

ORDINANCE NO. 6427

AN ORDINANCE TO AMEND TITLE 15 ZONING BY REPEALING CHAPTER 15.32 "CDO/CORRIDOR DESIGN OVERLAY" AND CREATING CHAPTER 15.32A "WEST BROADWAY CORRIDOR DESIGN OVERLAY" AND APPENDING SAID CHAPTER 15.32A "WEST BROADWAY CORRIDOR DESIGN OVERLAY" TO AN AREA OF THE CITY OF COUNCIL BLUFFS LEGALLY DESCRIBED AS BEING GEOGRAPHICALLY BOUNDED ON THE NORTH BY THE NORTH RIGHT-OF-WAY LINE OF AVENUE 'A', ON THE SOUTH BY THE SOUTH RIGHT-OF-WAY LINE OF 2ND AVENUE, ON THE EAST BY THE WEST RIGHT-OF-WAY LINE OF SOUTH 13TH STREET, AND ON THE WEST BY THE EAST RIGHT-OF-WAY LINE OF INTERSTATE 29/480.

**BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA**

SECTION 1. That Title 15 Zoning is hereby amended by repealing Chapter 15.32 "CDO/Corridor Design Overlay" and creating Chapter 15.32A "West Broadway Corridor Design Overlay" to read as follows:

15.32A-WEST BROADWAY CORRIDOR DESIGN OVERLAY

15.32A.010 Statement of Intent

The purpose and intent of this West Broadway Corridor Design Overlay (CDO) is intended to promote a well-planned and visually attractive corridor that encourages private investment, opportunities for multi-modal transportation options, safe pedestrian access and walkability, improved traffic and parking conditions, and buildings constructed with high quality materials and timeless architectural design. These measures intend to enhance streetscapes, promote active public spaces, and encourage a mixture of land uses that collectively implement the vision of the adopted West Broadway Corridor Plan.

15.32A.020 West Broadway Corridor Design Overlay Boundary

The West Broadway Corridor Design Overlay applies to an area of the City of Council Bluffs that is geographically bounded on the north by the north right-of-way line of Avenue 'A'; on the south by the south right-of-way line of 2nd Avenue; on the east by the west right-of-way line of South 13th Street and on the west by the east right-of-way line of Interstate 29/480. A map depicting the West Broadway Corridor Design Overlay boundary is made part hereof as Exhibit A, and such map is designated the "West Broadway Corridor Design Overlay."

15.32A.030 Definitions

Build-to-width: The minimum cumulative building width that shall occupy the build-to-zone, based on the width of the parcel at the street.

Build-to-zone: The area on a lot, measured parallel from the front and/or corner side lot line, where a building must locate within the minimum and maximum range of setback provided.

Minor Street: For the purposes of the West Broadway CDO, minor streets are generally those which are not otherwise categorized as West Broadway or major streets. A map identifying the street hierarchy within the West Broadway CDO boundary is made part hereof as Exhibit B, and such map is designated the Street Hierarchy Map (West Broadway Corridor Design Overlay).

Major Street: For the purposes of the West Broadway CDO, major streets are 16th, 19th, 22nd, 25th, 28th, 31st, and 35th Streets and 1st Avenue. A map identifying the street hierarchy within the West Broadway CDO boundary is made part hereof as Exhibit B, and such map is designated the Street Hierarchy Map (West Broadway Corridor Design Overlay).

Principal building: A building or structure used to accommodate one or more of the principal permitted uses.

Street Hierarchy: For the purposes of the West Broadway CDO, West Broadway is considered the highest category street, followed by major streets, and then minor streets. A map identifying the street hierarchy within the West Broadway CDO boundary is made part hereof as Exhibit B, and such map is designated the Street Hierarchy Map (West Broadway Corridor Design Overlay).

15.32A.040 Applicability of the West Broadway Corridor Design Overlay

For all properties located within the West Broadway CDO, compliance with the provisions of this Section are as follows:

- A. New construction of commercial, mixed use, and multi-family structures and sites shall comply entirely with the standards of this Chapter.
- B. Building modifications equal to fifty (50) percent or more of the assessed value of the structure in a twenty-four (24) month period of time shall be required to bring the entire structure into compliance with the applicable standards of this Chapter. The assessed value shall be as most recently established by the Pottawattamie County Assessor.
- C. Building modifications equal to fifty (50) percent or more of the total assessed value of the property shall be required to bring the entire site into compliance with all standards of this Chapter, with the exception of the standards listed in CBMC Section 15.32A.070, *Build-to-Zone for West Broadway and Major Streets*. The assessed value shall be as most recently established by the Pottawattamie County Assessor.
- D. Exceptions. Exceptions shall be provided in the following circumstances:
 1. Existing or expanding single family and two family uses are exempt from the regulations of this Chapter;
 2. New drive-through lanes added to existing sites shall meet the screening requirements of this Chapter; and
 3. Minor, equivalent deviations from the standards of this Chapter may be granted by the Community Development Director.
- E. In the event of a conflict between the standards contained in this Section and standards identified in an adopted development plan, the latter shall apply.

15.32A.050 Permitted, Conditional and Accessory Uses

Uses permitted, conditional, or accessory in the West Broadway CDO shall be the same as the underlying zone, except as further limited by CBMC Section 15.32A.060, *Prohibited Land Uses*

