vulnerability to a decline in cheap oil and to develop prudent and researched mitigation strategies. Since March 2008, Task Force members have logged over 100 hours of meeting time and additional time in researching and writing. Task Force members are a committed group who take their charge very seriously.

The Task Force is quickly closing in on issuing its final *Report*. While the group's *Report* was due to the Council and Mayor by July 31, 2009, as Chair of the Task Force, I feel it would be wise to postpone submission of the *Report* until October 14, 2009. Currently, the Task Force has assembled a draft *Report* well over 200 pages. A few more months would allow the Task Force more time to fully edit, design and thoroughly vet the document. As the Task Force's work is already widely cited by energy-awareness groups around the nation and because the *Report* is intended to complement the City's already-robust sustainability efforts, building in a few more months to further refine the *Report* is non-trivial. Importantly, the Mayor has expressed his endorsement of such postponement.

By way of brief review, the *Report* addresses: land use, transportation, housing, municipal services, sustenance and economic context. Each Task Force member has assumed responsibility for a particular subject matter and has drafted material relevant to their charge. In May 2009, the Task Force held a day-long editorial retreat to discuss its burgeoning *Report*. After the retreat, Task Force members revised their drafts and submitted revisions by early July. The document is currently in editing.

At our Regular Session on Wednesday, August 5, 2009, I intend make a motion to postpone submission of the final *Peak Oil Task Force Report* until October 14, 2009. I truly appreciate your endorsement of the work of the Task Force and respectfully request your support of this motion.

**Amendment of 2009 Report -
Common Council Sidewalk Committee -
August 5, 2009**

Recommending the Funding of Two Recently Approved Traffic-Calming Projects

Each year the Committee meets to make recommendations on the use of Alternative Transportation Fund (ATF) monies, which have traditionally been applied toward the installation of new sidewalks that meet certain criteria as well as the installation of traffic calming devices. In January, the Committee submitted a report to the Council which recommended allocating the \$225,000 of ATF monies in the following manner: \$20,000 for traffic-calming and \$205,000 for six sidewalk projects.

By mid-year, however, approximately \$19,935 had been spent on an old traffic-calming project at Windsor and Wilton and two new projects were approved by the Council. Those new projects are estimated to cost \$61,934.40 and included:

- West 7th Street between Rogers and Adams with an estimated cost of \$24,299, and
- Diamond Gardens / J.N. Alexander Neighborhood with an estimated cost of \$37,135.40.

On July 16, 2009, the 2010 Committee met to discuss funding these two recently approved traffic calming projects. The Committee acknowledged the logic of funding the two traffic-calming projects this year and heard about progress on expenditures for the six sidewalk projects to see whether there were any opportunities to reallocate funds. Approximately \$13,394 had not been allocated and could be used for these two projects. That meant that another \$48,540 would be needed from somewhere else.

The likely source of funds was the up-to-\$50,000 the Committee recommended for the acquisition of right-of-way for the East 3rd Street Project. This project would install sidewalks on the north side of the street from Bryan Street to Hillsdale, which is part of a major pedestrian corridor between the IU campus and the College Mall commercial area, now marked by a dirt path. The cost was estimated at about \$231,000, but all the funding has not yet been identified.

Justin Wykoff, Manager of Engineering Services, indicated that the City Engineering Department was designing the project in-house and did not need to acquire the right-of-way this year. About \$14,000 could be used to pay for appraisals, but the purchase of the right-of-ways should follow within six months of the appraisals.

After acknowledging that the East 3rd Street Project was a high priority for funding under the Council Sidewalk Committee criteria and deserved funding in the future, the Committee voted to reallocate those funds.

Members and Staff Present at Meeting:

Members Present: Chris Sturbaum, District 1 (Chair), Isabel Piedmont-Smith, District 5, Mike Satterfield, District 3

Members Absent: Dave Rollo, District 4

Staff Present: Joe Fish (Transportation Planner, Bob Woolford (Program Manager), Dan Sherman (Attorney/Administrator), Sue Wanzer (Deputy Clerk)

Attachments

- **Amended Recommendations for 2009 (Changes in Red)**
- **Draft Memorandum of July 16, 2009 Committee Meeting**
- **Table of Amended Recommendations and Actual Expenditures**
- **Signature Page**

Committee Recommendations (As Amended by of the Committee on July 16, 2009):

1. **Alternative Transportation Fund** - Use the \$225,000 of Alternative Transportation Funds appropriated in 2009 for sidewalks and traffic-calming projects according to the following calculation:

\$225,000	Annual Appropriation
- \$81,869	Traffic Calming
\$143,131	Sidewalk Projects

2. **CBU Set Aside for Storm Water Component of Council Sidewalk Projects** - Authorize the Engineering Department to submit claims to the Utilities Service Board for the storm water component of sidewalk projects in an amount not to exceed the entire \$125,000 appropriated in 2009 appropriations as well as \$26,186.22 of unspent funds from 2008 for a total of \$151,186.22.

3. **Other Funds** – Respectfully request that the Mayor favorably consider:

(a) appropriating approximately \$98,373.43 from federal reimbursement of matching funds for completion of the Marilyn Drive Project. *(Please see 4(a) below)*

(b) offer from the Public Works Department to direct \$20,000 toward the Henderson - Thornton to Moody project to recoup what was mistakenly applied to the Henderson - Allen to Hillside Project. *(Please see 4(b) below)*

(c) offer from Public Works Department to spend \$6,000 to purchase cement for the South Madison Street project. *(Please see 4 (e) below)*

4. **Fund the five sidewalk projects as elaborated below:**

(a) **Construction – Marilyn from Nancy to High Street (South Side)**

<u>Street</u>	<u>Alternative Transportation Fund</u>	<u>Stormwater Component (CBU)</u>	<u>Total</u>
Marilyn from Nancy to High Street (south side)		* \$91,564	* \$91,564

This is one of the last segments of a route on the Bicycle and Pedestrian Transportation and Greenways System (Greenways) Plan that would connect Bryan Park with sidewalks at High and Covenant. Prior ATF funds were used to install sidewalks on Mitchell, Circle, Ruby and Nancy Street. Last year the Committee requested and expected that the Greenways monies would be used to cover the sidewalk and the CBU Set Aside would cover the storm water component of this project. However, an amendment to the Greenways Plan and other projects left this one unfunded in 2008. As noted above, the Committee recommended that the Council respectfully request that the Mayor consider appropriating \$98,937.45 of federal reimbursement of matching funds to complete this project. This sidewalk will include but no tree plot (given the lack of right-of-way).

* The total estimated cost of the project is \$189,937.45

ATF	CBU Set Aside	Other Funds	Source of Other Funds and Total Cost of the Project
\$0	\$91,564	\$98,373.43	Request for appropriation of Federal reimbursement of matching funds from another Greenways Project

(b) Construction – Henderson from Moody to Thorton (east side)

<u>Street</u>	<u>Alternative Transportation Fund</u>	<u>Stormwater Component (CBU)</u>	<u>Total</u>
Henderson Street from Thorton to Moody (east side)	\$71,877.77	\$27,441.40	* \$99,319.17

This project was scheduled for funding in 2008. It was requested by the Planning Department, MCCSC, and a property owner and would complete the last segment of unfinished sidewalk on the east side of Henderson between Hillside and Miller Drive as well as much further north and south. This sidewalk will have a curb and tree plot.

* The HAND department may assist in funding some of this project.

- (c) **Construction – Kinser Pike from Marathon Station to SR 45/46 (west side)**

<u>Street</u>	<u>Alternative Transportation Fund</u>	<u>Stormwater Component (CBU)</u>	<u>Total</u>
Kinser Pike from Marathon Station to SR 45/46 (west side)	\$40,280.74	\$14,470.40	\$54,751.14

This project would provide a safe pedestrian way for the residents of the many apartments along and near Kinser Pike south of SR 45/46 to walk to the Marsh grocery store on the north side. It will have a tree plot.

- (d) **Construction – Moores Pike from Woodruff to Existing Sidewalk (Also Known as Segment A) (south side)**

<u>Street</u>	<u>Alternative Transportation Fund</u>	<u>Stormwater Component (CBU)</u>	<u>Total</u>
Construction – Moores Pike from Woodruff to Existing Sidewalk (Also Known as Segment A) (south side)	\$22,758	\$0	\$22,758

This project would extend an existing sidewalk to Woodruff and afford residents a better place to cross Moores Pike. It will be situated well off the roadway.

- (e) **Construction – Madison Street from Third Street to High Speed Tire (east side)**

<u>Street</u>	<u>Alternative Transportation Fund</u>	<u>Stormwater Component (CBU)</u>	<u>Total</u>
Madison Street from Third Street to High Speed Tire (east side)	\$26,989	\$16,784	* \$43,773

This project had a very high ranking and will complement the B-Line trail. It will include a tree plot and curb.

* The total estimated cost of this project is \$49,773 with funds coming from the following sources:

ATF	\$26,989
CBU	\$16,784
Public Works	\$6,000 (to purchase concrete)

(f) Acquisition of Right-of-Way – Third Street from Roosevelt to Hillsdale (north side)

<u>Street</u>	<u>Alternative Transportation Fund</u>	<u>Stormwater Component (CBU)</u>	<u>Total</u>
Third Street from Roosevelt to Hillsdale (north side)	\$0	\$0	\$0

This is part of a larger project that will extend from Bryan to the SR 45/46 Bypass and serves as a major pedestrian corridor between the IU campus and the College Mall commercial area. The Engineering Department is in the process of designing this pedestrian way. In January, the 2009 Committee initially recommended funding up to \$50,000 for the acquisition of right-of-way, if the money wasn't need for other projects in 2009. In July, the 2010 Committee recommended deferring the decision on funding this project until 2010 and using this and other unspent funds to pay for two traffic-calming projects approved in June. In doing so, the three Committee members present acknowledged this as a high priority project.

* The total cost for completing for the Bryan to Hillsdale portion of this project will be in excess of \$230,000, take more than one year to complete, and be funded from sources that are not all identified at this point. Greenways, for example, will provide \$25,000 for survey work this year.

