



MEMO FROM COUNCIL OFFICE:

To: Members of the Common Council

From: Stephen Lucas, Council Administrator/Attorney

Date: March 28, 2024

Re: [Resolution 2024-05](#) - A Resolution Authorizing the 2024 Outdoor Dining Program in the Downtown Corridor

Synopsis

[Resolution 2024-05](#) authorizes renewal of the Parklet Outdoor Dining Program in the Downtown. The Program as renewed in this resolution provides for the continued use of parklets from April 29, 2024, through October 31, 2024. As required by [Ordinance 22-01](#), passage of this resolution also explicitly adopts fees for the 2024 Program.

Relevant Materials

- [Resolution 2024-05](#)
- Exhibit A: Program Guidelines
- Exhibit B: Beautification Guidelines
- Staff Memo from De de la Rosa, Assistant Director for Small Business Development, & Chaz Mottinger, Special Projects Manager

Summary

In June of 2020, the Council approved [Ordinance 20-11](#), which suspended portions of the Bloomington municipal code in order to support the operation of businesses in the downtown area and assist in economic recovery from the COVID-19 public health emergency (background materials for [Ordinance 20-11](#) can be found in the June 10, 2020 [legislative packet](#)). The city took action through this ordinance to ease sign regulations, allow for expanded seating encroachment, and temporarily enable closing portions of Kirkwood Avenue to vehicular traffic. The Council extended provisions of [Ordinance 20-11](#) several times with [Resolution 20-15](#), [Resolution 20-19](#), and [Resolution 21-18](#).

In early 2022, city staff recommended that these measure be implemented in future seasons as an Expanded Outdoor Dining Program (Program) irrespective of the COVID-19 public health emergency. On January 19, 2022, the Council passed [Ordinance 22-01](#), which established and approved the expanded Program, including the use of parking spaces by restaurants and the temporary conversion of certain blocks of Kirkwood Avenue into pedestrian-only spaces (background materials for [Ordinance 22-01](#) can be found in the January 19, 2022 [legislative packet](#)). The ordinance temporarily suspended sections of Bloomington Municipal Code, including standards for encroachment ([BMC 12.06](#)), use of right-of-way ([BMC 12.08](#)), intoxicating beverages ([BMC 14.36.090](#)), loading zones ([BMC 15.32.100](#)), parking meter changes ([BMC 15.40.010](#) Schedule U), and signs ([BMC](#)



City of Bloomington Indiana

City Hall | 401 N. Morton St. | Post Office Box 100 | Bloomington, Indiana 47402

Office of the Common Council | (812) 349-3409 | Fax: (812) 349-3570 | email: council@bloomington.in.gov

[20.04.100](#)), all to implement the Program for the 2022 season. The Council previously adopted one extension of the Program through [Resolution 23-04](#) for the 2023 season.

[Resolution 2024-05](#) seeks to extend the Program for an additional one-year term, as provided for in Section 2 of [Ordinance 22-01](#). City staff recommends the Program be implemented during the 2024 season in accordance with the Program and Beautification Guidelines, which are attached to the resolution as Exhibits A and B. This recommendation is based on a number of factors, including economic benefits to the local business community, stakeholder and public input on past implementations of the Program, and increased pedestrian use and sustainability. Notably, the 2024 Program would not include a partial closure of Kirkwood Avenue. This is due to a number of [construction projects](#) that are anticipated for the coming months, which were explained in a [February 14, 2024 report](#) given to the Council by Assistant Director for Small Business Development, De de la Rosa.

In brief, this resolution would:

1. Approve the Program as set forth in Exhibit A: Program Guidelines and Exhibit B: Beautification Guidelines;
2. Set April 29, 2024 – November 1, 2024 as the timeframe for operation of the Program; and
3. Approve the permitting fee and fee schedule for operation of the 2024 Program.

Contact

De de la Rosa, Assistant Director - Small Business Development, 812-349-3418,

de.delarosa@bloomington.in.gov

Chaz Mottinger, Special Projects Manager, 812-349-3418,

chaz.mottinger@bloomington.in.gov

Larry Allen, City Attorney, 812-349-3426, allenl@bloomington.in.gov