15.32A.060 Prohibited Land Uses

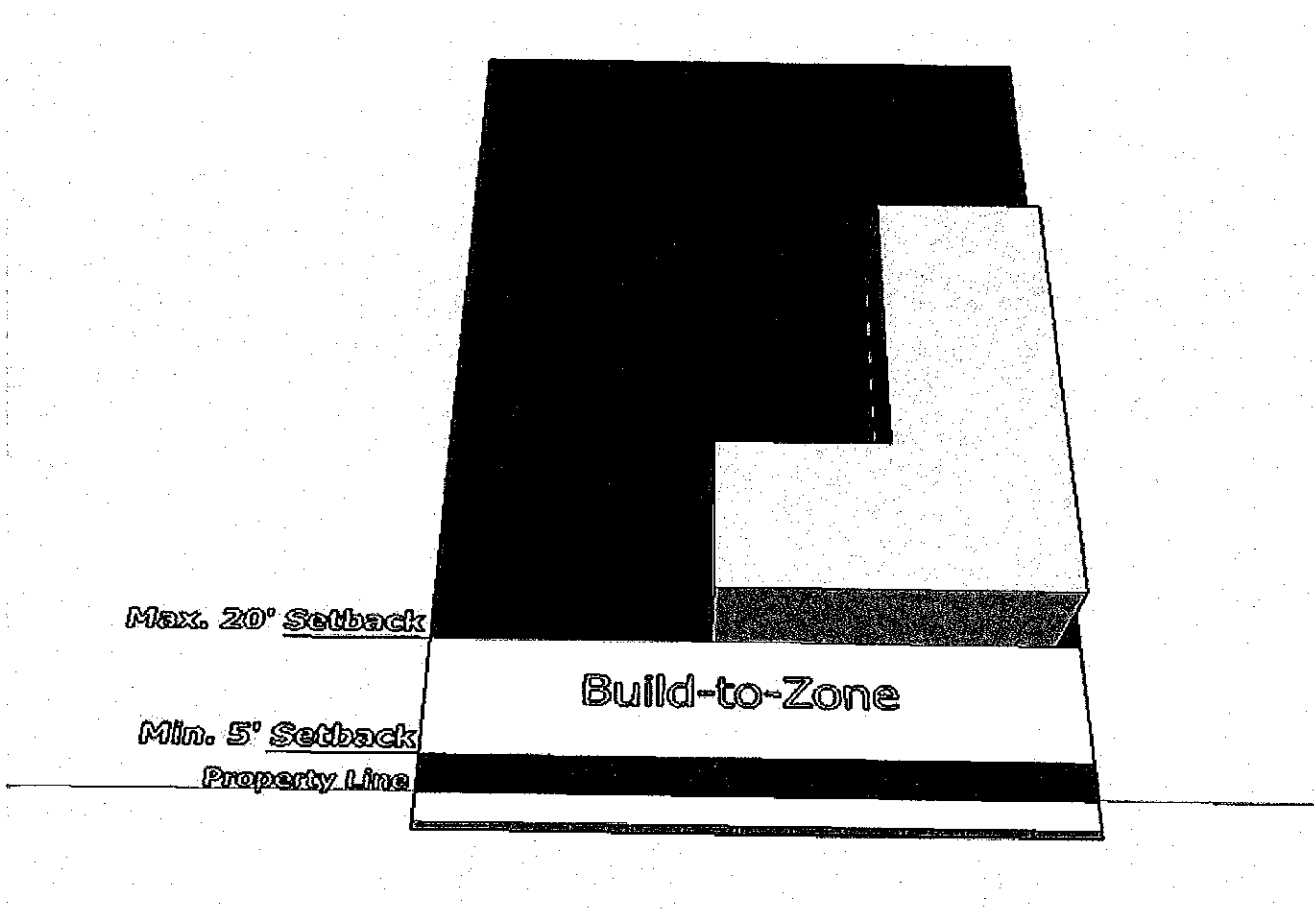
The following uses, as defined in CBMC Section 15.03, *Zoning Definitions*, shall be prohibited on all properties located within the West Broadway CDO:

- A. Adult Entertainment;
- B. Automotive repair (major only);
- C. Automotive sales and rental;
- D. Building material, retail sales only;
- E. Cemeteries;
- F. Commercial storage;
- G. Contractor shop;
- H. Juvenile detention facility;
- I. Industrial and manufacturing;
- J. Warehousing and distribution.

15.32A.070 Build-to-Zone for West Broadway and Major Streets

Statement of Intent: New buildings with frontage on West Broadway or a major street shall be situated on sites in such a manner that enhances pedestrian interest and comfort while establishing a consistent street wall that provides a strong visual and physical connection between the public and private realm.

Figure 1: Build-to-Zone



- A. All new buildings constructed shall be built within the build-to-zone. The build-to-zone is defined by a maximum setback of twenty (20) feet and a minimum setback of five (5) feet, as seen in *Figure 1: Build-to-Zone*. Accessory structures shall not be located in the build-to-zone.
- B. The build-to-zone supersedes any front or street side yard setback established in the underlying zoning district. All buildings shall comply with all other required setbacks of the underlying zoning district.
- C. Frontages.
 - 1. For properties with a single street frontage, the build-to-zone applies to that frontage.
 - 2. For corner properties, the build-to-zone applies to the highest category street.
 - 3. For properties that have two non-intersecting street frontages, the build-to-zone applies to West Broadway.
 - 4. Buildings shall have a minimum build-to-width of fifty (50) percent. The build-to-width shall be exclusive of pedestrian pathways, drive-through lanes, driveways, or required setbacks. Once the minimum build-to-width has been met, portions of the building, or additional buildings on the site may be placed outside the build-to-zone.

15.32A.080 Architecture

Statement of Intent: Buildings located within the West Broadway CDO shall be designed with coordinated, high-quality materials and architectural elements on all facades with design emphasis given towards West Broadway and major street facing facades.

- A. Building Materials. Building facades within the West Broadway CDO shall use the following materials:
 - 1. Durable-
 - a. Brick, tile and stone masonry;
 - b. Glass (non-mirrored, non-tinted);
 - c. Native stone or synthetic equipment;
 - d. Architectural metal (non-corrugated metal); and
 - e. Other primary materials determined by the Community Development Director.
 - 2. Complementary-
 - a. Wood-clapboard or shingles;
 - b. Architectural Concrete Masonry Unit (CMU) block (no smooth or flat faced block);
 - c. Stucco, Exterior Finish Installation System (EFIS), or like systems;
 - d. Glass block;
 - e. Vinyl siding and trim, cement fiber board siding; and
 - f. Other complementary materials determined by the Community Development Director.
 - 3. The minimum percentage of durable and complementary materials per façade shall be as follows:
 - a. West Broadway and Major Streets—60% of the total square footage of the façade to which the material is being applied shall consist of durable materials;
 - b. Minor Streets—40% of the total square footage of the façade to which the material is being applied shall consist of durable materials; and
 - c. All façade areas that do not utilize durable materials shall utilize complementary materials; and
 - d. All facades and portions thereof that are not visible from street right-of-way may utilize complementary materials.

B. Articulation.

1. Building facades shall be constructed with architectural details such as color changes, material changes, minor wall offsets, height variations, wall setbacks, accent lines, colonnades, and upper floor step backs to articulate building elevations.
2. The base of all facades shall be comprised of one of the following base materials:
 - a. Architectural Concrete Masonry Unit (CMU) block (no smooth or flat faced block);
 - b. Brick masonry;
 - c. Stone masonry, or
 - d. Tile masonry.

The base shall be comprised of a different material than the rest of the façade and shall be minimum of two (2) feet in height from the established grade and span the entire width of the façade.

3. Building facades that are blank and/or void of architectural detailing shall not be permitted.
4. Roofs shall be designed to be generally flat and shall be concealed from view by use of parapet walls, cornices or other architectural methods.
5. All facades and portions thereof that are not visible from street right-of-way do not require articulation.

C. Transparency.

1. The minimum percentage of transparent windows and doors that shall cover a façade measured between two (2) and ten (10) feet above grade shall be as follows:
 - a. West Broadway and Major Streets—40 percent ground floor, 20 percent upper stories; and
 - b. Minor Streets—30 percent ground floor, 15 percent upper stories.
2. Glass that counts towards the minimum transparency requirements shall be non-mirrored, non-tinted, unobstructed and shall have a visible light transmittance of 60 percent or more and an external reflectance of 20 percent or less.

15.32A.090 Landscaping and Streetscapes

Statement of Intent: Landscape design in the West Broadway CDO shall aid in softening the appearance of buildings and paved areas while creating visual interest for people in the corridor.