	<u>ATF (Sidewalk Projects)</u>	<u>CBU Sidewalk/Stormwater</u>
Total:	221,016.51/\$225,000 (including \$20,000 to recoup funds misapplied in 2008)	\$125,000/\$151,186.22 (including \$26,186.22 carryover from 2008)
Balance:	\$3,983.49	\$926.42

** Note: These allocations are based upon estimates; actual allocations may be higher or lower. The Committee recognizes that the Engineering Department may shift funds from one project to another in order to complete them and specifically authorizes excess funds to be allocated as noted above.*

**Table of Amended Council Sidewalk Committee Recommendations for Allocation of 2009 Alternative Transportation Funds
(After July 16, 2009 Meeting)**

Traffic Calming Proposals for 2009

Site	Estimate	Funding Recommendation		Expenditures		Comments
		ATF	CBU Sidewalk/ Stormwater	Other	ATF	
		\$225,000	\$151,186.22 (including \$26,186.22 carry over)		\$225,000	
<i>Windsor and Wilton</i>		\$19,935.			\$19,935	<i>The City arranged for the installation of the second phase of traffic-calming in the Arden Neighborhood Area. This project narrowed the intersection and paved a stormwater culvert.</i>
<i>West 7th Street from Rogers to Adams</i>	\$24,299	\$24,299				<i>On June 3, 2009, the Common Council adopted <u>Ord 09-09</u> which approved traffic-calming measures for West 7th Street. The installation of such measures are paid out of the ATF. On July 16, 2009 the Council Sidewalk Committee met and recommended that money allocated in 2009 for the acquisition of right-of-way on the north side of East 3rd Street and other unspent monies be reallocated for this and next traffic calming project.</i>
<i>Diamond Gardens / J.N. Alexander Neighborhood</i>	\$37,635.40	\$37,635.40				<i>On June 3, 2009, the Common Council adopted <u>Ord 09-10</u> which approved traffic-calming measures for the Diamond Gardens / J.N. Alexander Neighborhood. As noted above, the installation of such measures are paid out of the ATF. On July 16, 2009, the Council Sidewalk Committee met and recommended that money allocated in 2009 for the acquisition of right-of-way on the north side of East 3rd Street and other unspent monies be reallocated for this and the foregoing traffic calming projects.</i>
Total		\$81,869			\$19,935	
Remainder (To Be Used for Sidewalk Projects)		\$143,131			205,065	

Sidewalk Proposals for 2009						
Site	Estimate	Funding Recommendation		Expenditures		Comments
		ATF	CBU Sidewalk/ Stormwater	Other	ATF	
		\$143,131	<u>\$151,186.22</u> (including <u>\$26,186.22</u> carry over)		<u>205,065</u>	
Marilyn -- Nancy to High (south side)	\$189,937.45	\$0.00	\$91,564.00	*		* This project is on the Greenways Plan and is one phase of a sidewalk that would connect Southdowns to High Street via Circle, Ruby, Nancy and Marilyn. The Committee Report requested a reappropriation of \$98,937.45 in INDOT reimbursements to honor the Greenways commitment to this project.
Henderson -- Moody to Thornton (east side)	\$99,319.17	\$71,877.77	\$27,441.40		\$6,633.00	Recall that the design for the project north of Hillside was being funded via Greenways as part of the Safe Routes to School program. However, the project was accidentally paid for from the Sidewalk Committee's Alternative Transportation Fund (ATF) instead of the Greenways Fund. The Committee Report requested that ATF be recouped the \$20,000 owed it. In 2009, Public Works paid \$22,758 for the Moores Pike segment below in order to restore AFT funds for ATF projects. <i>Status as of July 2009: Design work has been performed, the project will go out for bid on July 29th and the project will be completed in 2009.</i>
Kinser Pike -- Marathon Stn. to 45/46 (west side)	\$54,751.14	\$40,280.74	\$14,470.40		\$6,633.00	This is a heavily-travelled stretch. Many residents living in multi-family housing walk this stretch to the grocery store and other amenities. <i>Status as of July 2009: Design work has been performed, project will be out to bid mid-August and the project will be completed this year.</i>
Moores Pike -- Segment A – Woodruff to existing walk (south side)	\$22,758.00		\$0.00	\$22,758.00	\$958	This stretch provides connectivity with an existing walk and was requested by area residents. Some residents indicated that they would be willing to make a contribution.

S. Madison -- 3 rd to Prospect (east side)	\$49,773.00	\$26,989.00	\$16,784.00		\$6,633.00	This project is in a highly-urban area and would link to the B-Line trail at the W. 3 rd Street overpass. Public Works offered to contribute \$6,000 for concrete. <i>Status as of July 2009: Design work has been performed, project will be out to bid mid-August and the project will be completed this year.</i>
3 rd Street -- Roosevelt to Clark & Clark to Hillsdale (north side)	\$231,564.07	\$00.00	\$0.00			<i>A worn pedestrian path demonstrates the heavy use of this area. In January, the 2009 Committee agreed that if the funds remaining for the above projects are not needed to complete said projects, up to \$50,000 of the remaining 2009 ATF balance would be dedicated to the acquisition of right-of-way for this project. As of mid-year, the design for this project was proceeding in-house, but no appraisals or acquisition of right-of-way was expected to occur in 2009. In July, the 2010 Committee recommended reallocating these funds for two recently approved traffic calming projects on the west side with the understanding of those present that the East 3rd Street was a high priority project that should move forward in 2010.</i>
Total		\$139,147.51	\$150,259.80	\$22,758	\$20,858.00	
Remainder in Fund (or Set Aside for Stormwater Component of Sidewalk Projects)		\$3,983.49	926.42		\$184,207	

NOTE: Formal minutes are not produced for committee meetings. The following memorandum summarizes actions taken.

Action Memorandum Bloomington Common Council Sidewalk Committee

July 16, 2009
Council Library Room 110
Showers City Hall, 401 North

In attendance:

Committee Members: Isabel Piedmont-Smith, Chris Sturbaum (Chair), Mike Satterfield

Staff: Joe Fish (Planning), Justin Wykoff (Public Works), Bob Woolford (HAND), Dan Sherman (Council Office), Sue Wanzer (Clerk's office)

The meeting was called to order at 4:14 pm.

Agenda

1. Overview – 2009 Expenditures
2. Discussion of Allocating Funds to Install Recently Approved Traffic Calming Proposals
3. Other Matters
4. Adjourn

Dan Sherman opened the meeting and said that Councilmember Sturbaum was interested in exploring how to fund two recently approved traffic calming projects and that the agenda information included recommendations from last year with estimates and expenditures to date. He asked Justin Wykoff to explain plans and activities in 2009, so that the committee would understand how much money was available and how it was being spent. He also noted that Wykoff had suggested that there might be money available this year to pay for the traffic calming projects.

Wykoff gave a synopsis of the 2009 sidewalk projects which, after comments from staff and Committee members, led to the following conclusions:

- The Moores Pike sidewalk is completed and was paid for with other City funds (\$22,758) to offset approximately \$20,000 in Alternative Transportation Fund (ATF) monies that inadvertently used last year for a non-ATF sidewalk project;
- \$958 of ATF monies was also applied to that project;

- The traffic-calming project at Windsor and Wilton was completed at a cost of \$19,935;
- Approximately \$19,900 was used to design three sidewalk projects; and
- Approximately \$13,394 was not allocated in 2009.

Councilmember Sturbaum began a discussion on whether the \$50,000.00 appropriated for E. 3rd Street could be used to pay for the two traffic-calming projects:

- Wykoff said that \$14,000 for appraising the value of right-of-way is the most that would be spent this year for that project. Since the purchase of the right-of-way must be within six months of the appraisal, he wouldn't want to fund the appraisals, unless the Council would continue with the project in that time frame.
 - If the appraisals were done by November, it is possible that the remainder of the \$50,000 could be encumbered this year to purchase the right-of-way next year.
 - In any event, the money not spent this year would revert to the ATF for use in future years as long as it has been appropriated.
- Councilmember Satterfield wanted to know about the timeline for completing the project to which Wykoff replied by estimating about three years depending on many factors.
- Sherman noted that this was such a high priority that the Committee wanted to get it started, but thought other funds should be sought as well since it was a high ticket item.
- Satterfield broached the idea of funding the repair of the south side of East 3rd Street since it offered the only pedestrian infrastructure on that highly-traveled street and was both uneven and, at time, under water.
- Wykoff indicated that there is \$50,000.00 for sidewalk repairs from the 2009 Greenways Fund and that Councilmember Mayer and Susie Johnson, Director of Public Works, are aware of the issues with this side of the street.
- Sturbaum asserted that since the Council approved the traffic-calming projects, they should be given a high priority this year and that he will completely support the funding of E 3rd Street next year because it was a leader in terms of the Committee's criteria. Once we clear the plate of these traffic-calming projects, the Committee will have about \$20,000 next year to handle any new ones coming our way.
- Satterfield needed to be persuaded that this reallocation was not being done at the expense of the east side. Given his doubts about the merits of the Diamond Gardens proposal, he was comfortable keeping the north side of East 3rd Street on track and accepting the fact that it might take longer to fund Diamond Gardens. For all he knew, the north side of East 3rd Street might not go forward next year, in which case he would like to see the repair of the south side of the street.
- Sturbaum urged that the Committee take care of these things this year, and then concentrate on east side next year, when he will be an advocate for the east side.
- Piedmont- Smith agreed with Chris that the Council voted for traffic-calming and that carries an obligation to fund the traffic-calming. She also noted that:

- There is a long list of sidewalk projects, some that have been waiting for 10 or 12 years, and to suggest repairing the south side of 3rd Street sidewalk now felt like the project would be cutting in line;
- The Committee went through a legitimate process in ranking which should be followed in regard to new proposals;
- The repair of the sidewalk and the installation of new sidewalks were like apples and oranges – this Committee focuses on new sidewalks and we need to talk about how to fund the repair of existing ones
 - She agreed with Chris to fund traffic-calming
- Bob Woolford said south side is a path not a sidewalk further east.
- In response to Councilmember Satterfield's concern about appropriations in 2010, Wykoff said that the ATF should have \$225,000 in 2010 with an additional set aside of \$125,000 for the stormwater component of sidewalk projects. Greenways, however, may drop from \$500,000 to \$250,000.
- Sturbaum offered that the process involves some give and take and that he would support Satterfield on next year's priorities.
- Piedmont-Smith acknowledged the value of the rating system.
- Joe Fish indicated that while there are funding concerns, East 3rd Street will be likely be a high priority project based on the objective ranking and the Planning Department. He also said that spending any money there is contingent on the agreement on a design and finishing the design.
- Wykoff replied that his desire is to complete traffic-calming because residents have worked so hard and waited for this a long time.
- Sherman asked a few times whether the Committee would like to reconvene when all four members are present, which generated a brief discussion about how the dynamics might change.

- Satterfield moved to approve the \$50,000.00 that was set aside for the E. 3rd St. project and the \$13,394.49 reserve be used for traffic calming projects on W. 7th St. and Diamond Gardens.

Ayes: 3 Nays: 0

Adjourn 5:12 pm.

Susan P. Wanzer, Deputy Clerk

New or Revised Amendments
for Consideration at the
Continuation of Special Session to Consider Ord 09-12
on Wednesday, August 5, 2009

Ordinance 09-12
Amendments to Title 20 (Unified Development Ordinance) Adopted by the Plan Commission

Council Amendment #: **CCL-009** Plan Commission Amendment #: UDO – 069

Submitted By: Plan Staff Date: July 17, 2009

Synopsis

Revises list of landscaping to add native species and prohibit certain invasive species

CCL-009 amends UDO-069 which was adopted by the Plan Commission. UDO-069 completely revises the landscaping tables of the UDO to reflect input received from both the Senior Environmental Planner and the Environmental Commission. Specifically, the modifications to the tables are designed to promote the planting of native species and to update the lists of prohibited invasive species. CCL-009 clarifies which cultivars of the flowering crabapple tree are suitable and which are unsuitable for planting in the City's Planning jurisdiction.

Plan Commission Adopt [10:0]
Action:

Council Action: Postpone Consideration until 8 – 0 (Absent: Volan)
 August 5, 2009
Action Date: July 8, 2009

Council Action Move Consideration from August Adopt 8 – 0 (Absent: Mayer)
 5th to July 29th
Action Date: July 15, 2009

Plan Staff submitted CCL-009 in order to clarify which cultivars of "flowering crabapple" trees were permitted and which have poor characteristics.

Council Action:
Action Date:

Page 5-53

20.05.057 Exhibits LA-A: Permitted Plant Species by Characteristics and Location

Street Trees

Trees suitable for planting along public streets and highways, parking lots, and in locations where low maintenance and hardy constitution are required.

