

ORDINANCE NO. 2017-5

AN ORDINANCE AMENDING CHAPTER 19 OF THE CITY CODE TO ESTABLISH PERFORMANCE STANDARDS FOR THE USE OF ACRYLIC FINISHES ON STUCCO EXTERIOR MATERIALS

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 ~~struck through~~ and contained in brackets [] and adding those words that are underlined, to read as follows:

CHAPTER 19

ZONING

ARTICLE I: GENERAL PROVISIONS

DIVISION B: DEFINITIONS

§ 19.03 DEFINITIONS.

The following words and terms when used in Chapters 19 and 21 shall have the following meanings unless the context clearly indicates otherwise.

ACRYLIC FINISH. A texturable product with high yield acrylic solids and aggregate that provides a protective and decorative final top coat over portland cement plaster applied by spray or trowel.

ACRYLIC LATEX PAINT. A decorative product with low yield acrylic solids and no aggregate applied by spray, brush, or roller that results in minimal protective qualities.

Article V: Performance Standards

§ 19.63.08 EXTERIOR MATERIALS AND FINISH

(b) The following regulations apply to all nonresidential primary and accessory buildings and their additions in the following zoning districts:

- Single-Family Residential R-1 Districts
- Single-Family Residential R-1A District
- Large Lot Single-Family Residential RS-1 Districts

Townhouse Residential R-3 Districts
Multiple-Family Residential R-4 Districts
Multiple-Family Residential RM-12 Districts
Multiple-Family Residential RM-24 Districts

- (1) *Coating of exterior walls.* No existing uncoated exterior wall finish material approved by the City Council as part of a development approval process shall be coated after the effective date of this section except for the following:
- (A) As approved in subsections (f), ~~(g)~~ (g), and (h) below;
 - (B) Those portions of foundation walls above finished grade may be coated or sealed;
 - (C) Secondary materials may be coated or sealed; and

(c) The following regulations apply to all primary and accessory buildings and additions in the following zoning districts:

Multiple-Family Residential RM-50 Districts
Multiple-Family Residential RM-100 Districts
Neighborhood Office B-1 District
General Commercial B-2 District
Neighborhood Commercial Center B-4 District
Freeway Office and Service C-1 District
Freeway Commercial C-2 District
Freeway Commercial Center C-3 District
Freeway Office C-4 District
Freeway Mixed Use C-5 District
Regional Commercial CR-1 District
Freeway Development FD-1 and FD -2 Districts
Commercial Service CS-0.5 and CS-1 Districts
Commercial Office CO-1 and CO-2 Districts
Residential Office RO-24 and RO-50 Districts
High Intensity Mixed Use with Residential HX-R District
Lindau Mixed Use LX District

- (2) *Coating of exterior walls.* No existing uncoated exterior wall finish material regulated by this section shall be coated after the effective date of this section except for the following:
- (A) As approved in subsections (f), ~~(g)~~ (g), and (h) below;
 - (B) Those portions of foundation walls above finished grade may be coated or sealed;
 - (C) Secondary materials as listed in subsection (c)(3) below may be coated or sealed;

(d) The following regulations apply to all primary and accessory buildings and additions in the following zoning districts:

Industrial Park I-1 District
Limited Industrial I-2 District
General Industrial I-3 District
Industrial Park IP District

- (2) *Coating of exterior walls.* No existing uncoated exterior wall finish material regulated by this section shall be coated after the effective date of this section, except for the following:
- (A) The application of a clear, gas permeable coating on architectural concrete masonry units at the time of construction only upon certification of such recommendation or requirement by the manufacturer of the units when presented to and approved by the issuing authority. Maintenance shall be allowed thereafter, consistent with the recommendations or requirements of the unit manufacturer;
 - (B) As approved in subsections (f), ~~(g)~~, and (h) below;
 - (C) Those portions of foundation walls above finished grade may be coated or sealed;
 - (D) Secondary materials as listed in subsection (d)(3) below may be coated or sealed;

(e) The following regulations apply to all primary and accessory buildings and additions in the following zoning districts:

Mixed Use CX-2 District.

- (2) *Coating of exterior walls.* No existing uncoated exterior wall surface material regulated by this section shall be coated after the effective date of this section except for the following:
- (A) As approved in subsections (f), ~~(g)~~, and (h) below;
 - (B) Those portions of foundation walls above finished grade may be coated or sealed;
 - (C) Secondary materials as listed in subsection (e)(3) below may be coated or sealed;

(h) *Acrylic Finishes.* Acrylic finish coatings may be applied over portland cement plaster (stucco) when the following requirements are met:

- (1) The applicator complete and submit the installation certification form.
- (2) The surface must be smooth, flat and prepared in accordance with a manufacturer's specifications prior to applying the acrylic finish.
- (3) Brush or roll-on application of the acrylic finish is not permitted.
- (4) The acrylic finish must be comprised of sufficient acrylic solids and aggregate to be troweling consistency.
- (5) The following minimum required surface related test criteria must be met in accordance with the testing standards in the exterior materials policy: Accelerated weathering, freeze thaw, salt spray resistance, tensile bond adhesion, water resistance, surface burning, water vapor permeability, mildew, abrasion resistance, and pull-off strength of coatings using portable adhesion testers.

(6) For newly applied stucco, the portland cement plaster basecoat must be allowed to cure for a minimum of seven days before the acrylic finish may be applied. The applicator or contractor must notify the issuing authority when the brown coat has been completed.

(7) Acrylic finish must not be applied to an exterior with existing acrylic finish until:

(i) An architect or engineer licensed by the State of Minnesota or certified applicator of the acrylic finish certifies that the application of additional acrylic finish on the existing acrylic finish will not compromise the structural integrity of the wall;

(ii) Certification by an architect, engineer, or certified applicator of the acrylic finish that the acrylic finish will be applied strictly in accordance with the applicable manufacturer's and ASTM standards.

~~([h])~~ *Severability.* The provisions of this section are declared to be separate and severable. If any section, subsection, sentence, clause or phrase of this section or the application thereof to any person or circumstance, is held to be invalid, such decision shall not affect the validity of the remaining portions of this section, or the validity of its application to other persons or circumstances. The City Council hereby declares that it would have adopted the section and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

Passed and adopted this 20th day of March, 2017.

/s/ Gene Winstead
Mayor

ATTEST:

APPROVED:

/s/ Denise M. Christenson
Secretary to the Council

/s/ Melissa J. Manderschied
City Attorney