A. Required Frontage Landscaping.

1. A minimum five (5) feet wide landscape frontage strip shall be installed on all frontages as measured from the back of sidewalk or property line, whichever is a greater distance from the curb.
2. Foundation plantings shall be placed along the perimeter of all façades visible from adjacent street right-of-way at a rate of one tree per lineal foot of facade, not inclusive of entrances.
3. A minimum of one (1) deciduous, shade tree and ten (10) shrubs shall be planted every twenty (20) linear feet along frontage strips and shall be generally evenly spaced apart along the entire length of the frontage strip. Frontage adjacent to buildings shall only be required to install foundation plantings and shall not be included in the required number of tree plantings.

B. Required Parking Lot Landscaping.

1. Minimum parking lot landscaped area.

- a. One large, deciduous shade tree shall be planted per 3,000 square feet of paved parking area not covered by buildings or canopies, such as parking stalls, driveways, drive aisles, drive through lanes, and loading areas. Shade trees shall have a minimum two (2) inch caliper at the time of planting and a minimum mature height of at least twenty-five (25) feet with a mature canopy spread of at least twenty (20) feet.
 - b. Planting areas shall be a minimum of fifty (50) square feet of unpaved surface per tree in the form of interior landscape islands, endcap islands/peninsulas, or perimeter planting areas.
 - c. Landscape islands shall be evenly distributed throughout the parking lot in order to maximize shade.
 - d. Trees planted in perimeter planting areas as opposed to landscape islands or endcap islands/peninsulas shall be counted as ½ tree for the purpose of this requirement.
 - e. Trees in frontage strips may also be counted as perimeter planting areas.
- C. Maintenance. All plant materials shall be maintained at all times. All deceased plantings shall be replaced with plant material(s) of the same or like species of equal size within six months of the plant's demise. Failure to replace said plant materials within the specified time period shall result in enforcement action pursuant with CBMC Section 15.02.130, *Violation and Penalty*. All planting shall respect City codes for sight lines at intersections and electric line restrictions.
- D. Streetscapes:
- 1. On-street parking is encouraged on all new development and redevelopment projects, whenever adequate right-of-way is available, in accordance with adopted Public Works standards.
 - 2. Street tree plantings shall be planted along major streets. Species type and spacing of street tree plantings shall be as designated in the *Council Bluffs Street Tree Species Guide, which is made part thereof as Exhibit C*.

15.32A.100 Pedestrian and Vehicular Access

Statement of Intent: Access to sites within the West Broadway CDO should prioritize pedestrian safety and minimize curb cuts off West Broadway and major streets whenever possible.

- A. Curb Cuts.
 - 1. Either one two-way curb cut or two one-way curb cuts are allowed where property has one hundred fifty (150) feet or more of street frontage. One curb cut is allowed on properties with less than one hundred fifty (150) feet of frontage.
 - 2. For corner lots, a maximum of one curb cut is allowed per frontage, regardless of the length of the frontage. In instances where no curb cut is provided on West Broadway, the intersecting street shall be allowed two (2) curb cuts.
 - 3. Curb cut widths, design, and spacing shall be in accordance with adopted Public Works standards.
 - 4. West Broadway curb cuts shall be located not less than seventy-five (75) feet from the intersecting street's curb. Side street curb cuts shall be located not less than twenty-eight (28) feet on un-signalized intersections and seventy-five (75) feet on signalized intersections from West Broadway.
 - 5. Shared curb cuts (between properties) are encouraged.
- B. Pedestrian Access. A five (5) foot wide, hard-surface accessible route shall be provided on all adjacent rights-of-way to a public entrance. An accessible route may be designated with painted markings on parking lot pavement.

- C. Drive-through lanes.
1. Drive-through lanes along West Broadway and major streets shall be located to the side and rear of the property when possible. In situations where drive-through lanes are located in front of buildings, the drive-through lanes shall be screened from adjacent public street right-of-way by one of the following methods:
 - a. A maximum four-foot masonry wall, subject to the base materials listed in CBMC Section 15.32A.080, *Architecture*;
 - b. A vegetative wall capable of providing a substantially opaque barrier and attaining a mature height of four-feet within three (3) years of planting;
 - c. An architectural feature attached to the building; or
 - d. A combination thereof.
 2. Drive-through landscape plantings may count towards other landscaping requirements.
 3. On corner lots of West Broadway, drive-through ingress shall be taken off the adjacent major or minor street.

15.32A.110 Outdoor Lighting

Statement of Intent. Lighting on each site shall create inviting and safe passageways for pedestrians while minimizing light pollution to neighboring properties and shall be incorporated into the overall building and site design.

- A. Light poles on private property shall not exceed twenty-five (25) feet in height from existing grade.
- B. Light pole materials shall be painted or finished aluminum or steel. Wood poles shall not be accepted.
- C. All lighting on private property shall comply with the standards stated in CBMC Section 15.24.050, *Lighting controls*.

15.32A.120 Screening and Buffering

Statement of Intent. Screening shall be integrated into the overall design of the site and shall fully contain the visual impact of service equipment and functions from public view.

- A. Planting shall be accepted in lieu of the required fencing for buffering the back of commercial buildings abutting residential zones.
 1. Screening planting shall include a six feet minimum width planting strip with a tall hedge as defined in the attached plant list. The hedge shall include deciduous or evergreen shrubs in a double row planted in a triangular spacing. Shrub species shall be selected from the attached plant list and confirm to the minimum sizes and spacing specified therein.
- B. Roof-mounted mechanical equipment shall be integrated into the design of the building so that the equipment is screened from public view in the adjacent street rights-of-way.
- C. Wall-mounted mechanical equipment shall not be located on any surface within the build-to-zone.
- D. Wall-mounted mechanical equipment located on any surface that is visible from an adjacent public street right-of-way shall be fully screened by architectural design features, landscaping, or a combination thereof.
- E. Ground-mounted mechanical equipment that is visible from an adjacent public street right-of-way shall be completely screened from view using architectural design features, fencing, masonry wall, landscaping, or a combination thereof.

- F. Loading and service areas shall be located to the side or rear of the principal building and shall be screened from view from adjacent property or public street right-of-way by architectural design features, landscaping, fencing, masonry wall, or a combination thereof.
- G. All dumpsters and exterior trash storage shall be screened using walls or fences that are a minimum of six feet in height and shall include a lockable gate that when closed completely eliminates the view of the trash area and its contents. All walls and fences used to screen dumpsters and exterior trash storage areas shall be constructed and installed in accordance with CBMC Section 15.32A.130, *Fences and Walls*.

15.32A.130 Fences and Walls

Statement of Intent: Fences and walls placed in the West Broadway CDO shall be constructed of high-quality materials and be complementary in design to the overall site.

- A. All fencing shall comply with the standards stated in CBMC Section 15.24.040, *Fence Regulations*.
- B. Fences shall be constructed of the following materials or a combination thereof: wood, composite fencing, wrought iron, coated chain link, or other material approved by the Community Development Director.
- C. Walls shall be constructed of the following materials or a combination thereof: brick, stone, cast-stone, split-face blocks, stucco over standard concrete masonry blocks, glass block, or other material approved the by the Community Development Director.
- D. Non-coated chain link, barbed wire, non-permanent or electrically charged fencing shall not be allowed.