(bold indicates native species)

Large street trees 45' and over at mature height

Common Name	Scientific Name
Black Maple	<i>Acer nigrum</i>
Red Maple	<i>Acer rubrum</i>
Sugar Maple	<i>Acer saccharum</i>
Sugar Hackberry	<i>Celtis laevigata</i>

Hackberry	<i>Celtis occidentalis</i>
American Beech	<i>Fagus grandifolia</i>
European Beech	<i>Fagus sylvatica</i>
Ginkgo	<i>Ginkgo biloba</i>
Thornless Honeylocust	<i>Gleditsia triacanthos inermis</i>
Kentucky Coffee Tree	<i>Gymnocladus dioica</i>
Sweetgum	<i>Liquidambar styraciflura</i>
Tulip Tree	<i>Liriodendron tulipifera</i>
Cucumbertree	<i>Magnolia acuminata</i>
Blackgum or Tupelo	<i>Nyssa sylvatica</i>
Sycamore	<i>Platanus occidentalis</i>
London Planetree	<i>Plantanus x acerfolia</i>
Sawtooth Oak	<i>Quercus acutissima</i>
White Oak	<i>Quercus alba</i>
Swamp White Oak	<i>Quercus bicolor</i>
Scarlet Oak	<i>Quercus coccinea</i>
Shingle Oak	<i>Quercus imbricaria</i>
Bur Oak	<i>Quercus macrocarpa</i>
English Oak	<i>Quercus robur</i>
Red Oak	<i>Quercus rubra</i>
Shumard Oak	<i>Quercus shumardii</i>
Black Oak	<i>Quercus velutina</i>
Bald Cypress	<i>Taxodium distichum</i>
Basswood or American Linden	<i>Tilia Americana</i>
Littleleaf Linden	<i>Tilia cordata</i>
Silver Linden	<i>Tilia tomentosa</i>
Crimean Linden	<i>Tilia x euchiora</i>
Homestead Elm	<i>Ulmus x</i>
Japanese Zelkova	<i>Zelkova serrata</i>

Medium street trees 25' to 45' at mature height

Common Name	Scientific Name
Hedge Maple	<i>Acer campestre</i>
Nikko Maple	<i>Acer nikoense</i>
Autumn Flame Red Maple	<i>Acer rubrum</i>
Roughbark or Three-Flowered Maple	<i>Acer triflorum</i>
Downy Serviceberry	<i>Amelanchier arborea</i>
Whitespire Birch	<i>Betula platyphylla japonica</i>
European Hornbeam	<i>Carpinus betulus</i>
American Hornbeam or Blue Beech	<i>Carpinus caroliniana</i>
Katsura Tree	<i>Cercidiphyllum japonicum</i>
Yellowwood	<i>Cladrastis lutea</i>
Turkish Filbert	<i>Corylus colurna</i>
Golden Raintree	<i>Koelreuteria paniculata</i>
Magnolia	species
Hop Hornbeam or Ironwood	<i>Ostrya virginiana</i>
Purple Robe Locust	<i>Robinia x ambigua</i>

Small street trees under 25' at mature height

Common Name	Scientific Name
Paperbark Maple	<i>Acer griseum</i>
Tartarian Maple	<i>Acer tartaricum</i>
Shadblow Serviceberry	<i>Amelanchier canadensis</i>
Apple Serviceberry hybrids	<i>Amelanchier x grandiflora</i>
Allegheny Serviceberry	<i>Amelanchier laevis</i>
Eastern Redbud	<i>Cercis canadensis</i>
Flowering Dogwood	<i>Cornus florida</i>
Kousa Dogwood	<i>Cornus kousa chinensis</i>
Thornless Cockspur Hawthorn	<i>Crataegus crus-galli</i>
Washington Hawthorn	<i>Crataegus phaenopyrum</i>
Green Hawthorn	<i>Crataegus viridis</i>
Flowering Crabapple	<i>Malus sp.</i>
	<i>Cultivars: 'Adirondack', baccata 'Jackii', 'Bechtel', 'Centzam', 'David', 'Hargozam', 'Pink Spires', 'Prairie Fire', 'Red Barron', 'Red Jewel', 'Sinai Fire', 'Van Esltine', 'Winter Gold', x zumi 'Calocarpa'</i>
Japanese Tree Lilac	<i>Syringa reticulata</i>

Interior Trees

Trees suitable for use within the interior of a site. Permitted street tree species listed in previous tables may also be used in addition to the species identified below.
(bold indicates native species)

Large trees 45' and over at mature height

Common Name	Scientific Name
Ohio Buckeye	<i>Aesculus glabra</i>
Yellow Buckeye	<i>Aesculus octandra</i>
Horsechestnut or Buckeye	<i>Aesculus sp.</i>
Bitternut Hickory	<i>Carya cordiformis</i>
Pignut Hickory	<i>Carya glabra</i>
Shellbark Hickory	<i>Carya laciniosa</i>
Shagbark Hickory	<i>Carya ovata</i>
Mockernut Hickory	<i>Carya tomentosa</i>
Northern Catalpa	<i>Catalpa speciosa</i>
American Holly	<i>Ilex opaca</i>
Black Walnut	<i>Juglans nigra</i>
White Pine	<i>Pinus strobes</i>
Virginia Pine	<i>Pinus virginiana</i>
Black Cherry	<i>Prunus serotina</i>
Chestnut Oak	<i>Quercus prinus</i>
Canadian or Eastern Hemlock	<i>Tsuga Canadensis</i>

Medium trees 25' to 45' at mature height

Common Name	Scientific Name
River Birch	<i>Betula nigra</i>
Hardy Rubber Tree	<i>Eucommia ulmoides</i>
Sassafras	<i>Sassafras albidum</i>
Arborvitae	<i>Thuja occidentalis</i>

Small trees under 25' tall at mature height

Common Name	Scientific Name
Red Buckeye	<i>Aesculus pavia</i>
Pawpaw	<i>Asimina triloba</i>
Dwarf Hackberry	<i>Celtis tenuifolia</i>
Pagoda Dogwood	<i>Cornus alternifolia</i>
Smoke Tree	<i>Cotinus coggygria</i>
Silverbell	<i>Halesia carolina</i>
Wild Plum	<i>Prunus Americana</i>
Oriental or Flowering Cherry	<i>Prunus</i>

Shrubs, Bushes, & Hedges

Plants suitable for individual, screen, biohedge uses (up to 12 feet at mature height)

(bold indicates native species)

Common Name	Scientific Name
Red Chokeberry	<i>Aronia arbutifolia</i>
Black Chokeberry	<i>Aronia melanocarpa</i>
Boxwood	<i>Buxus</i> species
Caolinia Allspice or Sweet Shrub	<i>Calycanthus floridus</i>
New Jersey Tea	<i>Ceanothus americanus</i>
Buttonbush	<i>Cephalanthus occidentalis</i>
Flowering Quince	<i>Chaenomeles</i>
False Cypress	<i>Chamaecyparis</i>
Gray Dogwood	<i>Cornus racemosa</i>
American Hazelnut	<i>Corylus Americana</i>
Cotoneaster	<i>Cotoneaster</i>
Silverbell shrub	<i>Halesia tetraptera</i>
Spring Witch Hazel	<i>Hamamelis vernalis</i>
Eastern Witch Hazel	<i>Hamamelis virginiana</i>
Wild Hydrangia	<i>Hydrangia arborescens</i>
Oakleaf Hydrangia	<i>Hydrangia quercifolia</i>
Winterberry Holly	<i>Ilex verticillata</i>
Virginia Sweetspire	<i>Itea virginica</i>
Juniper	<i>Juniper</i> species
Spicebush	<i>Lindera benzoin</i>
Mockorange	<i>Philadelphus</i>
Ninebark	<i>Physocarpus opulifolius</i>
Shrubby Cinquefoil	<i>Potentilla</i>
Purple Leaf Sand Cherry	<i>Prunus cistena</i>
Sand Cherry	<i>Prunus pumila</i>
Rhododendron	<i>Rhododendron</i> species
Lilac	<i>Syringa vulgaris</i>
Fragrant Sumac	<i>Rhus aromatica</i>
Winged Sumac	<i>Rhus copallina</i>
Shinning Sumac	<i>Rhus glabra</i>
Staghorn Sumac	<i>Rhus typhina</i>
Virginia Rose	<i>Rosa virginiana</i>

Pussy Willow	<i>Salix discolor</i>
Bladdernut	<i>Staphylea trifolia</i>
Coralberry or Indian Currant	<i>Symphoricarpos orbiculatus</i>
Canadian Yew	<i>Taxus canadensis</i>
Weeping Hemlock	<i>Tsuga Canadensis</i> 'pendula'
Highbush Blueberry	<i>Vaccinium corymbosum</i>
Mapleleaf Viburnum	<i>Viburnum acerifolium</i>
Arrowwood	<i>Viburnum dentatum</i>
Nannyberry	<i>Viburnum lentago</i>
Black Haw	<i>Viburnum prunifolium</i>
American Highbush Cranberry	<i>Viburnum trilobum</i>
Prickly Ash	<i>Zanthoxylum americanum</i>

Herbaceous Perennial Plants

Plants suitable for infill, aesthetics, and cover
(bold indicates native species)

Flowering Perennials

Common Name	Scientific Name
Columbine	<i>Aquilegia canadensis</i>
Swamp or Marsh Milkweed	<i>Asclepias incarnata</i>
Common Milkweed	<i>Asclepias syriaca</i>
Butterflyweed	<i>Asclepias tuberosa</i>
Smooth Aster	<i>Aster laevis</i>
Short's Aster	<i>Aster shortii</i>
False Blue Indigo	<i>Baptisia australis</i>
Tall Coreopsis	<i>Coreopsis tripteris</i>
Larkspur	<i>Delphinium tricorne</i>
Purple Coneflower	<i>Echinacea purpurea</i>
Spotted-Joe-Pye-Weed	<i>Eupatorium maculatum</i>
Wild Geranium	<i>Geranium maculatum</i>
Autumn Sneezeweed	<i>Helenium autumnale</i>
Stiff or Prairie Sunflower	<i>Helianthus pauciflorus</i>
False Sunflower	<i>Heliopsis helianthoides</i>
Hosta	<i>Hosta</i> species
Violet Lespedeza	<i>Lespedeza violacea</i>
Prairie Blazing Star	<i>Liatris pycnostachya</i>
Dense Blazing Star	<i>Liatrus spicata</i>
Cardinal Flower	<i>Lobelia cardinalis</i>
Great Blue Lobelia	<i>Lobelia siphilitica</i>
Virginia Bluebells	<i>Mertensia virginica</i>
Bergamot or Bee-balm	<i>Monarda fistulosa</i>
Purple Prairie Clover	<i>Petalostemum purpureum</i>
Blue Phlox	<i>Phlox divaricata</i>
Summer Phlox	<i>Phlox paniculata</i>
Obedient Plant	<i>Physostegia virginiana</i>
Yellow Coneflower	<i>Ratibida pinnata</i>
Black-Eyed-Susan	<i>Rudbeckia hirta</i>
Green-Headed Coneflower	<i>Rudbeckia laciniata</i>
Sweet Coneflower	<i>Rudbeckia subtomentosa</i>

Stiff Goldenrod	<i>Solidago rigida</i>
Blue-stemmed Goldenrod	<i>Solidago caesia</i>
Grey Goldenrod	<i>Solidago nemoralis</i>
Royal Catchfly	<i>Silene regia</i>
Fire Pink	<i>Silene virginica</i>
Celandine Poppy	<i>Stylophorum diphyllum</i>
Culver's Root	<i>Veronicastrum virginicum</i>
Violet	<i>Viola sororia</i>

