

**ORDINANCE NO. 6482**

**AN ORDINANCE TO AMEND TITLE 15 ZONING OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA BY ENACTING NEW CHAPTER 15.35 "INFILL DEVELOPMENT".**

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

**SECTION 1.** That Title 15 Zoning of the 2020 Municipal Code of Council Bluffs, Iowa, be and is hereby amended by enacting new Chapter 15.35 "Infill Development" to read as follows:

**Chapter 15.35-INFILL DEVELOPMENT**

**15.35.010 Statement of Intent**

**15.35.020 Definitions**

**15.35.030 Infill Dwelling Structures**

**15.35.010 Statement of Intent**

The purpose of the Infill Development chapter is to encourage the development of vacant infill tracts and lots throughout the City and the redevelopment of properties that may be problematic or otherwise unique. Acknowledging that it may not be economically feasible or attractive to develop or redevelop many of the smaller properties throughout the City under existing land development regulations, the Infill Development policy gives the City the flexibility to determine the worthiness of those projects that cannot strictly comply with all the land development regulations that would normally be applied to the project provided the project can meet the general intent of the comprehensive plan and the land development regulations as applied consistent with the purpose and intent of this section and sound and generally acceptable planning and land use principles and practices.

The infill development policy ensures that the proposed development is designed and located utilizing innovative techniques and characteristics that are beneficial to the City. Criteria for infill development projects are intended to ensure that a proposed development improves the character of the neighborhood in which it is located and improves the City as a whole; that flexibility in design is used to construct a project that is superior to a project strictly and rigidly designed consistent with the land development regulations; and that the use is compatible with surrounding properties.

In exchange for a better project, the developer may vary some of the standards and criteria of the land development regulations including, but not limited to, density, building setback, height, lot size, parking, and architectural design pursuant to a negotiated conditional use permit with the City.

**15.35.020 Definitions**

The following terms are specific to this chapter:

**Infill Dwelling Structure:** A newly constructed residential building located on an existing nonconforming lot of record and that does not conform to the site development standards of the base zoning district because such standards would make development not practicable.

**15.35.030 Infill Dwelling Structures**

- A. Applicability. This section shall apply to existing lot(s) of record that are within established residential neighborhoods and that are considered non-conforming as per the site development standards of the base zoning district.
  
- B. Review Procedure. The property owner or their authorized representative may submit an application for a conditional use permit, as outlined in CBMC Section 15.02.090. The application shall be filed with the Community Development

Department, along with the required filing fee. The Community Development Director shall determine the adequacy and completeness of the application prior to scheduling the case before the zoning board of adjustment.

- C. General provisions
  - 1. Infill dwelling structures shall be permitted as conditional uses in all zoning districts that allow residential development.
  - 2. Infill dwelling structures shall only be permitted on existing nonconforming lots of record on which new construction would not be practicable due to the site development standards of the base zoning district.
  - 3. Proposed infill dwelling structures will be evaluated by the Community Development Department on a case-by-case basis. All conditional use permit applications for infill dwelling structures shall include the following materials and information:
    - a. Letter of intent stating how the flexibility granted by the City regarding site development standards will benefit the public good and the ability of the development to assist the City in its goals to stabilize, preserve, and/or improve existing neighborhoods.
    - b. Setbacks
    - c. Lot coverage
    - d. Building placement/bulk/size
    - e. Off-street parking
    - f. Architectural design
    - g. Drainage and runoff
    - h. Outdoor lighting
    - i. Landscaping
    - j. Utilities
    - k. Any other information pertinent to the development of the site necessary for sufficient development review.
  - 4. The Community Development Department shall have the authority to request additional information for development review as needed.

**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

February 28, 2022.

  
\_\_\_\_\_  
MATTHEW J. WALSH Mayor

Attest:   
\_\_\_\_\_  
JODI QUAKENBUSH City Clerk

First Consideration: 1-24-22  
Second Consideration: 2-14-22  
Public Hearing: 2-14-22  
Third Consideration: 2-28-22

# Proof Of Publication

State of Iowa

Pottawattamie County

NOTICE OF PUBLIC HEARING

**TO WHOM IT MAY CONCERN:**

You and each of you are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing on the request of the Community Development Department to amend Title 15: Zoning of the Council Bluffs Municipal Code by amending Chapter 15.03, Definitions, of the Council Bluffs Municipal Code (Zoning Ordinance) to update definitions for 'dwelling, multifamily,' 'dwelling, single-family detached,' 'dwelling, single-family attached,' and 'dwelling townhouse,' and by enacting Chapter 15.35, Infill Development.