15.32A.140 Signs

Statement of Intent. Signage in the West Broadway CDO shall be complementary in design to the overall site and help to accommodate buildings to a human scale by breaking up large wall masses and adding visual interest to passing pedestrians and motorists.

- A. The on-premises sign height and area regulations available for property within seven hundred (700) feet of the interstate highway system are not applicable within the corridor overlay district.
- B. A total of one detached on-premises sign shall be allowed for each property.
- C. Detached signs shall be ground or monument signs. No support posts shall be visible on these signs. Monument signs shall not have more than two sign faces. The sides of the monument sign that are not used for signage shall not exceed three (3) feet in width. The maximum height for monument signs shall be ten (10) feet. The maximum allowable height and area of each monument sign face will be measured from the finish grade to the top of the monument structure and from one end of the monument structure to the other. The maximum allowable square feet per sign face shall not be greater than each property's linear feet of street frontage, as measured on one adjacent street, or one hundred fifty (150) square feet, whichever is less.
- D. Off-premises signs are not permitted within the district.
- E. All signs shall be removed within ninety (90) days after abandonment of the business use. Removal shall include the sign face, all supports, poles and framing.
- F. Refacing existing signs are allowed only in conformance with this chapter.

15.32A.150 Adoption of a Development Plan

Statement of Intent. Properties in the West Broadway CDO which are unable to meet any aspects of the above listed regulations shall be allowed the option of applying for a site specific development plan

to be reviewed by the Planning Commission and City Council. Applicants shall submit development plans which enhance components of the development in exchange for relief of other requirements.

- A. These standards are not intended to prohibit creative design and development solutions by professional designers/developers that might generate a better quality development. Accordingly, certain departures from the design standards may be permitted. In order for a departure from the mandatory standards to be allowed, the development proposal must demonstrate that the departure would result in a development that better meets the intent, objectives, and principles of the design standards. The Community Development Director shall have the final authority to resolve any conflicts in the standards.
- B. Application. A completed application form, one (1) electronic copy and ten (10) paper copies of the development plan, along with the required fee, shall be submitted to the Community Development Department. The development plan shall be reviewed in accordance with the procedures outlined below. The following information shall be submitted to the Community Development Department:
1. A letter of intent stating the proposed uses, improvements necessary to serve the development, construction time frame, and phasing;
 2. The development name and legal description of the boundary;
 3. A north arrow, scale, bar scale, and date;
 4. The names and addresses of the owner, and the architect or engineer preparing the plan;
 5. A location map showing the proposed development and its relationship to existing abutting subdivisions and community facilities such as streets, schools, parks, and commercial areas;
 6. All established floodway or floodway fringe encroachment limits;
 7. A soils and drainage report prepared by the engineer. The report shall show the general soil and drainage conditions and include preliminary recommendations as to the adaptability of the property proposed for development;
 8. Location and size of any sites to be considered for dedication to public use;
 9. Layout, numbers, and dimensions of proposed lots;
 10. The location, width, name, grade, and typical cross-sections of all proposed streets within the development and the width and name of any platted street located within two hundred (200) feet of the site;
 11. The location and width of other public ways, railroad rights-of-way, utility, and all other easements existing or proposed within the development and within two hundred (200) feet;
 12. Existing and proposed contour intervals of not more than five feet;
 13. All existing and proposed underground installations within the proposed development or adjacent thereto or the location of the nearest available facilities;
 14. The location of all existing and proposed structures, proposed parking areas, pedestrian ways, private and public streets, and landscaping;
 15. Proposed signage plan;
 16. Architectural drawings, renderings, or other visual documents which illustrate proposed building design.

The Community Development Director shall determine the adequacy and completeness of the development plan application. The Community Development Director may require additional information prior to scheduling review by the City Planning Commission.

- C. Review by City Planning Commission. The City Planning Commission, in reviewing the development plan, shall take into consideration conformance with the comprehensive plan, recognized principles of land use planning, landscape, architecture, the conservation and stabilization of the value of property, adequate open space for light and air, congestion of public streets, the promotion of public safety, health, convenience and comfort and the general welfare of persons using the facility. In addition to the proposed use meeting the general requirements herein set forth, the commission, in recommending approval of the proposed development plan, may recommend certain conditions to be attached to such use which the commission deems necessary in order to carry out the intent and purpose of this title. Such conditions may include, but are not limited to, an increase in the required lot or yard area, control of the location and number of vehicular access points to the property, limitations to the number of signs, limitations to coverage or height of buildings situated on the property because of obstruction to view and reduction of light and air to adjacent property, required screening and landscaping where necessary reduce noise and glare, and designation of responsibility for maintenance of the property.
- D. Review by City Council. After review of the development plan by the City Planning Commission, it shall be forwarded to the City Council, with its written recommendations, whether for approval or denial, whereupon the City Council may take action on the plan. Approval of the development plan shall be by City Council resolution.
- E. Building Permit Review. The Community Development Director shall review all building and Public Works construction permits for compliance with the approved development plan. No building or Public Works construction permit shall be issued if determined by the Community Development Director to be inconsistent with the approved development plan. If the Community Development Director determines that major changes are requested, review and approval by the City Planning Commission and City Council shall be required.
- F. Amendment to Development Plan. Proposed amendments to an approved development plan shall be subject to the same review and approval procedure as an initial application. Minor amendments to an adopted development plan may be administratively approved at the discretion of the Community Development Director.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

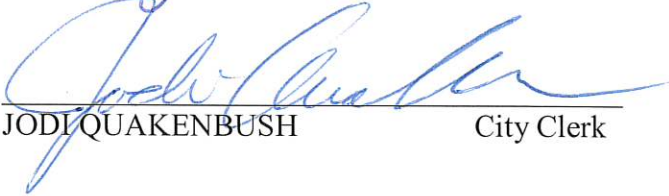
SECTION 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND
APPROVED

October 12, 2020.



MATTHEW J. WALSH Mayor

Attest: 

JODI QUAKENBUSH City Clerk

First Consideration: 9-28-20
Second Consideration: 10-12-20
Public Hearing: 10-12-20
Third Consideration: Waived

Proof Of Publication

State of Iowa

Pottawattamie County

NOTICE OF PUBLIC HEARING

TO WHOM IT MAY CONCERN:

A public hearing is to be held by the City Council of the City of Council Bluffs, Iowa, on the 12th day of October, 2020 at 7:00 p.m. in the City Council Chambers, 2nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time and place all persons interested in said matter will be given an opportunity to be heard.

The hearing is in regards to the City's intent to amend Title 15: Zoning of the Municipal Code by repealing Chapter 15.32 "CDO/Corridor Design Overlay" and creating Chapter 15.32A "West Broadway Corridor Design Overlay" and appending said "West Broadway Corridor Design Overlay" to an area of the City of Council Bluffs that is geographically bounded on the north by the north right-of-way line of Avenue 'A'; on the south by the south right-of-way line of 2nd Avenue; on the east by the west right-of-way line of South 13th Street and on the west by the east right-of-way line of Interstate 29/480.