Ground Covers

Common Name	Scientific Name
Canada Anemone	<i>Anemone canadensis</i>
Wild Ginger	<i>Asarum canadense</i>
Palm Sedge	<i>Carex muskingumensis</i>
Common Oak Sedge	<i>Carex pensylvanica</i>
Green and Gold	<i>Chrysogonum virginianum</i>
Running Strawberry Bush	<i>Euonymus obovatus</i>
Wild Strawberry	<i>Fragaria virginiana</i>
Dwarf Crested Iris	<i>Iris cristata</i>
Creeping Phlox	<i>Phlox subulata</i>
Partridge Berry	<i>Mitchella repens</i>
Wild Stonecrop	<i>Sedum ternatum</i>
Foam Flower	<i>Tiarella cordifolia</i>

Vines

Common Name	Scientific Name
Woolly Douchman's Pipe	<i>Aristolochia tomentosa</i>
Crossvine	<i>Bignonia capreolata</i>
Trumpet Creeper	<i>Campsis radicans</i>
American Bittersweet	<i>Celastrus scandens</i>
Virgin's Bower (native clematis)	<i>Clematis virginiana</i>
Virginia Creeper	<i>Parthenocissus quinquefolia</i>

Plants Suitable for Erosion Control

Common Name	Scientific Name
Canada Anemone	<i>Anemone canadensis</i>
Wild Ginger	<i>Asarum canadense</i>
Canada Milkvetch	<i>Astragalus canadensis</i>
Sideoats Grama	<i>Bouteloua curtipendula</i>
Roundheaded bushclover	<i>Lespedeza capitata</i>
Switch Grass	<i>Panicum virgatum</i>
Little Bluestem	<i>Schizachyrium scoparium</i>
Coralberry	<i>Symphoricarpos orbiculatus</i>
Goat's Rue	<i>Tephrosia virginiana</i>
Purple Vetch	<i>Vinca americana</i>

Ferns

Common Name	Scientific Name
Maidenhair Fern	<i>Adiantum pedatum</i>
Lady Fern	<i>Athyrium filix-femina</i>
Giant Wood Fern or Goldie's Fern	<i>Dryopteris goldiana</i>
Evergreen Shield Fern	<i>Dryopteris marginalis</i>
Ostrich Fern	<i>Matteuccia struthiopteris</i>
Cinnamon Fern	<i>Osmunda cinnamomea</i>
Christmas Fern	<i>Polystichum acrostichoides</i>

Grasses

Common Name	Scientific Name
Big Bluestem	<i>Andropogon gerardii</i>
Side-Oats Gramma	<i>Bouteloua curtipendula</i>
Bottlebrush Grass	<i>Elymus hystrix</i>
June Grass	<i>Koeleria macrantha</i>
Switch Grass	<i>Panicum virgatum</i>
Little Bluestem	<i>Schizachyrium scoparium</i>
Prarie Dropseed	<i>Sporobolus heterolepis</i>

20.05.058 Exhibit LA-B: Invasive Species, Species with Poor Characteristics and Noxious or Detrimental Plants

Species considered unacceptable and that should not be planted because of invasive characteristics, weak wood, and/or abundant litter.

* = Indiana State-listed noxious weeds (USDA, INDNR, &/or State Seed Commissioner)

+ = Indiana detrimental plants (INDNR)

Unacceptable Plants

Invasive Trees

Common Name	Scientific Name
Amur Maple	<i>Acer ginnala</i>
Norway Maple	<i>Acer platanoides</i>
Tree-of-Heaven	<i>Ailanthus altissima</i>
Russian Olive	<i>Elaeagnus angustifolia</i>
Autumn Olive	<i>Elaeagnus umbellata</i>
White Mulberry	<i>Morus alba</i>
European or Common Buckthorn	<i>Rhamnus cathartica</i>
Glossy or Smooth Buckthorn	<i>Rhamnus frangula</i>
Buckthorn Tallhedge	<i>Rhamnus frangula columnaris</i>
Black Locus	<i>Robinia pseudoacacia</i>
Siberian Elm	<i>Ulmus pumila</i>

Trees with Poor Characteristics

Common Name	Scientific Name
Box Elder	<i>Acer negundo</i>
Silver maple	<i>Acer saccharinum</i>
European White Birch	<i>Betula pendula</i>
Ash	<i>Fraxinus species</i>

Ginkgo (female only)	<i>Ginkgo biloba</i>
Flowering Crabapple	<i>Malus</i>
Cultivars: 'Brandywine', 'Candied Apple', 'Donald Wyman', 'Doubloons', 'Indian Magic', 'Indiana Summer', 'Liset', 'Madonna', 'Mary Potter', 'Prairie Maid', 'Profusion', 'Robinson', 'Selkirk', 'Sentinel', 'Snowdrift', 'Sugar Tyme', 'Velvet Pillar', 'White Cascade', 'White Candle'.	
Bradford Pear	<i>Pyrus calleryana</i>
American Elm	<i>Ulmus Americana</i>

Invasive Herbaceous Perennials

Common Name	Scientific Name
Wild Garlic and Wild Onion	<i>Alliums spp.</i> *
Garlic Mustard	<i>Alliaria petiolata</i>
Cornflower or Bachelor's Button	<i>Centaurea cyanus</i>
Russian Knapweed	<i>Centaurea repens</i> *
Canada Thistle	<i>Cirsium arvense</i> *+
Grecian Foxglove	<i>Digitalis lanata</i>
Teasel	<i>Dipsacus fullonum ssp. Sylvestris</i>
Giant Hogweed	<i>Fallopia japonica</i>
Dame's Rocket	<i>Hesperis matronalis</i>
Meadow Fleabane or British Yellowhead	<i>Inula britannica</i>
Sericea Lespedeza	<i>Lespedeza cuneata</i>
Purple Loosestrife	<i>Lythrum salicaria</i> *
Sweet Clover	<i>Melilotus alba, M. officinalis</i>
Star of Bethlehem	<i>Ornithogalum umbellatum</i>
Japanese Knotweed	<i>Polygonum cuspidatum</i>
Perennial Sowthistle	<i>Sonchus arvensis</i> *

Invasive Grasses

Common Name	Scientific Name
Quackgrass	<i>Agropyron repens</i> *
Smooth Brome	<i>Bromus inermis</i>
Tall Fescue	<i>Festuca elatior</i>
Perennial Peppergrass	<i>Lepidium draba</i> *
Japanese Stilt Grass	<i>Microstegium vimineum</i>
Maiden Grass	<i>Miscanthus sinensis</i>
Reed Canary Grass	<i>Phalaris arundinacea</i>
Common Reed Grass	<i>Phragmites australis</i>
Columbus Grass	<i>Sorghum almun Parodi</i> *
Shattercane	<i>Sorghum bicolor</i> *+
Johnson Grass or Sorghum Almun	<i>Sorghum halepense</i> *+

Invasive Vines and Groundcovers

Common Name	Scientific Name
Oriental Bittersweet	<i>Celastrus orbiculatus</i>
Field Bindweed	<i>Convolvulus arvensis</i> *
Crown Vetch	<i>Coronilla varia</i>

Black Swallow-Wort	<i>Cynanchum nigrum, syn. Vincetoxicum nigrum</i>
Pale Swallow-Wort	<i>Cynanchum rossicum</i>
Potato vine	<i>Dioscorea batatas</i>
Chinese Yam	<i>Dioscorea oppositifolia</i>
Purple Winter Creeper	<i>Euonymus fortunei</i>
Creeping Charlie	<i>Glechoma hederacea</i>
English Ivy	<i>Hedera helix</i>
Japanese Hops	<i>Humulus japonicus</i>
Japanese Honeysuckle	<i>Lonicera japonica</i>
Amur Honeysuckle	<i>Lonicera maackii</i>
Creeping Jenny or Moneywort	<i>Lysimachia nummularia</i>
Mile-A-Minute Weed	<i>Polygonum perfoliatum</i>
Kudzu	<i>Pueraria montana lobata</i>
Poison Ivy	<i>Rhus radicans</i>
Bur Cucumber	<i>Sicyos angulatus *+</i>
Periwinkle or Myrtle	<i>Vinca minor</i>

Invasive Shrubs

<u>Common Name</u>	<u>Scientific Name</u>
Black Alder	<i>Alnus glutinosa</i>
Japanese Barberry	<i>Berberis thunbergii</i>
Butterfly Bush	<i>Buddleia davidii</i>
Asiatic Bittersweet	<i>Celastrus scandens</i>
Burning Bush	<i>Euonymus alatus</i>
Bicolor Lespedeza	<i>Lespedeza bicolor</i>
Common Privet	<i>Ligustrum vulgare</i>
Bush or Amur Honeysuckle	<i>Lonicera maackii</i>
Morrow's Honeysuckle	<i>Lonicera morowii</i>
Tatarian Honeysuckle	<i>Lonicera tatarica</i>
Multiflora Rose	<i>Rosa multiflora *</i>
Japanese Spirea	<i>Spiraea japonica</i>
Atlantic Poison Oak	<i>Toxicodendron pubescens, syn. Rhus pubescens</i>
Poison Sumac	<i>Toxicodendron vernix, syn Rhus vernix</i>
European Highbush Cranberry	<i>Viburnum opulus v. opulus</i>

(a) ~~Deciduous Canopy Trees – Street:~~

~~Trees suitable for planting along public streets and highways and in locations where low maintenance, hardy specimens with high canopies are required.~~

<i>Acer nigrum</i>	Black Maple
<i>Acer rubrum</i>	Red Maple
<i>Acer saccharum</i>	Sugar Maple
<i>Acer x freemanii</i>	Freeman Maple
<i>Aesculus hippocastanum</i>	Horse Chestnut
<i>Aesculus glabra</i>	Ohio Buckeye
<i>Aesculus x carnea</i>	Red Horse Chestnut
<i>Alnus glutinosa</i>	Black Alder
<i>Betula nigra</i>	River Birch
<i>Celtis laevigata</i>	Sugar Hackberry
<i>Celtis occidentalis</i>	Common Hackberry
<i>Fagus grandifolia</i>	American Beech

<i>Fagus sylvatica</i>	European Beech
<i>Ginkgo biloba</i>	Ginkgo (male only)
<i>Gleditsia triacanthos</i>	Honeylocust
<i>Gymnocladus dioicus</i>	Kentucky Coffee Tree
<i>Liquidambar styraciflura</i>	Sweet Gum
<i>Liriodendron tulipifera</i>	Tulip Tree
<i>Metasequoia glyptostroboides</i>	Dawn Redwood
<i>Nyssa sylvatica</i>	Black Gum or Tupelo
<i>Platanus occidentalis</i>	Sycamore
<i>Platanus x acerifolia</i>	London Planetree
<i>Quercus acutissima</i>	Sawtooth Oak
<i>Quercus alba</i>	White Oak
<i>Quercus bicolor</i>	Swamp White Oak
<i>Quercus coccinea</i>	Scarlet Oak
<i>Quercus imbricaria</i>	Shingle Oak
<i>Quercus macrocarpa</i>	Bur Oak
<i>Quercus robur</i>	English Oak
<i>Quercus rubra borealis</i>	Northern Red Oak
<i>Quercus Shumardii</i>	Shumard Oak
<i>Quercus velutina</i>	Black Oak
<i>Taxodium distichum</i>	Bald Cypress
<i>Zelkova serrate</i>	Japanese Zelkova

(b) Interior Trees:

Trees acceptable for use within the interior of a site. This list includes canopy, ornamental and evergreen trees.