You are further notified that the public hearing on said matter will be held by the City Council of the City of Council Bluffs, Iowa, at its regular meeting held at 7:00 p.m., on the 14th day of February, 2022 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.

Jodi Quakenbush, City Clerk  
2022 (2) 6-1 Sunday

I, (the undersigned) on my oath do solemnly that I am an authorized representative of CBN 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 06th day of February, 2022.

  
Brenda Bunn  
Billing Representative

Sworn to and subscribed before me this 6th day  
of February, A.D. 2022.

  
Kimberly Kay Harris  
Notary Public

State of Virginia  
County of Hanover  
My Commission expires \_\_\_\_\_

Kimberly Kay Harris  
NOTARY PUBLIC  
Commonwealth of Virginia  
Reg. No. 356753  
Commission Exp. Jan. 31, 2025

CITY OF COUNCIL BLUFFS  
209 PEARL ST.  
COUNCIL BLUFFS, IA 51503

Publication Cost: \$16.79  
Customer Number: 1003258  
Order Number: 0000287745

E-mail

jquakenbush@councilbluffs-ia.gov

# Proof Of Publication

State of Iowa

Pottawattamie County

I, (the undersigned) on my oath do solemnly that I am an authorized representative of CBN Daily Nonpareil, a newspaper issued DAILY and printed in said county, COUNCIL BLUFFS, IOWA.

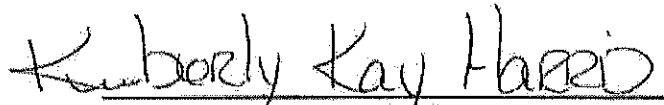
The attached notice was published in said newspaper 1 consecutive time(s) as follows:

The First publication thereof began on the 05th day of March, 2022.



**Billing Representative**

Sworn to and subscribed before me this 5th day of March, A.D. 2022.



**Notary Public**

State of Virginia  
County of Hanover

My Commission expires

Kimberly Kay Harris  
NOTARY PUBLIC  
Commonwealth of Virginia  
Reg. No. 356753  
Commission Exp. Jan. 31, 2025

CITY OF COUNCIL BLUFFS  
209 PEARL ST.  
COUNCIL BLUFFS, IA 51503

Publication Cost: \$90.77  
Customer Number: 1003258  
Order Number: 0000293509

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**Chapter 15.35-INFILL DEVELOPMENT**

**15.35.010 Statement of Intent  
15.35.020 Definitions  
15.35.030 Infill Dwelling Structures**

**15.35.010 Statement of Intent**

The purpose of the Infill Development chapter is to encourage the development of vacant infill tracts and lots throughout the City and the redevelopment of properties that may be problematic or otherwise unique. Acknowledging that it may not be economically feasible or attractive to develop or redevelop many of the smaller properties throughout the City under existing land development regulations, the Infill Development policy gives the City the flexibility to determine the worthiness of those projects that cannot strictly comply with all the land development regulations that would normally be applied to the project provided the project can meet the general intent of the comprehensive plan and the land development regulations as applied consistent with the purpose and intent of this section and sound and generally acceptable planning and land use principles and practices.

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**15.35.030 Infill Dwelling Structures**

A. Applicability. This section shall apply to existing lot(s) of record that are within established residential neighborhoods and that are considered non-conforming as per the site development standards of the base zoning district.

B. Review Procedure. The property owner

or their authorized representative may submit an application for a conditional use permit, as outlined in CBMC Section 15.02.090. The application shall be filed with the Community Development

Department, along with the required filing fee. The Community Development Director shall determine the adequacy and completeness of the application prior to scheduling the case before the zoning board of adjustment.

**C. General provisions**

1. Infill dwelling structures shall be permitted as conditional uses in all zoning districts that allow residential development.

2. Infill dwelling structures shall only be permitted on existing nonconforming lots of record on which new construction would not be practicable due to the site development standards of the base zoning district.