Jodi Quakenbush, City Clerk
2020(10)4-1 Sunday

I, Tom Schmitt, on my oath do solemnly that I am Publisher of the COUNCIL BLUFFS DAILY NONPAREIL, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

The attached notice was published in said newspaper 1 consecutive time(s) as follows:

The First publication thereof began on the 04th day of October, 2020.

Signed in my presence by the said Tom Schmitt and by her sworn to before me this 4th day of October, A.D. 2020.

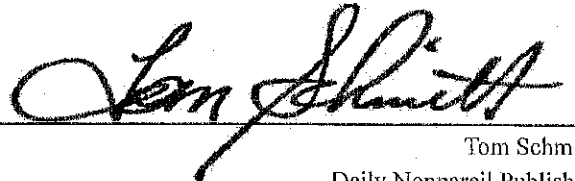
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Jodi Quakenbush, City Clerk
2020(10)4-1 Sunday


Tom Schmitt
Daily Nonpareil Publisher


Jessica Boucher
Notary Public

Filed this 4th day of October, A.D. 2020.

Publication Cost: \$16.60



Customer Number: 1003258
Order Number: 0000178956

Council Communication

Department: City Clerk
Case/Project No.: ZT-20-004
Submitted by: Haley Weber, Zoning Enforcement Officer

Ordinance 6427
ITEM 4.C.

Council Action: 10/12/2020

Description
Ordinance to amend Title 15; Zoning of the Municipal Code by repealing Chapter 15.32 "CDO/Corridor Design Overlay" and creating Chapter 15.32A "West Broadway Corridor Design Overlay" and appending said Chapter 15.32A "West Broadway Corridor Design Overlay" to an area of the City of Council Bluffs that is geographically bounded on the north by the north right-of-way line of Avenue 'A'; on the south by the south right-of-way line of 2nd Avenue; on the east by the west right-of-way line of South 13th Street and on the west by the east right-of-way line of Interstate 29/480. ZT-20-004

Background/Discussion
See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
ZT-20-004 Staff Report	Other	9/18/2020
Attachment A - Proposed and Existing West Broadway CDO Boundaries	Other	9/18/2020
Attachment B - Proposed Section 15.32A	Other	9/18/2020
Exhibit A - West Broadway Corridor Design Overlay	Other	9/21/2020
Exhibit B - Street Hierarchy Map	Map	9/21/2020
Exhibit C - Council Bluffs Street Tree Guide	Other	9/21/2020
Public Hearing Notice	Other	9/18/2020
Ordinance 6427	Ordinance	9/23/2020

City Council Communication

Department: Community Development Cases #ZT-20-004 Applicant: Council Bluffs Community Development Department	Ordinance No.	1 st Consideration: 09/28/2020 2 nd Consideration: 10/12/2020 3 rd Consideration: 10/26/2020 Planning Commission: 9/8/2020
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Subject/Title

Public hearing on the request of the Council Bluffs Community Development Department to amend Title 15: Zoning of the Municipal Code of Ordinances by repealing Chapter 15.32 – CDO/Corridor Design Overlay and replacing it with Chapter 15.32A - West Broadway Corridor Design, and to append said West Broadway Corridor Design Overlay onto all properties and zoning districts located in an area of the City of Council Bluffs legally described as being geographically bounded on the north by the north right-of-way line of Avenue ‘A’, to the south by the south right-of-way line of 2nd Avenue, to the east by the west right-of-way line of South 13th Street, and to the west by the east right-of-way line of Interstate 29/480.

Background

West Broadway Corridor Design Overlay (CDO) Design Standards

The proposed amendment to enhance the West Broadway CDO standards is one of several implementations of the West Broadway Corridor Plan, adopted by City Council in 2015 with Resolution #15-204, which established a vision for the West Broadway Corridor based on “*a strong infrastructure network, strategic land use policy, and high quality vertical development forming beautiful urban space.*” To achieve this vision, the adopted plan included the following recommendations:

- Create incentives at transit stations to allow for higher densities, reduced parking ratios, and vertical mixing of uses;
- Allow for a greater range of uses including residential and mixed-use areas where only commercial is currently permitted;
- Rezone properties south of Avenue A to residential to reflect in policy the decision to return Avenue A to a residential street;
- Rezone former industrial properties to accept a mix of uses;
- Provide form-based design guidelines for street frontages;
- Provide guidelines for appropriate massing and building elements;
- Establish guidelines for the creation of public and semi-private outdoor gathering space;
- Manage appropriate parking types and locations; and
- Manage access points and limit service to alleys and rear lanes.

In an effort to implement these recommendations, City Council adopted Ordinance #6398 in 2019 which created the MCR/Mixed-use Residential District. The MCR district is intended to “*encourage an urban pattern of development characterized as ‘mixed-use’ in order to promote human interaction, pleasing aesthetics, economic resiliency, efficient land use, and maximization of resources. The MCR district also supports and encourages a variety of transportation options for multiple modes of transportation. The MCR district is applicable to areas of the City where higher density residential and commercial uses are appropriate and where municipal utility infrastructure is readily available or can be extended by a project.*” Subsequently, City Council approved Ordinance No. 6397 to rezone properties within the West Broadway Corridor from R-3 to MCR.

Continuing the effort of implementing the above listed recommendations of the adopted West Broadway Corridor Plan, the Community Development Department analyzed the current West Broadway CDO standards for areas of improvement. Staff determined that while the existing standards provided a solid foundation for quality design in the West Broadway Corridor, the standards fail to fully meet the intent and recommendations of the adopted West Broadway Corridor Plan. Specifically, Section 15.32, *Corridor Design Overlay*, lacks clarity and consistency in the application of the design

standards and falls short in providing standards that wholly support the adopted vision of the West Broadway Corridor.

In the process of drafting the proposed design standards, the Community Development Department conducted research on a number of design standards in cities across the country, and paid particular attention to design standards in corridors similar to West Broadway. The proposed Section 15.32(A), *West Broadway Corridor Design Overlay*, combines the most effective aspects of the current standards with the most appropriate additions found in staff's research.

The Community Development Department is proposing to replace the existing West Broadway CDO standards with an enhanced Section 15.32A, *West Broadway Corridor Design Overlay* for the following reasons:

- The proposed Section 15.32A, *West Broadway Corridor Design Overlay* better achieves the goals and intent of the adopted West Broadway Corridor Plan, which is to create a vibrant urban corridor that supports multi-modal transportation options, mixed-use development, and architecture that enhances the visual attractiveness and quality of life of the City of Council Bluffs; and
- The enhanced applicability and boundary language provides clarity and consistency in the application of the proposed design standards.

An overview of the existing and proposed standards is outlined below.