Large Trees (40 feet and over):

<i>Acer saccharum</i>	Sugar Maple
<i>Aesculus octandra</i>	Yellow Buckeye
<i>Aesculus species</i>	Buckeye, Horsechestnut
<i>Carya cordiformis</i>	Bitternut Hickory
<i>Carya glabra</i>	Pignut Hickory
<i>Carya laciniosa</i>	Shellbark Hickory
<i>Carya ovata</i>	Shagbark Hickory
<i>Carya tomentosa</i>	Mockernut Hickory
<i>Catalpa speciosa</i>	Northern Catalpa
<i>Celtis occidentalis</i>	Hackberry
<i>Fagus grandifolia</i>	American Beech
<i>Gymnocladus dioica</i>	Kentucky Coffee Tree
<i>Ilex opaca</i>	American Holly
<i>Junlans nigra</i>	Black Walnut
<i>Liriodendron tulipifera</i>	Tulip Tree
<i>Pinus species</i>	Pine
<i>Pinus strobes</i>	White Pine
<i>Pinus virginiana</i>	Virginia Pine
<i>Prunus serotina</i>	Black Cherry
<i>Quercus imbricaria</i>	Shingle Oak
<i>Quercus macrocarpa</i>	Burr Oak
<i>Quercus prinus</i>	Chestnut Oak
<i>Tilia americana</i>	American Linden
<i>Tsuga Canadensis</i>	Canadian or Eastern Hemlock

Medium Trees (25 to 40 feet):

<i>Acanthopanax sieboldiana</i>	Castor Aralia
<i>Acer campestre</i>	Hedge Maple
<i>Acer maximowiczianum</i>	Nikko Maple
<i>Acer triflorum</i>	Three Flowered Maple
<i>Aesculus glabra</i>	Ohio Buckeye
<i>Amelanchier arborea</i>	Downy Serviceberry
<i>Betula nigra</i>	River Birch
<i>Carpinus betulus</i>	European Hornbeam
<i>Carpinus caroliniana</i>	American Hornbeam
<i>Celtis occidentalis</i>	Hackberry
<i>Cercidiphyllum japonicum</i>	Katsura Tree
<i>Cladrastis kentukea (lutea)</i>	Yellowwood
<i>Corylus colurna</i>	Turkish Filbert
<i>Crataegus crus galli</i>	Cockspur Hawthorn
<i>Crataegus phaenopyrum</i>	Washington Hawthorn
<i>Crataegus viridis</i>	Winter Green King Hawthorn
<i>Diospyros virginiana</i>	Persimmon
<i>Eucommia ulmoides</i>	Hardy Rubber Tree
<i>Juniperis virginiana</i>	Eastern Red Cedar
<i>Maackia amurensis</i>	Amur Maackia
<i>Magnolia species</i>	Magnolia
<i>Ostrya virginiana</i>	Hop Hornbeam
<i>Phellodendron amurense</i>	Amur Corktree
<i>Pyrus calleryana</i>	Callery Pear
<i>Robinia x ambigua</i>	Purple Robe Locust
<i>Sassafras albidum</i>	Sassafras Tree
<i>Thuja occidentalis</i>	Arborvitae

Small Trees (Under 25 feet):

<i>Acer griseum</i>	Paperbark maple
<i>Acer palmatum</i>	Japanese Maple
<i>Acer tartaricum</i>	Tartarian Maple
<i>Aesculus pavia</i>	Red Buckeye
<i>Amelanchier Canadensis</i>	Shadblow Serviceberry
<i>Asimina triloba</i>	Pawpaw
<i>Carpinus carolinia</i>	American Hornbeam or Ironwood
<i>Celtis tenuifolia</i>	Dwarf Hackberry
<i>Cercis canadensis</i>	Eastern Redbud
<i>Cornus alternifolia</i>	Pagoda Dogwood
<i>Cornus florida</i>	Flowering Dogwood
<i>Cornus kousa</i>	Kousa Dogwood
<i>Cornus mas</i>	Cornelian Cherry
<i>Cotinus coggygria</i>	Smoke Tree
<i>Crataegus phaenopyrum</i>	Washington Hawthorne
<i>Crataegus viridis</i>	Green Hawthorn
<i>Halesia Carolina</i>	Silverbell
<i>Malus species</i>	Crabapples
<i>Prunus Americana</i>	Wild Plum
<i>Prunus species</i>	Oriental or Flowering Cherry
<i>Pyrus calleryana</i>	Pear
<i>Syringa reticulata</i>	Japanese Tree Lilac

<i>Viburnum lantana</i>	Wayfaring Tree
<i>Viburnum lentago</i>	Nannyberry Viburnum
<i>Viburnum plicatum tomentosum</i>	Doublefile Viburnum
<i>Viburnum prunifolium</i>	Blackhaw Viburnum

(c) Shrubs, Hedges, Vines and Groundcovers:

Plantings acceptable for use in screening, groundcover, wetland enhancement, and erosion control. This category shall include shrubs, biohedges, sedges, forbs, edge vegetation, vines, perennials, and grasses where required by this Unified Development Ordinance.

Shrubs and Biohedges (4 to 12 feet):

<i>Aronia arbutifolia</i>	Red Chokeberry
<i>Aronia melanocarpa</i>	Black Chokeberry
<i>Aster novae angliae</i>	New England Aster
<i>Berberis species</i>	Barberry
<i>Buddleia davidii</i>	Butterfly Bush
<i>Buxus species</i>	Boxwood
<i>Calycanthus floridus</i>	Sweet Shrub
<i>Ceanothus americanus</i>	New Jersey Tea
<i>Cephalanthus occidentalis</i>	Buttonbush
<i>Chaenomeles species</i>	Flowering Quince
<i>Chamaecyparis species</i>	False Cypress
<i>Cornus alba</i>	Red twig Dogwood
<i>Cornus racemosa</i>	Gray Dogwood
<i>Corylus americana</i>	American Hazelnut
<i>Cotoneaster species</i>	Cotoneaster
<i>Euonymus species</i>	Burning Bush (except for <i>Euonymus fortunei</i>)
<i>Forsythia species</i>	Forsythia
<i>Halesia tetraptera</i>	Silverbell shrub
<i>Hamamelis virginiana</i>	Eastern Witch Hazel
<i>Hamamelis vernalis</i>	Spring Witch Hazel
<i>Hibiscus syriacus</i>	Rose of Sharon
<i>Hydrangia arborescens</i>	Wild Hydrangia
<i>Hydrangea Quercifolia</i>	Oakleaf Hydrangia
<i>Ilex verticillata</i>	Winterberry Holly
<i>Itea virginica</i>	Virginia Sweetspire
<i>Juniperus species</i>	Junipers
<i>Ligustrum obtusifolium</i>	Border Privet
<i>Ligustrum</i>	“Golden Vicaryi” Privet
<i>Lindera benzoin</i>	Spicebush
<i>Philadelphus species</i>	Mockorange
<i>Physocarpus opulifolius</i>	Ninebark
<i>Picea abies</i>	Birds Nest Spruce
<i>Picea mugo</i>	Dwarf Mountain Pine
<i>Potentilla</i>	Shrubby Cinquefoil
<i>Prunus cistena</i>	Purple Leaf Sand Cherry
<i>Prunus pumila</i>	Sand Cherry
<i>Rhododendron species</i>	Rhododendron
<i>Syringa vulgaris</i>	Lilac
<i>Rhus aromatica</i>	Fragrant Sumac
<i>Rhus copallina</i>	Winged Sumac

<i>Rhus glabra</i>	Shinning Sumac
<i>Rhus typhina</i>	Staghorn Sumac
<i>Rosa virginiana</i>	Virginia Rose
<i>Salix discolor</i>	Pussy Willow
<i>Spirae</i> species (except Japanese)	Spirea
<i>Staphylea trifolia</i>	Bladdernut
<i>Symphoricarpos orbiculatus</i>	Coralberry or Indian Currant
<i>Taxus cuspidata capitata</i>	Upright Yew
<i>Thuja occidentalis</i>	Arborvitae
<i>Tsuga canadensis 'pendula'</i>	Weeping Hemlock
<i>Vaccinium corymbosum</i>	Highbush Blueberry
<i>Viburnum acerifolium</i>	Mapleleaf Viburnum
<i>Viburnum dentatum</i>	Arrowwood
<i>Viburnum lentago</i>	Nannyberry
<i>Viburnum prunifolium</i>	Black Haw
<i>Viburnum trilobum</i>	American Highbush Cranberry
<i>Weigela vaniccki</i>	Cardinal Shrub
<i>Zanthoxylum americanum</i>	Prickly Ash

Groundcovers:

<i>Anemone canadensis</i>	Canada Anemone
<i>Asarum canadense</i>	Wild Ginger
<i>Carex muskingumens</i>	Palm Sedge
<i>Carex pensylvanica</i>	Common Oak Sedge
<i>Chrysogonum virginianum</i>	Green and Gold
<i>Euonymus obovatus</i>	Running Strawberry Bush
<i>Fragaria virginiana</i>	Wild Strawberry
<i>Iris cristata</i>	Dwarf Crested Iris
<i>Mitchella repens</i>	Partridge Berry
<i>Phlox subulata</i>	Creeping Phlox
<i>Tiarella cordifolia</i>	Foam Flower

Vines:

<i>Aristolochia tomentosa</i>	Wooly Douchman's Pipe
<i>Bignonia capreolata</i>	Crossvine
<i>Campsis radicans</i>	Trumpet Creeper
<i>Celastrus scandens</i>	American Bittersweet
<i>Clematis virginiana</i>	Virgin's Bower (native clematis)
<i>Parthenocissus quinquefolia</i>	Virginia Creeper

Flowering Perennials:

<i>Aquilegia canadensis</i>	Columbine
<i>Aselepias incarnate</i>	Swamp or Marsh Milkweed
<i>Aselepias syriaca</i>	Common Milkweed
<i>Aselepias tuberosa</i>	Butterflyweed
<i>Aster laevis</i>	Smooth Aster
<i>Aster nova angliae</i>	New England Aster
<i>Aster shortii</i>	Short's Aster
<i>Baptisia australis</i>	False Blue Indigo
<i>Coreopsis tripteris</i>	Tall Coreopsis
<i>Delphinium tricorne</i>	Larkspur

<i>Echinacea purpurea</i>	Purple Coneflower
<i>Eupatorium maculatum</i>	Spotted Joe Pye Weed
<i>Geranium maculatum</i>	Wild Geranium
<i>Helenium autumnale</i>	Autumn Sneezeweed
<i>Helianthus</i>	Sunflower
<i>Heliopsis belianthoides</i>	False Sunflower
<i>Lespedeza violacea</i>	Violet Lespedeza
<i>Lespedeza viola</i>	Dense Blazing Star
<i>Lobelia cardinalis</i>	Cardinal Flower
<i>Lobelia siphilitica</i>	Great Blue Lobelia
<i>Mertensia virginica</i>	Virginia Bluebells
<i>Monarda fistulosa</i>	Bergamot or Bee balm
<i>Petalostemum purpureum</i>	Purple Prairie Clover
<i>Phlox divaricata</i>	Blue Phlox
<i>Phlox paniculata</i>	Summer Phlox
<i>Physostegia virginiana</i>	Obedient Plant
<i>Ratibida pinnata</i>	Yellow Coneflower
<i>Rudbeckia hirta</i>	Black Eyed Susan
<i>Rudbeckia laciniata</i>	Green Headed Coneflower
<i>Rudbeckia subtomentosa</i>	Sweet Coneflower
<i>Silene regia</i>	Royal Catchfly
<i>Silene virginica</i>	Fire Pink
<i>Solidago caesia</i>	Blue-stemed Goldenrod
<i>Solidago nemoralis</i>	Grey Goldenrod
<i>Solidago rigida</i>	Stiff Goldenrod
<i>Stylophorum diphyllum</i>	Celandine Poppy
<i>Veronicastrum virginicum</i>	Culver's Root
<i>Viola</i>	Violets

