

ORDINANCE NO. 6679

AN ORDINANCE TO AMEND CHAPTER 15.32A WEST BROADWAY CORRIDOR DESIGN OVERLAY OF THE MUNICIPAL CODE (ZONING ORDINANCE) OF THE 2025 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY AMENDING SECTION 15.32A.140 "SIGNS".

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

SECTION 1. That Chapter 15.32A West Broadway Corridor Design Overlay be and the same is hereby amended by amending Section 15.32A.140 "Signs" to read as follows:

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 in conformance with CBMC Section 15.33.220, *Nonconforming Signs – Legal*. Existing pole and pylon signs shall be brought into compliance with the standards of this Chapter upon the earlier of the following events: (a) development or redevelopment of the property in accordance with CBMC Section 15.32A.040(A) and Section 15.32A.040(D), *Applicability of the West Broadway Corridor Design Overlay*; or (b) destruction of the sign, by any means to the extent of fifty percent (50%) or more of its replacement value at the time of such damage.

(Ord. 6427 § 1, 2020)

HISTORY

Approved by Ord. 6427 on 10/12/2020

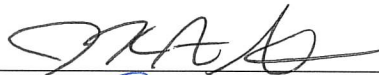
SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

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

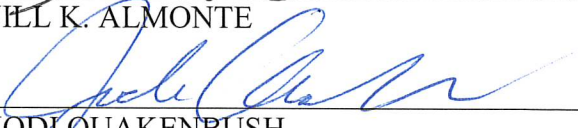
May 18, 2026.



JILL K. ALMONTE

Mayor

Attest:



JODI QUAKENBUSH

City Clerk

First Consideration: 5-4-26
Second Consideration: 5-18-26
Public Hearing: 5-18-26
Third Consideration: Waived

AFFIDAVIT OF PUBLICATION

The Daily Nonpareil

State of Florida, County of Orange, ss:

Anjana Bhadoriya, being first duly sworn, deposes and says: That (s)he is a duly authorized signatory of Column Software, PBC, duly authorized agent of The Daily Nonpareil, a newspaper printed and published three (3) days a week at Council Bluffs, in said County and State, and that the notice herto attached was published in said newspaper once each day for the period on the dates below listed.

PUBLICATION DATES:

May, 9, 2026

NOTICE ID: EDXFF3FRNM4OfnnV7yMf

PUBLISHER ID: COL-9103476

NOTICE NAME: ZT-26-002 signs

Anjana Bhadoriya

(Signed) _____

VERIFICATION

State of Florida
County of Orange



JESSICA GORDON-THOMPSON
Notary Public - State of Florida

Commission # KH301056
Expires on August 17, 2026

Subscribed in my presence and sworn to before me on this: 05/12/2026

J. Ra

Notary Public

PUBLICATION FEE: \$19.10

Notarized remotely online using communication technology via Proof.

Notice of Public Hearing

TO WHOM IT MAY CONCERN:

You are hereby notified that the City Council of the City of Council Bluffs, Iowa, has scheduled a public hearing for May 18, 2026 at 7:00 p.m. in the City Council Chambers, 2 nd Floor of City Hall, 209 Pearl Street, Council Bluffs, Iowa at which time all persons interested in this matter will be given an opportunity to be heard on the request from the Council Bluffs Community Development Department to amend Title 15: Zoning of the Council Bluffs Municipal Code by repealing Section 15.33.130, West Broadway Corridor, Signs, and amending Section 15.32A.140(F), Signs, West Broadway Corridor Design Overlay relative to allowing existing pole and pylon signs to be refaced in accordance with the standards stated in Section 15.33.220, Nonconforming Signs - Legal.

Jodi Quakenbush, City Clerk
May 9, 2026 COL-9103476

Council Communication

Department: Community Development

Case/Project No.: ZT-26-002

Subject/Title

Ordinances 6678 and 6679

Ordinance 6678 to amend Chapter 15.33 Signs of the Municipal Code (Zoning Ordinance) by repealing Section 15.33.130, "West Broadway Design Corridor". ZT-26-002

Ordinance 6679 to amend Chapter 15.32A West Broadway Corridor Design Overlay of the Municipal Code (Zoning Ordinance) by amending Section 15.32A.140 "Signs". ZT-26-002

Background/Discussion

See attached staff report.