Existing Section 15.32, *Corridor Design Overlay*, includes the following Sections:

- Statement of Intent
- Establishment of A Corridor Design Overlay
- Overlay Boundaries
- Curb Cuts
- Pedestrian Facilities
- Planting
- Screening and Buffering
- Signs
- Architecture
- Lighting

Proposed Section 15.32A, *West Broadway Corridor Design Overlay*, includes the following Sections:

- Statement of Intent
- West Broadway Corridor Design Overlay Boundary
- Definitions
- Applicability of the West Broadway Corridor Design Overlay
- Permitted, Conditional and Accessory Uses
- Prohibited Land Uses
- Build-to-Zone for West Broadway and Major Streets
- Architecture
- Landscaping and Streetscapes
- Pedestrian and Vehicular Access
- Outdoor Lighting
- Screening and Buffering
- Fences and Walls
- Signs
- Adoption of a Development Plan

Much of the existing design standard language or concepts were kept from the following sections: Curb Cuts; Pedestrian Facilities; Screening and Buffering; Signs; and Lighting. Updates to the existing standards were provided to achieve greater clarity and further meet the intent of the adopted West Broadway Corridor Plan. An overview of the main updates to the proposed West Broadway CDO standards include the following:

West Broadway Corridor Design Overlay Boundary

The existing West Broadway CDO boundary is comprised of an irregular polygon shape that lacks consistency from block to block. These inconsistencies throughout the existing boundary result in a discordant application of the design standards throughout the West Broadway corridor. Proposed Section 15.32A, *West Broadway Corridor Design Overlay* clarifies the boundary of the West Broadway CDO and ensures consistent applicability of the design standards among all applicable properties within the corridor. The proposed boundary applies to the area geographically bounded on the north by the north right-of-way line of Avenue 'A'; on the south by the south right-of-way line of 2nd Avenue' on the east by the west right-of-way line of South 13th Street and on the west by the east right-of-way line of Interstate 29/480. A map showing the current and proposed West Broadway CDO Boundaries is included as Attachment 'A'.

Street Hierarchy

The West Broadway Corridor contains a mixture of arterial, local, and collector streets that influence and direct the flow of vehicular, bicycle, and pedestrian traffic. The Community Development Department acknowledges that not all streets within the West Broadway Corridor are of the same level of significance. In this regard, the proposed section establishes a street hierarchy system that serves as a tool to apply the proposed design standards in a context sensitive manner. Streets within the West Broadway CDO are organized in the following categories:

- 1) West Broadway – West Broadway Street is the highest category street within the corridor and is subject to the highest level of design emphasis.
- 2) Major Street – Major streets include 1st Avenue and intersecting north/south streets including: 16th, 19th, 22nd, 25th, 28th, 31st, and 35th Streets. While not a street per se, 1st Avenue will contain a premier multi-use trail. The north/south streets were identified as significant as they are future locations of plazas along the 1st Avenue trail.
- 3) Minor Street – Minor streets include all other streets within the West Broadway CDO that are not designated as West Broadway or Major. Minor streets demand the lowest level of design emphasis within the corridor.

This street hierarchy system is referenced throughout the proposed design standards.

Applicability

Compliance with the current West Broadway CDO standards occurs in any of the following scenarios:

- New construction of commercial, industrial, and multifamily structures and sites;
- Substantial rehabilitation of or additions to commercial, industrial, and multifamily structures and sites. Substantial rehabilitation is defined as modifications equal to fifty (50) percent of the assessed value of the structure or structures on a lot;
- The reoccupancy of fifty (50) percent or more of any commercial, industrial, and multifamily structure or site which has been vacant for a period of six months. Once fifty (50) percent or more of a building has been vacant for six months or more, it may not be reoccupied until such time that the entire structure has been brought into compliance
- All new signage and sign refacing requiring a permit; and
- Exterior modifications which equal to fifty (50) percent of the structure's total street façade shall comply with Section 15.32.090, *Architecture*.

The above listed scenarios have a relatively low threshold that a redevelopment project must hit for compliance with the West Broadway CDO standards. Additionally, determining when a redevelopment project constitutes compliance can be confusing or difficult to enforce under the existing applicability standards.

The proposed applicability standards provide clear guidelines on when compliance with the proposed West Broadway CDO standards would occur. Compliance with the proposed design standards would presumably occur on a less frequent basis as the threshold that a remodel must hit has been significantly increased. Compliance with the proposed standards shall be as follows:

- 1) New construction of commercial, mixed-use, and multifamily structures and sites shall comply entirely with the proposed standards; (*Note: This qualification exists in the current West Broadway CDO standards.*)
- 2) Building modifications equal to fifty (50) percent or more of the total assessed **value of the structure** shall require the **structure only** to be brought into compliance with the applicable design standards; and
- 3) Building modifications equal to fifty (50) percent or more of the total assessed **value of the property** shall require the **entire site** to be brought into compliance with all design standards.

The below listed example scenario compares the existing and proposed West Broadway CDO standards that would be applicable in a remodel of the Godfather's Pizza located at 3020 West Broadway.

Example Scenario: Godfather's 3020 West Broadway

Total Assessed Value (Land + Building) (2020) - \$589,100 (\$294,550 – 50 Percent Trigger)

Total Assessed Building Value (2020) - \$196,700 (\$98,350 – 50 Percent Trigger)

Applicable Standards	Under \$98,350 Remodel		\$98,350-\$294,549 Remodel		\$294,550+ Remodel		Entire Site Redevelopment	
	Current Applicability	Proposed Applicability	Current Applicability	Proposed Applicability	Current Applicability	Proposed Applicability	Current Applicability	Proposed Applicability
Curb Cuts	<i>Under assessed value of structure</i>	<i>Under assessed value of structure and property</i>	X		X	X	X	X
Pedestrian Facilities			X		X	X	X	X
Planting			X		X	X	X	X
Screening and Buffering			X		X	X	X	X
Signs			X		X	X	X	X
Architecture	<i>No standards apply</i>	<i>No standards apply</i>	X	X	X	X	X	X
Lighting			X		X	X	X	X
Build-to-Zone								X
Fences and Walls						X	X	

Additionally, the proposed design standards do not apply to existing or expanding single family and two family uses. Properties adding a new drive-through lane in the West Broadway CDO would be required to comply with the proposed drive-through screening standards.

Flexibility

The proposed section provides the following opportunities for flexibility in the application of the West Broadway Corridor design standards where none exists in the current code:

- *Community Development Director Flexibility* – The Community Director may approve: minor, equivalent deviations from the standards; use of an alternate building material; or use of an alternate fencing or wall material; and
- *Adoption of a Development Plan* – Properties in the West Broadway CDO which are unable to meet any aspects of the proposed design standards shall be allowed the option of applying for a site specific development plan to be reviewed by the City Planning Commission and City Council. This process would differ from a variance in that applicants would not be allowed to develop to a lesser standard than required by the proposed design standards. Instead, applicants would submit development plans which further enhance components of the development in regards to the above requirements in exchange for relief of other requirements.