Plants Suitable for Erosion Control:

<i>Anemone Canadensis</i>	Canada Anemone
<i>Asarum canadense</i>	Wild Ginger
<i>Astragalus Canadensis</i>	Canada Milkvetch
<i>Bouteloua</i>	Sideoats Grama
<i>Lespedeza capitata</i>	Roundheaded bushclover
<i>Panicum virgatum</i>	Switch Grass
<i>Schizachyrium scoparium</i>	Little Bluestem
<i>Symphoricarpos orbiculatus</i>	Coralberry
<i>Tephrosia virginiana</i>	Goat's Rue
<i>Vinea amerecana</i>	Purple Vetch

Ferns:

<i>Adiantum pedatum</i>	Maidenhair Fern
<i>Athyrium filix femina</i>	Lady Fern
<i>Dryopteris goldiana</i>	Giant Wood Fern or Goldie's Fern
<i>Dryopteris marginalis</i>	Evergreen Shield Fern
<i>Matteuccia struthiopteris</i>	Ostrich Fern
<i>Osmunda cinnamomea</i>	Cinnamon Fern
<i>Polystichum acrostichoides</i>	Christmas Fern

Plants and Trees Suitable for Wet Areas:

<i>Acer rubrum</i>	Red Maple
<i>Asclepias incarnate</i>	Swamp Milkweed
<i>Betula nigra</i>	River Birch
<i>Cephalanthus occidentalis</i>	Buttonbush
<i>Chelone glabra</i>	White Turtlehead
<i>Eupatorium purpureum</i>	Sweet Joe Pye Weed
<i>Filipendula rubra</i>	Queen-of-the-Prairie
<i>Iris versicolor shrevei</i>	Blue Flag Iris
<i>Lobelia cardinalis</i>	Cardinal Flower
<i>Lobelia siphilitica</i>	Great Blue Lobelia
<i>Mimulus ringens</i>	Monkey Flower
<i>Monarda fistulosa</i>	Wild Bergamont
<i>Platanus occidentalis</i>	Sycamore
<i>Quercus bicolor</i>	Swamp White Oak
<i>Quercus lyrata</i>	Overcup Oak
<i>Quercus palustris</i>	Pin Oak
<i>Salix species</i>	Willow
<i>Tamarix ramosissima</i>	Bald Cypress

Grasses:

<i>Andropogon gerrardii</i>	Big Bluestem
<i>Bouteloua curtipendula</i>	Side Oats Gramma
<i>Elymus bystris</i>	Bottlebrush Grass
<i>Koeleria pyramidata</i>	June Grass
<i>Panicum virgatum</i>	Switch Grass Prairie grasses
<i>Schizachyrium scoparium</i>	Little Bluestem
<i>Sporobolus heterolepis</i>	Prairie Dropseed

20.05.058 Exhibit LA-B: Invasive Species, Species with Poor Characteristics and Noxious or Detrimental Plants

Species considered unacceptable and that should not be planted because of invasive characteristics, weak wood, and/or abundant litter are:

Trees; Invasive Species:

<i>Acer ginnala</i>	Amur Maple
<i>Acer platanoides</i> “Columnar”	Norway Maple
<i>Acer platanoides</i> “Crimson King”	Norway Maple
<i>Acer platanoides</i> “Royal Red”	Norway Maple
<i>Acer platanoides</i> “Schwedlet’s”	Norway Maple
<i>Acer platanoides</i> “Summershade”	Norway Maple
<i>Ailanthus altissima</i>	Tree of Heaven
<i>Elaeagnus angustifolia</i>	Russian Olive
<i>Elaeagnus pungens</i>	Thorny Olive
<i>Elaeagnus umbellata</i>	Autumn Olive
<i>Spiraea japonica</i>	Japanese spirea
<i>Morus alba</i>	White Mulberry
<i>Rhamnus cathartica</i>	European or Common Buckthorn
<i>Rhamnus frangula</i>	Glossy or Smooth Buckthorn
<i>Rhamnus frangula columnaris</i>	Buckthorn Tallhedge
<i>Robinia pseudoacacia</i>	Black locust
<i>Sorbus aucuparia</i>	European Mountain Ash

Ulmus pumila ————— Siberian Elm

Trees; Poor Characteristic Species:

Acer negundo ————— Box Elder
Acer saccharinum ————— Silver maple
Betula pendula ————— European White Birch
Fraxinus species ————— Ash
Ginkgo biloba ————— Ginkgo (female only)
Pyrus calleryana “Bradford” ————— Bradford Pear
Ulmus americana “Moline” ————— American Elm

Invasive Flowers:

Alliaria petiolata ————— Garlic Mustard
Centaurea cyanus ————— Cornflower or Bachelor’s Button
Centaurea repens ————— Russian Knapweed
Cirsium arvense ————— Canada Thistle
Digitalis lanata ————— Grecian Foxglove
Fallopia japonica ————— Giant Hogweed
Hesperis matronalis ————— Dame’s Rocket
Inula britannica ————— Meadow Feabane or British Yellowhead
Lespedeza cuneata ————— Sericea lespedeza
Lythrum salicaria ————— Purple Loosestrife
Melilotus alba, M. officinalis ————— Sweet Clover
Ornithogalum umbellatum ————— Star of Bethlehem
Polygonum cuspidatum ————— Japanese knotweed
Sonchus arvensis ————— Perennial Sowthistle

Invasive Grasses:

Agropyron repens ————— Quackgrass
Bromus inermis ————— Smooth Brome
Festuca elatior ————— Tall Fescue
Lepidium draba ————— Perennial Peppergrass
Microstegium vimineum ————— Japanese Stilt Grass
Miscanthus sinensis ————— Maden Grass
Phalaris arundinacea ————— Reed Canary Grass
Phragmites australis ————— Common Reed Grass
Sorghum bicolor ————— Johnson Grass or Sorghum Alum
Sorghum halepense ————— Shattercane

Invasive Vines and Groundcovers:

Celastrus orbiculatus ————— Oriental Bittersweet
Coronilla varia ————— Crown Vetch
Convolvulus arvensis ————— Field Bindweed
Euonymus fortunei ————— Purple Winter Creeper
Glechoma hederacea ————— Creeping Charlie
Hedera helix ————— English Ivy
Humulus japonicus ————— Japanese Hops
Lonicera japonica ————— Japanese Honeysuckle
Lonicera maaackii ————— Amur Honeysuckle
Lonicera tatarica ————— Bush or Tatarian Honeysuckle
Lysimachia nummularia ————— Creeping Jenny

<i>Polygonum perfoliatum</i>	Mile a minute Weed
<i>Pueraria lobata</i>	Kudzu
<i>Sicyos angulatus</i>	Bur Cucumber
<i>Vinca minor</i>	Myrtle
<i>Vinca minor</i>	Periwinkle
<i>Vincetoxicum nigrum, syn. Cynanchum nigrum</i>	Black Swallow wort

Invasive Shrubs:

<i>Alnus glutinosa</i>	Black Alder
<i>Celastrus scandens</i>	Asiatic Bittersweet
<i>Ligustrum obtusifolium</i>	Blunt leaved Privet
<i>Lespedeza bicolor</i>	Bicolor Lespedeza
<i>Ligustrum vulgare</i>	Common Privet
<i>Rosa multiflora</i>	Multiflora Rose
<i>Viburnum opulus v. opulus</i>	Highbush Cranberry

Ordinance 09-12

Amendments to Title 20 (Unified Development Ordinance) Adopted by the Plan Commission

Council Amendment #: **CCL-004** Plan Commission Amendment #: **UDO – 093**

Sponsor: Piedmont-Smith Date: July 30, 2009

Synopsis

Requires grading permit for single family lots which have not been part of a larger grading plan.

UDO-093 was requested by the Environmental Commission and would eliminate an exemption in the Unified Development Ordinance that allows land-disturbing activity on single-family lots without the prior receipt of a grading permit. The purpose of the current language in the UDO is to streamline the process for property owners who wish to secure a building permit or simply remove a diseased tree. In this case, a streamlined process makes sense because disturbance limits and tree removal restrictions have often been determined during the issuance of a detailed grading permit covering the lot as part of a larger subdivision. However, the unintended consequence of this exemption is that, on two occasions, owners of single-family lots have been able to remove trees without any regulation from the City. The proposed amendment would still allow the current exemption as long as a previous grading permit has been issued addressing land disturbing activity for the single-family lot.

CCL-004 amends UDO-093 which was not adopted by the Plan Commission. Changes to UDO-093 include: 1) identifying ‘tree removal’ as an activity that can be regulated through the site plan review process, 2) identifying certain tree removal activities that are exempt from review, and 3) identifying other tree removal activities which require Certificates of Zoning Compliance, site plan review, and compliance with the tree preservation standards of the UDO.

Plan Commission No Action [3:5]

Action:

Council Action:

Action Date:

Page 9-10

20.09.120

- (b) Applicability: Submission and approval of a Site Plan shall be required in all zoning districts established in *Chapter 20.01: Ordinance Foundation* of this Unified Development Ordinance. Every application for a permit and/or Certificate of Zoning Compliance for grading, establishment of a use or change in use, new construction, ~~or~~ any building addition, **or tree removal** shall also be an application for Site Plan approval, except as provided otherwise herein.

Page 9-28

20.09.220

- (b) Certificate of Zoning Compliance Required: The City requires that a Certificate of Zoning Compliance (herein after “CZC”) shall be obtained for any of the following actions. A single CZC may be issued for a combination of such actions, if they occur together. Any application for a CZC, permit or other approval for an action described in Division (5) of this Subsection shall be subject to the procedures outlined in *Section 20.09.230: Demolition Delay*:

- (1) Alteration, erection, construction, reconstruction, division, enlargement, demolition, partial demolition or moving of any building, structure, or mobile home;
- (2) Establishment of a use or change in use to another use (see *Chapter 20.11: Definitions*; “*Change in Use*”);
- (3) Enlargement in the area used for any use or relocation of a use to another portion of a lot, site, or building;
- (4) Grading, improvement, or other alteration of land, including paving or the establishment of drives or parking areas, or any other land distributing activity.
- (5) Any action, whether or not listed in Divisions (1) through (4) of this Subsection, that would result in partial or complete demolition of any exterior portion of a building or structure that is listed as ‘Outstanding’, ‘Notable’, or ‘Contributing’ on the Indiana Historic Sites and Structures Inventory: 2001 City of Bloomington Interim Report adopted on October 17, 2002, by the Bloomington Historic Preservation Commission (hereinafter “HPC”) as the same may be hereafter amended or replaced (hereinafter “Historic Survey”). Such action shall be subject to the procedures outlined in *Section 20.09.230: Demolition Delay*. An accessory building or structure not attached to the principal building or structure upon the listed parcel shall not be considered “listed” within the meaning of this ordinance unless the accessory building or structure is of the same era of construction as the principal building or structure, as determined by the planning staff. Such determination shall be based upon resources that may include but shall not be limited to Sanborn Company Fire Insurance maps, visual inspection of the accessory building or structure, and records and expertise of HPC or its staff.
- (6) Tree removal. If such activity involves the removal of dead, dying, or hazardous trees, or exotic, invasive vegetation, as verified by the Planning Department, no CZC is required. Tree removal requests which decrease the baseline canopy cover of a site require a CZC and must follow the procedures outlined in *Section 20.09.120: Site Plan Review* and comply with the requirements of *Section 20.05.044: Environmental Standards; Tree and Forest Preservation*.