3. Proposed infill dwelling structures will be evaluated by the Community Development Department on a case-by-case basis. All conditional use permit applications for infill dwelling structures shall include the following materials and information:

a. Letter of intent stating how the flexibility granted by the City regarding site development standards will benefit the public good and the ability of the development to assist the City in its goals to stabilize, preserve, and/or improve existing neighborhoods.

b. Setbacks

c. Lot coverage

d. Building placement/bulk/size

e. Off-street parking

f. Architectural design

g. Drainage and runoff

h. Outdoor lighting

i. Landscaping

j. Utilities

k. Any other information pertinent to the development of the site necessary for sufficient development review.

4. The Community Development Department shall have the authority to request additional information for development review as needed.

**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 February 28, 2022.  
APPROVED

MATTHEW J. WALSH Mayor

Attest:  
JODI QUAKENBUSH City Clerk

First Consideration: 1-24-22  
Second Consideration: 2-14-22  
Public Hearing: 2-14-22  
Third Consideration: 2-28-22  
2022 (3) 5- 1 Saturday

**Council Communication**

Department: City Clerk  
Case/Project No.: ZT-22-001  
Submitted by: Brandon Siracuse, Planner

Ordinance 6481 & 6482  
ITEM 7.B.

Council Action: 2/28/2022

**Description**  
Ordinance 6481 to amend Chapter 15.03 Definitions, by amending Section 15.03.220 'dwelling, multifamily,' Section 15.03.230 'dwelling, single-family detached,' Section 15.03.235 'dwelling, single-family attached,' and Section 15.03.236 'dwelling, townhouse, and adding a new Section 15.03.361 "Infill Dwelling Structure"  
Ordinance 6482 to amend Title 15 Zoning by enacting new Chapter 15.35 Infill Development. ZT-22-001

**Background/Discussion**  
See attached staff report.

**Recommendation**

**ATTACHMENTS:**

Description	Type	Upload Date
Staff Report	Staff Report	1/13/2022
Attachment A - Proposed Chapter 15.35	Code Section	1/13/2022
Attachment B - Definitions	Other	1/13/2022
Attachment C - Proposed Chapter 15.03	Code Section	1/13/2022
Notice of Public Hearing	Notice	1/13/2022
Ordinance 6481	Ordinance	1/19/2022
Ordinance 6482	Ordinance	1/19/2022

## City Council Communication

Department: Community Development  CASE #ZT-22-001  Applicant: City of Council Bluffs 209 Pearl Street Council Bluffs, IA 51503	Ordinance No. _____	1 <sup>st</sup> Consideration: 1/24/2022 2 <sup>nd</sup> Consideration: 2/14/2022 3 <sup>rd</sup> Consideration: 2/28/2022  Planning Commission: 1/11/2022
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### Subject/Title

**Request:** Public hearing on the request of the City of Council Bluffs to amend the definitions stated in Sections 15.03.220, Dwelling, Multifamily, 15.03.230, Dwelling, Single-Family Detached, and 15.03.235, Dwelling, Single-Family Attached, and 15.03.236, Dwelling, Townhouse, and to enact Chapter 15.35, Infill Development, to the Council Bluffs Municipal Code (Zoning Ordinance).

### Background

The Community Development Department is requesting to amend Title 15: Zoning of the Council Bluffs Municipal Code (Zoning Ordinance) as follows:

- Enact Chapter 15.35: Infill Development to establish a process for constructing infill dwelling structures on very small existing lots of record that would otherwise be unbuildable due to the development standards of the base zoning district, and to establish a code chapter that may be expanded to facilitate future infill development needs;
- Amend Section 15.03.220: Dwelling, Multifamily to update the definition of a multifamily dwelling;
- Amend Section 15.03.230: Dwelling, Single-Family Detached to update the definition of a single-family detached dwelling;
- Amend Section 15.03.235: Dwelling, Single-Family Attached to update the definition of a single-family attached dwelling;
- Amend Section 15.03.236: Dwelling, Townhouse, to update the definition of a townhouse dwelling.

#### Enacting Chapter 15.35

The purpose of this request is to establish a mechanism by which very small existing nonconforming lots of record, which are currently undevelopable due to the development standards of the base zoning district, may be developed with infill dwelling structures. The City currently does not have a mechanism to allow this type of infill housing to be constructed. However, a number of residential lots exist around the City that are too small on which to build or rebuild any structure under existing development standards. Such lots have existed since prior to the enactment of current zoning and subdivision regulations. Because such lots are largely unbuildable due to the regulations of the base zoning district, there is the potential for a regulatory takings claim.