Prohibited Land Uses

Concurrent with the proposed West Broadway CDO standards request, the Community Development Department is also requesting to rezone all remaining I-1/Light Industrial properties within the West Broadway Corridor to C-2/Commercial (Case #ZC-20-010) and amend the future land use plan of the Bluffs Tomorrow: 2030 Plan (Comprehensive Plan) by reclassifying the 'Light Industrial' areas within the West Broadway Corridor to 'Multi-Family/Mixed-Use' (Case #CP-20-001) in accordance with the recommendations of the adopted West Broadway Corridor Plan. While C-2/Commercial District zoning is generally appropriate for the West Broadway Corridor, staff has further identified certain uses in the C-2 district which are not conducive to a vibrant urban corridor that supports multi-modal transit and mixed-use development.

The proposed Section 15.32A.060, *Prohibited Land Uses*, limits land uses within the West Broadway CDO boundary to those that support the adopted vision for the West Broadway Corridor. These proposed prohibited land uses do not apply to other areas zoned C-2/Commercial District outside the West Broadway CDO. Existing businesses in these land use classifications may continue as legal nonconforming uses, subject to the standards stated in Section 15.26, *Nonconformities*. Proposed Section 15.32A.060 filters out heavy commercial, industrial, and auto-oriented uses to ensure that future mixed-use developments in the corridor are protected and encouraged by surrounding uses. The proposed

prohibited uses include:

- Adult entertainment
- Automotive repair (major only)
- Automotive sales and rental
- Building material, retail sales only
- Cemeteries
- Commercial storage
- Contractor shop
- Juvenile detention facility
- Industrial and manufacturing
- Warehousing and distribution

Build-to-Zone

The adopted West Broadway Corridor Plan recommended that the existing West Broadway CDO standards be revised to include “*form-based design guidelines for street frontages.*” The proposed build-to-zone standards accomplish this recommendation and introduce the build-to-zone concept to the West Broadway Corridor. The build-to-zone can be defined as the area on a lot where a building must locate between a minimum and maximum setback. The proposed build-to-zone establishes a minimum setback of five (5) feet and a maximum setback of twenty (20) feet. The purpose of the proposed build-to-zone is to situate new buildings on sites in such a manner that enhances pedestrian interest and comfort while establishing a consistent street wall along West Broadway and major streets. All new buildings, excluding accessory structures, built on sites with frontage on West Broadway or a major street shall be built within the build-to-zone. Buildings shall have a minimum ‘build-to-width’, as defined in Section 15.32A.030 as “*the minimum cumulative building width that shall occupy the build-to-zone, based on the width of the parcel at the street*” of fifty (50) percent. Once the minimum build-to-width has been met, portions of the building or additional buildings may be placed outside the build-to-zone.

Architecture

The proposed architecture standards are intended to encourage timeless architectural design within the West Broadway CDO through requiring coordinated, high-quality materials and architectural elements on all facades with design emphasis given towards West Broadway and major street facing facades. The proposed architectural standards cover the following areas:

- *Building Materials* – The proposed building materials list builds off of the existing list by including only high-quality, appropriate building material types and categorizing them into two groups: durable and complementary. This categorization allows the materials to be applied in a context-sensitive manner that honors the established street hierarchy system.
- *Articulation* – The proposed articulation standards require that building facades be constructed with architectural details to articulate building elevations (i.e. color or material changes, minor wall offsets, height variations, wall setbacks, accent lines, colonnades, and upper floor setbacks). Additionally, to encourage four-sided architecture within the West Broadway corridor, buildings shall have a minimum two (2) foot base spanning the entire length of all facades and shall be comprised of one of the following high-quality, durable materials: architectural concrete masonry unit (CMU) block (excluding smooth or flat faced block; brick masonry; stone masonry; or tile masonry. Building facades that are blank and/or void of architectural detailing shall not be allowed. However, all facades and portions thereof that are not visible from adjacent street right-of-way do not require articulation.
- *Transparency* – To encourage interest and interaction between the public and private realm, buildings will be required to provide a minimum percentage of transparent windows and doors that cover a façade measured between two (2) and ten (10) feet above grade. The specific percentage required is based upon where the façade falls within the street hierarchy. Facades along West Broadway and major streets require the highest levels of transparency.

Landscaping and Streetscapes

The proposed landscaping and streetscape standards aim to aid in softening the appearance of buildings and paved areas while creating visual interest for people in the corridor. In summary, the proposed landscaping and streetscape standards include the following:

- *Frontage Landscaping* – A minimum five (5) feet wide landscape strip shall be installed on all frontages. A minimum of one (1) deciduous, shade tree and ten (10) shrubs shall be planted every twenty (20) linear feet along

frontage strips. Frontage adjacent to buildings shall only be required to install foundation plantings.

- *Foundation Plantings* – Foundation plantings shall be placed along the perimeter of all facades, not inclusive of entrances.
- *Parking Lot Landscaping* – The proposed parking lot landscaping standards are required at the same rate as the existing standards. The proposed standards require that landscape islands be evenly distributed throughout the parking lot in order to maximize tree canopy shade. Trees planted in perimeter planting areas as opposed to landscape islands or endcap islands/peninsulas shall be counted as ½ tree.
- *Landscaping Maintenance* – Plantings are required to be maintained at all times. If plant material dies, it shall be replaced with plantings of the same or similar species of equal size within six (6) months of the plant's demise. Failure to replace plant materials within the specified timeframe shall result in zoning enforcement action pursuant with CBMC Section 15.02.130, *Violation and Penalty*.
- *On-Street Parking* – On-Street parking is encouraged on all new development and redevelopment within the West Broadway corridor, whenever adequate right-of-way is available, in accordance with adopted Public Works standards.
- *Street Tree Plantings* – Street tree plantings are required along all major streets in accordance with the species type and spacing requirements of the *Council Bluffs Street Tree Species Guide*.

Pedestrian and Vehicular Access

The proposed pedestrian and vehicular access standards aim to prioritize pedestrian safety and minimize curb cuts off West Broadway and major streets whenever possible. The proposed pedestrian and vehicular access standards include the following:

- *Curb Cuts* – The majority of the curb cut language was carried over from current Section 15.32, *Corridor Design Overlay*. In an effort to further decrease the amount of curb cuts off of West Broadway, the following language was added, “*in instances where no curb cut is provided on West Broadway, the intersecting street shall be allowed two (2) curb cuts.*”
- *Pedestrian Access* – Pedestrian access language was kept from the current Section 15.32, which requires that “*a five (5) foot wide, hard-surface accessible route shall be provided on all adjacent rights-of-way to a public entrance. An accessible route may be designated with painted markings on parking lot pavement.*”
- *Drive-through Lanes* – New drive-through lane language is included with this update that promotes pedestrian safety and supports buildings being closer to the street. The proposed language requires that drive-through lanes be located to the sides and rear of the property when possible. In situations where drive-through lanes are located in front of buildings, the lanes shall be screened from adjacent public street right-of-way by a masonry wall; vegetative wall; architectural feature attached to the building; or a combination thereof. Additionally, on corner lots of West Broadway, drive-through ingress shall be taken off the adjacent major or minor street.