Ordinance 09-12

Amendments to Title 20 (Unified Development Ordinance) Adopted by the Plan Commission

Council Amendment #: CCL-008 Plan Commission Amendment #: UDO – 066

Submitted By: Plan Staff Date: July 31, 2009

Synopsis

Clarifies “masonry” materials to be used in residential projects

UDO-066 was adopted by the Plan Commission. It would revise the list of materials allowed for residential dwellings constructed in single family and multifamily zoning districts by specifying the types of materials typically characteristic of a masonry product. Currently, the UDO does not clarify this term, and this has created questions as to what specific materials are permitted.

CCL-008 would amend UDO-066 and adds other potential residential building materials to accommodate the possibility of newer and more sustainable materials.

Plan Commission Adopt [10:0]

Action:

Council Action on Postpone Until August 5, 2009 8 – 0 (Absent: Volan)

UDO-066:

Action Date: July 8, 2009

Council Action on

CCL-008:

Action Date:

Page 5-15

20.05.016

(b) Standards: The following architectural standards shall apply:

(1) *Materials*: Primary exterior finish building materials used on residential dwellings shall consist of any of the following:

(A) Horizontal lap siding (*e.g.* vinyl, cementitious, wood);

(B) V-grooved tongue-and-groove siding;

(C) Wood-grained vertical siding materials in a board-and-batten or reverse batten pattern;

(D) Cedar or other wood materials;

(E) Stucco, plaster, or similar systems;

(F) Stone;

(G) ~~Masonry~~ Split face block, ground face block, or brick;

(H) Cast or cultured stone;

(I) Cast in place concrete;

(J) Earthen structural materials;

(K) Other materials that replicate the look and durability of the above materials, as approved by the planning staff.

Ordinance 09-12

Amendments to Title 20 (Unified Development Ordinance) Council Amendments

Council Amendment #: CCL-007 Plan Commission Amendment #: N/A

Sponsor: Satterfield Date: July 31, 2009

Synopsis

Allows banks to have up to three drive-through bays in CG district

This amendment would allow banks to have up to three (3) drive-through bays when located in the Commercial General (CG) zoning district. Currently, banks, like other drive-through uses, are limited to a single bay for vehicle transactions. Since patrons of banks typically conduct a large number of transactions using personal vehicles, this allowance for additional drive-through bays is more reflective of how this particular land use functions. *Note: CCL-007 does not amend any Plan Commission action and, therefore, will be treated as a Council proposal to initiate an amendment to the UDO under IC 36-7-4-607(b).*

Plan Commission N/A

Action:

Council Action:

Action Date:

Page 5-92

20.05.093(a)

- (2) All uses, except for banks/credit unions shall be limited to one (1) drive-through Window bay. Banks/Credit unions shall be allowed up to three (3) drive-through bays.

Ordinance 09-12

Amendments to Title 20 (Unified Development Ordinance) Adopted by the Plan Commission

Council Amendment #: CCL-010 Plan Commission Amendment #: UDO – 075

Sponsor: Volan Date: July 31, 2009

Synopsis

Converts density from units per acre to bedrooms per acre; Creates a weighting system that encourages efficiencies and 1-bedroom units and discourages 4-bedroom and 5-bedroom units. CCL-010 was prepared on behalf of Councilmember Volan in order to replace UDO-075, which was adopted by the Plan Commission. It would change the calculation of residential density in the UDO to create a weighting system that would encourage efficiency and 1-bedroom units but discourage 4-bedroom and 5-bedroom units. The weighting system proposed by Councilmember Volan is modeled after an existing weighting system in the UDO called dwelling unit equivalents (DUEs). This proposal revises the DUE system by increasing the weights (incentives) for efficiencies and one-bedroom units while creating first-time weighting (a disincentive) for 4-bedroom and 5-bedroom units. UDO - 075, which converts the UDO’s unit-per-acre calculation of density into bedroom densities, also achieves a similar goal. However, Councilmember Volan’s proposal increases the weighting system.

Plan Commission Adopt [7:0]

Action:

Council Action:

Action Date:

Page 2-11

20.02.160 Residential Multifamily(RM); Development Standards

Maximum Density:

- 7 units/acre (6,223 square feet per dwelling unit)

Dwelling Unit Equivalents:

5-bedroom unit: 2 units;

4-bedroom unit = 1.5 units;

3-bedroom unit = 1.0 unit;

2-bedroom unit with less than 950 square feet = 0.66 of a unit;

1-bedroom unit with less than 700 square feet = 0.25 of a unit;

Efficiency or studio unit with less than 550 square feet = 0.20 of a unit.

Page 2-13

20.02.200 Residential High-Density Multifamily(RH); Development Standards

Maximum Density:

- 15 units/acre (2,904 square feet per dwelling unit)

Dwelling Unit Equivalents:

5-bedroom unit: 2 units;

4-bedroom unit = 1.5 units;

3-bedroom unit = 1.0 unit;
2-bedroom unit with less than 950 square feet = 0.66 of a unit;
1-bedroom unit with less than 700 square feet = 0.25 of a unit;
Efficiency or studio unit with less than 550 square feet = 0.20 of a unit.

Page 2-17

20.02.280 Commercial Limited (CL); Development Standards

Maximum Density:

- 15 units/acre (2,904 square feet per dwelling unit)

Dwelling Unit Equivalents:

5-bedroom unit: 2 units;
4-bedroom unit = 1.5 units;
3-bedroom unit = 1.0 unit;
2-bedroom unit with less than 950 square feet = 0.66 of a unit;
1-bedroom unit with less than 700 square feet = 0.25 of a unit;
Efficiency or studio unit with less than 550 square feet = 0.20 of a unit.

Page 2-19

20.02.320 Commercial General (CG); Development Standards

Maximum Density:

- 15 units/acre (2,904 square feet per dwelling unit)

Dwelling Unit Equivalents:

5-bedroom unit: 2 units;
4-bedroom unit = 1.5 units;
3-bedroom unit = 1.0 unit;
2-bedroom unit with less than 950 square feet = 0.66 of a unit;
1-bedroom unit with less than 700 square feet = 0.25 of a unit;
Efficiency or studio unit with less than 550 square feet = 0.20 of a unit.

Page 2-21

20.02.360 Commercial Arterial (CA); Development Standards

Maximum Density:

- 15 units/acre (2,904 square feet per dwelling unit)

Dwelling Unit Equivalents:

5-bedroom unit: 2 units;
4-bedroom unit = 1.5 units;
3-bedroom unit = 1.0 unit;
2-bedroom unit with less than 950 square feet = 0.66 of a unit;
1-bedroom unit with less than 700 square feet = 0.25 of a unit;
Efficiency or studio unit with less than 550 square feet = 0.20 of a unit.

Page 2-27

20.02.480 Business Park (BP); Development Standards

Maximum Density:

- 15 units/acre (2,904 square feet per dwelling unit)

Dwelling Unit Equivalents:

5-bedroom unit: 2 units;
4-bedroom unit = 1.5 units;

3-bedroom unit = 1.0 unit;
2-bedroom unit with less than 950 square feet = 0.66 of a unit;
1-bedroom unit with less than 700 square feet = 0.25 of a unit;
Efficiency or studio unit with less than 550 square feet = 0.20 of a unit.

Page 2-31

20.02.560 Medical (MD); Development Standards

Maximum Density:

- 15 units/acre (2,904 square feet per dwelling unit)

Dwelling Unit Equivalents:

5-bedroom unit: 2 units;
4-bedroom unit = 1.5 units;
3-bedroom unit = 1.0 unit;
2-bedroom unit with less than 950 square feet = 0.66 of a unit;
1-bedroom unit with less than 700 square feet = 0.25 of a unit;
Efficiency or studio unit with less than 550 square feet = 0.20 of a unit.

Page 3-6

20.03.050 Courthouse Square Overlay (CSO); Development Standards

(a) Density and Intensity Standards:

- (1) *Maximum Residential Density:* 100 bedrooms/acre. 33 units per acre

(A) Dwelling Unit Equivalents:

5-bedroom unit: 2 units;
4-bedroom unit = 1.5 units;
3-bedroom unit = 1.0 unit;
2-bedroom unit with less than 950 square feet = 0.66 of a unit;
1-bedroom unit with less than 700 square feet = 0.25 of a unit;
Efficiency or studio unit with less than 550 square feet = 0.20 of a unit.

Page 3-12

20.03.120 Downtown Core Overlay (DCO); Development Standards

(a) Density and Intensity Standards:

- (1) *Maximum Residential Density:* 180 bedrooms/acre. 60 units per acre

(A) Dwelling Unit Equivalents:

5-bedroom unit: 2 units;
4-bedroom unit = 1.5 units;
3-bedroom unit = 1.0 unit;
2-bedroom unit with less than 950 square feet = 0.66 of a unit;
1-bedroom unit with less than 700 square feet = 0.25 of a unit;
Efficiency or studio unit with less than 550 square feet = 0.20 of a unit.

Page 3-18

20.03.190 University Village Overlay (UVO); Development Standards

(a) Density and Intensity Standards:

- (1) *Maximum Residential Density:* 100 bedrooms/acre. 33 units per acre

(A) Dwelling Unit Equivalents:

5-bedroom unit: 2 units;
4-bedroom unit = 1.5 units;
3-bedroom unit = 1.0 unit;
2-bedroom unit with less than 950 square feet = 0.66 of a unit;

1-bedroom unit with less than 700 square feet = 0.25 of a unit;
Efficiency or studio unit with less than 550 square feet = 0.20 of a unit.

Page 3-24

20.03.260 *Downtown Edges Overlay (DEO); Development Standards*

(a) Density and Intensity Standards:

(1) *Maximum Residential Density:* 60 bedrooms/acre. 20 units per acre

(A) Dwelling Unit Equivalents:

5-bedroom unit: 2 units;

4-bedroom unit = 1.5 units;

3-bedroom unit = 1.0 unit;

2-bedroom unit with less than 950 square feet = 0.66 of a unit;

1-bedroom unit with less than 700 square feet = 0.25 of a unit;

Efficiency or studio unit with less than 550 square feet = 0.20 of a unit.

Page 3-30

20.03.330 *Downtown Gateway Overlay (DGO); Development Standards*

(a) Density and Intensity Standards:

(1) *Maximum Residential Density:* 100 bedrooms/acre. 33 units per acre

(A) Dwelling Unit Equivalents:

5-bedroom unit: 2 units;

4-bedroom unit = 1.5 units;

3-bedroom unit = 1.0 unit;

2-bedroom unit with less than 950 square feet = 0.66 of a unit;

1-bedroom unit with less than 700 square feet = 0.25 of a unit;

Efficiency or studio unit with less than 550 square feet = 0.20 of a unit.

Page 3-36

20.03.400 *Showers Technology Park Overlay (STPO); Development Standards*

(a) Density and Intensity Standards:

(1) *Maximum Residential Density:* 45 bedrooms/acre. 15 units per acre

(A) Dwelling Unit Equivalents:

5-bedroom unit: 2 units;

4-bedroom unit = 1.5 units;

3-bedroom unit = 1.0 unit;

2-bedroom unit with less than 950 square feet = 0.66 of a unit;

1-bedroom unit with less than 700 square feet = 0.25 of a unit;

Efficiency or studio unit with less than 550 square feet = 0.20 of a unit.