Most small unbuildable residential lots around the City currently contain residential structures, but if any of these structures were to be destroyed by more than 50% of its replacement cost at the time of destruction, they could not be rebuilt or repaired to their original state. Notably, existing zoning regulations would prevent any sort of new construction from occurring on such lots. Providing a process for development of infill dwelling structures via the conditional use permit process, as proposed with this text amendment, would enable such lots to be buildable, provided a proposed infill dwelling structure does not detract from the neighborhood form, function, or character.

Amending Sections 15.03.220, 15.03.230, 15.03.235, and 15.03.236

In order to enable infill housing to be developed on currently unbuildable residential lots, some of the City’s housing definitions would need to be updated. Specifically, requirements for minimum floor area and minimum width for single-family attached and single-family detached homes may prevent such housing typologies from being built, depending on lot dimensions. Updating other housing typology definitions will put the City in a better position to allow a variety of housing to be developed through infill or other mechanisms.

All City Departments and local utilities received notification of the proposed text amendment. No departments or utilities expressed opposition to the request.

**Discussion**

1. The proposed Chapter 15.35: Infill Development is intended to establish a mechanism by which existing nonconforming residential lots of record that are so small that construction of a new residential structure would be impracticable under current zoning (Exhibit A) can be developed with infill dwelling structures. This proposed text amendment would establish and define the term “infill dwelling structure” as “a newly constructed residential building located on an existing nonconforming lot of record and that does not conform to the site development standards of the base zoning district because such standards would make the development not practicable.” This term and definition would be specific to Chapter 15.35 rather than being an entirely new land use category. This text amendment would also establish a process by which an infill dwelling structure may be approved for construction.



**Exhibit A. A series of nonconforming lots of record along 9<sup>th</sup> Avenue, north of the ConAgra plant, on which the base zoning regulations would make new residential development impracticable.**

Currently, in order to build a residential structure in a way that does not conform to the base zoning regulations, a property must be granted a variance, otherwise the structure must conform to all site development standards for the base zoning district. Obtaining a variance is a rigid task, as an applicant must show sufficient evidence for five findings of fact that indicate hardship associated with unique conditions of the property. The Zoning Board of Adjustment cannot consider cost or design preferences when deciding whether to grant a variance. As written in the proposed Chapter 15.35 (Attachment A), infill dwelling structures would be subject to review through the Conditional Use Permit (CUP) process, as outlined in Section 15.02.090. Through this process, a property owner or developer, or their representative, would be required to submit a site-specific development

plan that shows proposed architectural renderings, setbacks, lot coverage, off-street parking, and other site development characteristics. The Zoning Board of Adjustment, which makes decisions on CUP requests, would have the ability to approve a site-specific development plan for an infill dwelling structure, provided the property could not be practicably developed under the base zoning regulations. The applicant would be responsible for providing justification for the necessity of a site-specific development plan.

Notably, the CUP process requires a public notice be sent to all owners of property within 200 feet of the subject property. As such, neighbors in the general vicinity of a proposed infill dwelling structure would have an opportunity to submit comments in support or opposition of a proposed infill dwelling structure. This process will provide ample opportunity to determine whether an infill dwelling structure would be beneficial or detrimental to neighborhood form, function, or character.

The proposed Chapter 15.35 is written in such a way that infill dwelling structures may only be built on existing nonconforming lots of record, located in zoning districts that allow residential land uses, on lots whose dimensions prohibit practicable development due to the site development standards of the base zoning district (Exhibit B). An infill dwelling structure could not be constructed on a newly created nonconforming lot, because Title 14: Subdivisions of the Council Bluffs Municipal Code prohibits the creation of nonconforming lots.

<i>Principal Structure Site Development Standards</i>						
<i>District</i>	<i>Front Yard Setback</i>	<i>Side Yard Setback</i>	<i>Street Side Yard Setback</i>	<i>Rear Yard Setback</i>	<i>Maximum Height</i>	<i>Maximum Lot Coverage</i>
R-1	25 feet	greater of 5 feet or 10% of lot width at building setback line	15 feet	20 feet	35 feet	35%
R-1M	15 feet	greater of 5 feet or 10% of lot width at building setback line	15 feet	10 feet	35 feet	35%
R-2	25 feet	5 feet	15 feet	20 feet	35 feet	35%
R-3	20 feet	5 feet	15 feet	20 feet	60 feet	45%
R-4	20 feet	15 feet	5 feet with one foot indentation for every story above the first floor	20 feet	100 feet	60%

**Exhibit B. Site development standards in base residential zoning districts.**

The proposed Chapter 15.35 is also written in such a way that it can be expanded in the future to facilitate other types of infill development and enact design standards for infill development as needed.