Screening and Buffering

The proposed screening and buffering standards intend to ensure that screening is integrated into the overall site design and fully contains the visual impact of service equipment and functions from public view. The existing Section 15.32 included screening standards for dumpsters, outdoor trash storage, roof-mounted equipment and screening commercial uses from residential zones. The proposed screening and buffering section includes much of the same language and covers the following:

- *Commercial Buildings Abutting Residential Zones* – Planting or fencing shall be used to screen the back of commercial buildings abutting residential zones. Plantings shall include a six (6) feet minimum width planting strip with a tall hedge comprised of deciduous or evergreen shrubs in a double row planted in a triangular spacing, as defined in the attached planting list
- *Roof-mounted Mechanical Equipment* – Roof-mounted equipment shall be integrated into the design of the building so that the equipment is screened from public view in the adjacent street rights-of-way.
- *Wall-mounted Mechanical Equipment* – In order to continuously place design emphasis on West Broadway and major streets, wall-mounted mechanical equipment cannot be located on any surface within the build-to-zone. Any wall-mounted mechanical equipment located on any surface that is visible from an adjacent public street right-of-way shall be fully screened by architectural features, landscaping, or a combination thereof.
- *Ground-mounted Mechanical Equipment* – Ground-mounted mechanical equipment visible from adjacent public right-of-way shall be completely screened from view using architectural design features, fencing, masonry wall, landscaping, or a combination thereof.
- *Loading and Service Areas* – Loading and service areas shall be located to the side or rear of the principal

building and shall be screened from view from adjacent property or public street right-of-way by architectural design features, landscaping, fencing, masonry wall, or a combination thereof.

Fences and Walls

The intent of the fences and walls section of the proposed standards is to ensure that any fence or wall placed in the West Broadway CDO is constructed of high-quality materials and is complementary in design to the overall site. A list of appropriate fence and wall materials is provided. Non-coated chain-link, barbed wire, non-permanent, or electrically charged fencing is not allowed in the corridor.

Comments

All City departments and local utility providers received a copy of the proposed text amendment. The following comments were received regarding proposed Section 15.32A, *West Broadway Corridor Design Overlay*:

- The Community Development Department provided the following comments in regards to their recent West Broadway Corridor public outreach efforts:
 - **FIRST AVE Advisory Committee Presentations**—The FIRST AVE Advisory Committee is comprised of community stakeholders and meets on a monthly basis. Community Development staff presented the proposed design standards to members of the FIRST AVE Advisory Committee at various stages in the draft process for review and discussion. These presentations were recorded and posted on the City’s website: FIRSTAVECB.com.
 - **City Planning Commission Informal Presentation**—At the August City Planning Commission meeting, Community Development Department staff gave a brief, informal presentation on the proposed design standards and rezonings and provided Commission members a copy of the draft standards for review prior to the September public hearing.
 - **Public Notification Letters**—The Community Development Department sent out over 1,200 letters to property owners within and around the West Broadway Corridor that provided information on the following:
 - An open house hosted by the Community Development Department regarding the following actions to implement the long-range vision of the West Broadway Corridor Plan:
 - Updating the West Broadway CDO boundary
 - Rezoning properties from I-1 to C-2
 - Modifying the West Broadway CDO standards
 - Construction of the 1st Avenue trail;
 - Information on how to provide public comment regarding the above listed items via phone or email; and
 - The time, date, and location of the City Planning Commission where the proposed CDO standards and rezoning items would be considered.
- Staff fielded approximately fifteen (15) calls from the public regarding the public notification letters.
- **Open House**—The Community Development Department hosted an open house on Thursday, August 27, 2020 from 6 PM to 8 PM at the Council Bluffs Public Library with approximately 30-40 attendees. The purpose of this open house was to provide the public an informal opportunity to meet with staff regarding the proposed rezonings, design standards, and 1st Avenue trail. In general, attendees were inquisitive about the various proposals and were interested to know how their specific properties would be affected by the proposed changes.

- The Council Bluffs Permits and Inspections Division stated that the City should look into requiring fencing permits within the Corridor as a means of evaluating compliance with the proposed fencing regulations.
- The Council Bluffs Public Works Department provided the following comments:
 - 15.32A.090.D—On-street parking is for the general public and not typically a part of developments or re-developments and would be discouraged in high traffic locations. The north/south streets with the exceptions of 16th, 25th, and 35th Streets would be the most accommodating for on-street parking.
 - 15.32A.100.C.a.i—Geometrically, this option would be a hindrance to site development.
 - 15.32A.140.C—All detached signage must be located outside of the public right-of-way and must not create an issue with sight triangles at intersections (driveways and streets).
- MidAmerican Energy provided comments regarding the proposed Section 15.32A.110, *Outdoor Lighting*, as it pertains to their provision of wood light poles that at times exceed twenty-five (25) feet within the West Broadway Corridor and 15.32A.120, *Screening and Buffering*, as it pertains to access to metered equipment by both MidAmerican employees and on-site tenants.
- Council Bluffs Water Works stated that they have no comments regarding the proposed text amendment.
- The Council Bluffs Fire Department stated that they have no comments regarding the proposed text amendment.

Recommendation

The Community Development Department recommends approval to amend Title 15: Zoning of the Municipal Code of Ordinances by repealing Chapter 15.32 – CDO/Corridor Design Overlay and replacing it with Chapter 15.32A - West Broadway Corridor Design, and to append said West Broadway Corridor Design Overlay onto all properties and zoning districts located in an area of the City of Council Bluffs legally described as being geographically bounded on the north by the north right-of-way line of Avenue ‘A’, to the south by the south right-of-way line of 2nd Avenue, to the east by the west right-of-way line of South 13th Street, and to the west by the east right-of-way line of Interstate 29/480.

Public Hearing

Staff speakers for the request:

1. Haley Weber, Zoning Enforcement Officer, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503
2. Christopher Gibbons, Planning Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503

Speakers in favor: None

Speakers against: None

General comments/questions from public:

1. Beverly Roth, 4 Ridge Drive West, Council Bluffs, IA 51503

Planning Commission Recommendation

The Planning Commission recommended approval to amend Title 15: Zoning of the Municipal Code of Ordinances by repealing Chapter 15.32 – CDO/Corridor Design Overlay and replacing it with Chapter 15.32A - West Broadway Corridor Design, and to append said West Broadway Corridor Design Overlay onto all properties and zoning districts located in an area of the City of Council Bluffs legally described as being geographically bounded on the north by the north right-of-way line of Avenue ‘A’, to the south by the south right-of-way line of 2nd Avenue, to the east by the west right-of-way line of South 13th Street, and to the west by the east right-of-way line of Interstate 29/480.

VOTE: AYE 10 NAY 0 ABSTAIN 0 ABSENT 1 VACANT 0 Motion: Carried

Attachment(s)

Attachment A: Proposed and Existing West Broadway CDO Boundaries

Attachment B: Proposed Section 15.32A, *West Broadway Corridor Design Overlay*

Prepared by: Haley P. Weber, Zoning Enforcement Officer



West Broadway Corridor Design Overlay