Page 11-15

Chapter 20.11 *Definitions*

Dwelling Unit Equivalent (DUE): Establishes a density value for dwelling units based upon the number of bedrooms in the unit. This value ~~may~~ shall be applied to the units per acre measurement in order to meet the dwelling unit requirement. Where specifically allowed in this Unified Development Ordinance, the following proportions shall be used in calculating the dwelling unit maximums:

5-bedroom unit = 2 units;

4-bedroom unit = 1.5 units;

(1) 3- ~~or more~~ bedroom unit = 1.0 unit;

(2) 2-bedroom unit with less than 950 square feet = 0.66 of a unit;

- (3) 1-bedroom unit with less than 700 square feet = 0.50 of a unit;
- (4) Efficiency or studio unit with less than 550 square feet = 0.33 of a unit.

Ordinance 09-12

Amendments to Title 20 (Unified Development Ordinance) Adopted by the Plan Commission

Council Amendment #: CCL-011 Plan Commission Amendment #: UDO – 077

Sponsor: Sturbaum Date: July 30, 2009

Synopsis

Reduces void to solid ratio on first floor facades in all Downtown Overlay districts.

On July 15, 2009, the original version of this amendment (UDO-077) was adopted by the Council. The Council passed the amendment with the caveat that the amendment could be brought back before the body with an additional amendment; specifically with a new amendment regarding the void-to-solid percentage standards for facades facing the B-Line Trail. In order to extend the policy rationale of UDO-077 to the B-Line Trail, CCL-011 requires a void-to-solid percentage of 60% of the wall/façade areas of the first floor facades/elevations facing the B-Line Trail within the following overlay districts: Courthouse Square, Downtown Core, Downtown Edges, Downtown Gateway and Showers Technology Park.

Plan Commission N/A
Action:

Council Action on Adopt 7 – 1 (Volan) (Absent: Mayer)
UDO-077
Action Date: July 15, 2009

Council Action on Consider on August 8 – 0 (Absent: Mayer)
CCL-011 5, 2009
Action Date: July 15, 2009

Council Action
Action Date:

Page 3-7 Courthouse Square Overlay

20.03.060(b)(2)

(A) First Floor (Building Base): Transparent glass or framed façade open areas consisting of display windows, entries and doors shall comprise a minimum of ~~eighty-five~~ **seventy** percent (~~85~~**70** %) of the total wall/façade area of the first floor façade/elevation facing a street.

(C) Transparent glass or framed façade open areas consisting of display windows, entries and doors shall comprise a minimum of sixty percent (60%) of the wall/façade area of the first floor facade/elevation facing the B-Line Trail.

Page 3-13 Downtown Core Overlay

20.03.130(b)(2)

(A) First Floor (Building Base): Transparent glass or framed façade open areas consisting of display windows, entries and doors shall comprise a minimum of ~~seventy~~ **sixty** percent (~~70~~**60** %) of the total wall/façade area of the first floor façade/elevation facing a street.

(C) Transparent glass or framed façade open areas consisting of display windows, entries and doors shall comprise a

minimum of sixty percent (60%) of the wall/façade area of the first floor facade/elevation facing the B-Line Trail.

Page 3-20 University Village Overlay

20.03.200(b)(2)(A)

- (ii) Kirkwood Corridor: Transparent glass or framed façade open areas consisting of display windows, entries and doors shall comprise a minimum of ~~seventy six~~ **sixty** percent (~~76~~ **60**%) of the total wall/façade area of the first floor façade/elevation facing a street.

Page 3-25 Downtown Edges Overlay

20.03.270(b)(2)

- (A) First Floor (Building Base): Transparent glass areas shall comprise a minimum of ~~fifty~~ **forty** percent (~~50~~ **40**%) of the wall/façade area of the first floor façade/elevation facing a street.

(C) Transparent glass or framed façade open areas consisting of display windows, entries and doors shall comprise a minimum of sixty percent (60%) of the wall/façade area of the first floor facade/elevation facing the B-Line Trail.

Page 3-31 Downtown Gateway Overlay

20.03.340(b)(2)

- (A) First Floor (Building Base): Transparent glass shall areas shall comprise a minimum of ~~fifty~~ **forty** percent (~~50~~ **40**%) of the total wall/façade area of the first floor façade/elevation facing a street.

(C) Transparent glass or framed façade open areas consisting of display windows, entries and doors shall comprise a minimum of sixty percent (60%) of the wall/façade area of the first floor facade/elevation facing the B-Line Trail.

Page 3-37 Showers Technology Park Overlay

20.03.410(b)(2)

- (A) First Floor (Building Base): Glass or framed façade open areas consisting of display windows, entries and doors shall comprise a minimum of ~~fifty~~ **forty** percent (~~50~~ **40**%) of the wall/façade area of the first floor façade/elevation facing a street ~~or the B-Line Trail~~.

(C) Transparent glass or framed façade open areas consisting of display windows, entries and doors shall comprise a minimum of sixty percent (60%) of the wall/façade area of the first floor facade/elevation facing the B-Line Trail.

Ordinance 09-12

Amendments to Title 20 (Unified Development Ordinance) Adopted by the Plan Commission

Council Amendment #: CCL-003(a) Plan Commission Amendment #: UDO – 082

Sponsor: Sturbaum Date: July 31, 2009

Synopsis

Requires landscaping be installed when buildings are demolished unless a development plan is approved.

CCL-003(a) amends UDO-082 which was not adopted by the Plan Commission. It would add a new requirement for demolition permits. Specifically, any request for a demolition permit would be required to provide a post-demolition plan for the site that could include turf grass, other ground cover, trees/shrubs, or planters. Once the demolition has been completed, the post-demolition landscape plan would have to be implemented as shown on the approved plan. A site could only be released from this requirement if the demolition permit is accompanied by a proposed development plan that is submitted to the Planning Department to initiate the review process.

Plan Commission Deny [2:7]

Action:

Council Action on Postpone Until 7 – 0 - 1 (Satterfield) (Absent: Piedmont-Smith

UDO-082: August 5, 2009
Action Date: July 29, 2009

Council Action:

Action Date:

Page 5-52

20.05.057 LA-06 [Landscaping Standards; Vacant Lot Landscaping]

This Landscaping Standards section applies to the following zoning districts:

[RM] [RH] [CL] [CG] [CA] [CD] [IG] [BP] [IN] [MD]

- (a) **Applicability:** Any lot with frontage on a public street shall be subject to the requirements of this section.
- (b) **Timing:** Landscaping or ground cover shall be installed as required in Subsection (c) on the lot where demolition activity has occurred within one hundred and eighty (180) days after the issuance of a demolition permit, unless:
 - (1) The Planning Director has granted an extension of time due to the need for more time to complete demolition activities or due to the presence of seasonal or inclement weather; or
 - (2) A site plan has been approved for the reuse of the property. If an approved site plan has expired and has not been renewed, landscaping as outlined in Subsection (c) shall be installed within one hundred and eighty (180) days after site plan expiration.
- (c) **Planting Requirements:**
 - (1) For lots of one-half (1/2) acre or less, the entire lot containing the demolition activity shall be covered with grass or other suitable ground cover as outlined in Section 20.05.057. No ground cover is required in locations where existing vegetation, remaining structures, or parking areas serving such remaining structures still exist.
 - (2) For lots greater than one-half (1/2) acre, one of the following landscaping options must be selected:
 - (A) The entire area disturbed for demolition shall be covered with grass or other suitable ground cover as outlined in Section 20.05.057; or

(B) A ten (10) foot wide planting area shall be installed along the property line bordering the entire area disturbed for demolition from any public street. This planting area may either utilize raised planters or be level with street grade. Evergreen shrubs that grow to a minimum height of at least four (4) feet shall be planted every three (3) feet within these planting areas.

(d) **Maintenance Requirements:**

- (1) All plant material shall be maintained alive, healthy, and free from disease and pests;
- (2) All raised landscape planters shall be repaired or replaced periodically to maintain a structurally sound condition;
- (3) Ground cover shall be maintained in compliance with Bloomington Municipal Code Title 6, *Health and Sanitation*; and
- (4) Public sidewalks shall be maintained in compliance with Bloomington Municipal Code Title 12, *Streets, Sidewalks, and Storm Sewers*.

[Subsequent sections of Chapter 20.05 will be renumbered to accommodate the inclusion of this new section.]

Page 9-31

20.09.230

(d) **Demolition Landscaping**

- (1) *Applicability:* A demolition permit application for a lot subject to the standards of *Section 20.05.057: Landscaping Standards; Vacant Lot Landscaping* shall meet the requirements of this section.
- (2) *Vacant Lot Landscaping Plan:* Any demolition permit application subject to this section shall be accompanied by a Vacant Lot Landscaping Plan meeting the standards of *Section 20.05.057: Landscaping Standards; Vacant Lot Landscaping*.
- (3) *Exemption:* A demolition permit application shall be exempt from the requirements of this section if a site plan approval for the reuse of the subject lot has been obtained and has not expired.

Ordinance 09-12

Amendments to Title 20 (Unified Development Ordinance) Adopted by the Plan Commission

Council Amendment #: CCL-003 (b) Plan Commission Amendment #: UDO – 082

Sponsor: Sturbaum Date: July 31, 2009

Synopsis

Requires landscaping be installed when buildings are demolished unless a development plan is approved.

CCL-003 (b) amends UDO-082, which was not adopted by the Plan Commission. It would add a new requirement for demolition permits. Specifically, any request for a demolition permit would be required to provide a post-demolition plan for the site that could include turf grass, other ground cover, trees/shrubs, or planters. Once the demolition has been completed, the post-demolition landscape plan would have to be implemented as shown on the approved plan. A site could only be released from this requirement if the demolition permit is accompanied by a proposed development plan that is submitted to the Planning Department to initiate the review process. Note CCL-003 (b) differs from CCL-003 (a) in regard to the treatment of lots greater than one-half acre. Specifically, it requires a 10-ft wide planting area along all property lines bordering a public street, whereas CCL-003(a) requires that planting area only along the street in front of where the demolition occurred.

Plan Commission Deny [2:7]

Action:

Council Action on Postpone Until 7 – 0 - 1 (Satterfield) (Absent: Piedmont-Smith
UDO-082: August 5, 2009
Action Date: July 29, 2009

Council Action:

Action Date:

Page 5-52

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[RM] [RH] [CL] [CG] [CA] [CD] [IG] [BP] [IN] [MD]

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- (b) **Timing:** Landscaping or ground cover shall be installed as required in Subsection (c) on the lot where demolition activity has occurred within one hundred and eighty (180) days after the issuance of a demolition permit, unless:
 - (1) The Planning Director has granted an extension of time due to the need for more time to complete demolition activities or due to the presence of seasonal or inclement weather; or
 - (2) A site plan has been approved for the reuse of the property. If an approved site plan has expired and has not been renewed, landscaping as outlined in Subsection (c) shall be installed within one hundred and eighty (180) days after site plan expiration.
- (c) **Planting Requirements:**
 - (1) For lots of one-half (1/2) acre or less, the entire lot containing the demolition activity shall be covered with grass or other suitable ground cover as outlined in Section 20.05.057. No ground cover is required in locations where existing vegetation, remaining structures, or parking areas serving such remaining structures still exist.

(2) For lots greater than one-half (1/2) acre, one of the following landscaping options must be selected:

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(3) Ground cover shall be maintained in compliance with Bloomington Municipal Code Title 6, *Health and Sanitation*; and

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Page 9-31

20.09.230

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(2) *Vacant Lot Landscaping Plan:* Any demolition permit application subject to this section shall be accompanied by a Vacant Lot Landscaping Plan meeting the standards of *Section 20.05.057: Landscaping Standards; Vacant Lot Landscaping*.

(3) *Exemption:* A demolition permit application shall be exempt from the requirements of this section if a site plan approval for the reuse of the subject lot has been obtained and has not expired.