2. Current housing typology definitions in City code require a minimum width of 20 feet and minimum floor area of 500 square feet for single-family detached and single-family attached dwellings, regulations which limit creativity in housing design throughout the City and would make these home types particularly difficult to build on lots eligible for infill dwelling structures. The definitions of the City's housing typologies have not been

updated since 1996, and modifications to the definitions would help enable the development of new housing options around the city, infill or otherwise. The Community Development Department is proposing updates to the definitions of single-family detached, single-family attached, townhome, and multifamily dwellings. Attachment B contains comparisons between existing and proposed definitions, along with photo examples of housing types around the City

3. The proposed Section 15.03.230: Dwelling, Single Family Detached (Attachment C) would eliminate the minimum width and area requirements for detached single-family homes. These requirements are generally arbitrary and not needed in order to achieve quality housing development. Virtually all new homes built in the City today exceed the minimum requirements, so the language is largely unnecessary. However, an infill dwelling structure on a very small nonconforming lot may not be able to meet these requirements. With this new definition, new creative housing designs will be possible on such lots, as well as other lots around the city.
4. The proposed Section 15.03.235: Dwelling, Single-Family Attached (Attachment C) would similarly eliminate minimum width and area requirements for attached single-family homes. Eliminating such regulations would allow for creative housing designs to make the best use of land, especially on lots eligible for infill dwelling structures.
5. The proposed Section 15.03.236: Dwelling, Townhouse (Attachment C) would update the existing definition to state that townhouses must be in a series of three or more attached dwellings, reducing overlap with the definitions of single-family attached dwelling, two-family dwellings, and multifamily dwellings. The new definition will also allow longer rows of townhouses to be constructed, potentially up to the length of an entire block face (the current definition limits townhouse structures to a maximum of four dwelling units). The new definition also clarifies that each townhouse dwelling shall have its own access to the public right-of-way, as opposed to units being accessed via shared hallways or other means. This update will allow more flexibility in the design of townhouse dwellings in the City.
6. The proposed Section 15.03.220: Dwelling, Multifamily (Attachment C), clarifies that multifamily dwellings include any residential structure containing three or more dwelling units, other than a townhouse. This change eliminates overlap between the definitions of townhouse and multifamily dwellings.

#### **Recommendation**

The Community Development Department recommends approval of the request to amend the definitions stated in Sections 15.03.220, Dwelling, Multifamily, 15.03.230, Dwelling, Single-Family Detached, and 15.03.235, Dwelling, Single-Family Attached, and 15.03.236, Dwelling, Townhouse, and to enact Chapter 15.35, Infill Development, to the Council Bluffs Municipal Code (Zoning Ordinance).

#### **Public Hearing**

Staff speakers for the request:

1. Brandon Siracuse, Planner, 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

#### **Planning Commission Recommendation**

The City Planning Commission recommended approval to amend the definitions stated in Sections 15.03.220, Dwelling, Multifamily, 15.03.230, Dwelling, Single-Family Detached, and 15.03.235, Dwelling, Single-Family

*Attached*, and 15.03.236, *Dwelling, Townhouse*, and to enact Chapter 15.35, *Infill Development*, to the Council Bluffs Municipal Code (Zoning Ordinance).

VOTE: AYE - Danielsen, Halm, Opperman, Rew, Scott, Stroebele, and VanHouten. NAY - None  
ABSTAIN - None ABSENT – Bass, Haner, Hutcheson, and Rater. VACANT - None Motion: Carried.

**Attachments**

Attachment A: Proposed Chapter 15.35: Infill Development of the Municipal Code (Zoning Ordinance)

Attachment B: Comparison Between Existing and Proposed Housing Typology Definitions

Attachment C: Proposed Chapter 15.03: Zoning Definitions of the Municipal Code (Zoning Ordinance)

Prepared by: Brandon Siracuse, Planner, Community Development Department

## **Chapter 15.35: Infill Development**

### **15.35.010 Statement of Intent**

The purpose of the Infill Development chapter is to encourage the development of vacant infill tracts and lots throughout the City and the redevelopment of properties that may be problematic or otherwise unique. Acknowledging that it may not be economically feasible or attractive to develop or redevelop many of the smaller properties throughout the City under existing land development regulations, the Infill Development policy gives the City the flexibility to determine the worthiness of those projects that cannot strictly comply with all the land development regulations that would normally be applied to the project provided the project can meet the general intent of the comprehensive plan and the land development regulations as applied consistent with the purpose and intent of this section and sound and generally acceptable planning and land use principles and practices.

