

ORDINANCE NO. 2019- 7

AN ORDINANCE TO CREATE PROCEDURE TO EXEMPT PERIMETER SCREENING FOR INSTITUTIONAL USES WITH NEIGHBOR CONSENT, THEREBY AMENDING CHAPTERS 19 AND 21 OF THE CITY CODE

The City Council of the City of Bloomington, Minnesota ordains:

Section 1. That Chapter 19 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~stricken through~~ and adding those words that are underlined, to read as follows:

CHAPTER 19

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ARTICLE V: PERFORMANCE STANDARDS

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§ 19.52 LANDSCAPING AND SCREENING

(d) *Screening Standards*

(1) *Perimeter screening designed to buffer incompatible uses.* Perimeter screening designed to buffer incompatible uses is required:

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(F) On institutional use sites, along any property line that directly abuts a site that is used for single-family residential uses and either zoned or guided for single-family residential use~~[-]~~, except that the approving body may waive the perimeter screening requirement where all property owners along the abutting property line or lines sign an affidavit agreeing to exempt the property from the perimeter screening requirement.

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Section 2. That Chapter 21 of the City Code is hereby amended by deleting those words that are contained in brackets and ~~stricken through~~ and adding those words that are underlined, to read as follows:

CHAPTER 21

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ARTICLE III: DEVELOPMENT STANDARDS

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DIVISION B: USE STANDARDS

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§ 21.302.06 INSTITUTIONAL USE STANDARDS.

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(b) *Standards*

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(4) *Screening/buffering.* A perimeter landscape buffer is required pursuant to screening requirements contained in city code § 19.52(d)(2), where the institutional site directly abuts property that is used for single-family residential uses and either zoned or guided for single-family residential uses[-], unless a waiver is obtained pursuant to standards in § 19.52(d)(1)(F).

**§ 21.302.25 SCHOOLS AND COLLEGES.**

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(d) *Performance Standards*

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(2) *Landscape buffer.* A perimeter landscape buffer is required pursuant to screening requirements contained in § 19.52(d)(2), where the facility site directly abuts property that is used for single family residential and either zoned or guided for single-family residential use[-], unless a waiver is obtained pursuant to standards in § 19.52(d)(1)(F).

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**§ 21.302.27 DAY CARE FACILITIES.**

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(c) *Standards.*

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(4) *Day care facilities serving 13 or more persons.*

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(C) *Landscape buffer.* Day care facilities serving 13 or more persons located adjacent to a single family residential district or a single family residential use must have a perimeter landscape buffer pursuant to screening requirements in city code § 19.52(d)(2) [-], unless a waiver is obtained pursuant to standards in § 19.52(d)(1)(F).

Passed and adopted this 7<sup>th</sup> day of January, 2019.

/s/ Gene Winstead  
Mayor

ATTEST:

APPROVED:

/s/ Denise M. Christenson  
Secretary to the Council

/s/ Melissa J. Manderschied  
City Attorney