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The following terms are specific to this chapter:

**Infill Dwelling Structure:** A newly constructed residential building located on an existing nonconforming lot of record and that does not conform to the site development standards of the base zoning district because such standards would make development not practicable.

### **15.35.030 Infill Dwellings Structures**

- A. **Applicability.** This section shall apply to existing lot(s) of record that are within established residential neighborhoods and that are considered non-conforming as per the site development standards of the base zoning district.

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    - h. Outdoor lighting
    - i. Landscaping
    - j. Utilities
    - k. Any other information pertinent to the development of the site necessary for sufficient development review.
  4. The Community Development Department shall have the authority to request additional information for development review as needed.

## Existing and Proposed Dwelling Type Definitions

### Single-Family Detached Dwelling

**Existing definition:** An independent building designed or constructed to contain one dwelling unit which is located on one lot, with no physical or structural connection to any other dwelling unit. Each unit shall have a floor area of not less than five hundred (500) square feet and a minimum width of not less than twenty (20) feet.

**Proposed Definition:** A building containing only one dwelling unit, as defined in CBMC Chapter 17.01 "Housing Definitions," that is not attached to any other dwelling unit and that is built on-site. Mobile homes, recreational vehicles, housing mounted on self-propelled or drawn vehicles, tents, or other forms of temporary housing or portable housing shall not be included in this definition. All detached single-family dwellings shall include at least one kitchen and one bathroom.

**Photo example:** 1122 14<sup>th</sup> Avenue



### Single-Family Attached Dwelling

**Existing definition:** A building designed or constructed to contain one independent dwelling unit which is located on one lot and is attached by a common vertical wall to only one other adjacent dwelling unit. Each unit shall have a floor area not less than five hundred (500) square feet and a minimum width of not less than twenty (20) feet.

**Proposed definition:** A dwelling unit, as defined in CBMC Chapter 17.01 "Housing Definitions," which is located on one lot, is attached by a common vertical wall to only one other dwelling unit on an abutting lot, and is built on-site. Each dwelling unit shall include at least one kitchen and one bathroom.



## Attachment B

### Multifamily Dwelling

**Existing definition:** Building or buildings designed and constructed to contain three or more individual dwelling units.

**Proposed definition:** A building containing three or more dwelling units, other than a townhouse.

**Photo example:** 4141 Rivers Edge Parkway



**15.03.220 Dwelling, Multifamily**

Multifamily dwelling: A building containing three or more dwelling units, other than a townhouse.

(Ord. 5303 § 9, 1996)

**15.03.230 Dwelling, Single-Family Detached**

Single-family detached dwelling: A building containing only one dwelling unit, as defined in CBMC Chapter 17.01 "Housing Definitions," that is not attached to any other dwelling unit and that is built on-site. Mobile homes, recreational vehicles, housing mounted on self-propelled or drawn vehicles, tents, or other forms of temporary housing or portable housing shall not be included in this definition. All detached single-family dwellings shall include at least one kitchen and one bathroom.

(Ord. 5303 § 10, 1996)

**15.03.235 Dwelling, Single-Family Attached**

Single-family attached dwelling: A dwelling unit, as defined in CBMC Chapter 17.01 "Housing Definitions," which is located on one lot, is attached by a common vertical wall to only one other dwelling unit on an abutting lot, and is built on-site. Each dwelling unit shall include at least one kitchen and one bathroom.

(Ord. 5303 § 11, 1996)

**15.03.236 Dwelling, Townhouse**

Townhouse dwelling: A series of attached single-family dwellings separated by exterior quality walls or a common wall between units as required by Council Bluffs Building Code, except that the minimum number of abutting dwelling units in any townhouse series shall be three. Each dwelling shall front wholly and directly on a public street, or upon a courtyard or way through which the owner of the townhouse dwelling unit has legally guaranteed ingress and egress to a public street.

(Ord. 5303 § 12, 1996)