Staff Recommendation

Attachments

Staff Report

Attachment A: Repealing Section 15.33.130, West Broadway Corridor, Signs of the CBMC

Attachment B: Proposed 15.32A.140(F), Signs, West Broadway Corridor Design Overlay of the CBMC

Attachment C: Section 15.33.220 Nonconforming Signs " Legal of the CBMC

Attachment D: Section 15.32A.040(A) and Section 15.32A.040(D), Applicability of the West Broadway Corridor Design Overlay, of the CBMC

Public Hearing Notice

6678.docx

6679.docx

Prepared by: Christopher N. Gibbons, AICP, Director, Community Development Department

Approved by: Christopher N. Gibbons, AICP, Director, Community Development Department

6.I

City Council Communication

Department: Community Development CASE #ZT-26-002 Applicant: City of Council Bluffs 209 Pearl Street Council Bluffs, IA 51503	Ordinance No. _____	City Council 1 st Consideration: 5/4/2026 2 nd Consideration: 5/18/2026 3 rd Consideration: 6/8/2026 Planning Commission: 4/14/2026
Subject/Title		
Request: Public hearing on the request of the City of Council Bluffs to amend Title 15: <u>Zoning</u> of the Council Bluffs Municipal Code by repealing Section 15.33.130, <u>West Broadway Corridor, Signs</u> , and amending Section 15.32A.140(F), <u>Signs, West Broadway Corridor Design Overlay</u> relative to allowing existing pole and pylon signs to be refaced in accordance with the standards stated in Section 15.33.220, <u>Nonconforming Signs – Legal</u> .		
Background		
The City of Council Bluffs is proposing to amend the following section of Title 15: Zoning of the Council Bluffs Municipal Code (Zoning Ordinance) relative to refacing pole and pylon signs within the West Broadway Corridor Design Overlay (CDO): 1. Repealing Section 15.33.130, <u>West Broadway Corridor, Signs</u>, (see Attachment A). The purpose of this amendment is to eliminate redundant code language that is shared between Section 15.33.130, <u>West Broadway Corridor, Signs</u> and Section 15.32A.140(F), <u>Signs, West Broadway Corridor Design Overlay</u> of the CBMC. Both code sections specifically address detached signage for properties within the West Broadway Corridor Design Overlay in the same manner. Repealing Section 15.33.130, <u>West Broadway Corridor, Signs</u> and utilizing the standards in Section 15.32A.140(F), <u>Signs, West Broadway Corridor Design Overlay</u> provides better clarity for interpreting detached sign regulations for properties within the CDO and eliminates any potential conflicts between the said code sections. 2. Amending 15.32A.140(F), <u>Signs, West Broadway Corridor Design Overlay</u>, of the CBMC (see Attachment B) to allow existing pole and pylon signs to be refaced in accordance with Section 15.33.220, <u>Nonconforming Signs – Legal</u>. The purpose of this amendment is to allow property owners within the CDO to maintain and use their existing pole and pylon signs in manner that does not increase the height or square footage of said signage. New pole signs will continue to be prohibited and only ground or monument signs shall be allowed to be installed on properties within CDO, in accordance with Section 15.32A.140(F), <u>Signs, West Broadway Corridor Design Overlay</u> and <u>Section 15.33, Signs</u>, of the CBMC.		
Discussion		
1. On September 23, 2002, the Council Bluffs City Council adopted Ordinance No. 5731, which established a ‘Corridor Design Overlay’ for all properties abutting West Broadway between Interstate 29 on the west end and 13th Street and Indian Creek on the east end and all properties abutting streets which intersect with West Broadway, including 13th Street through 36th Street between Avenue A to the north and 2nd Avenue to the south. Properties within the CDO were permitted a single detached sign in the form of a ground or		

monument sign. New pole signs were prohibited, and the CDO did not provide guidance on whether existing pole or pylon signs could be refaced.

2. On November 5, 2007, the Council Bluffs City Council adopted Ordinance No. 5955, amending several sections of the CDO relative to building materials, curb cut locations, landscaping, and pole signs. The amendments were intended to clarify and refine these design standards. Specifically, the ordinance clarified that existing signs could only be refaced in accordance with CDO sign standards, allowing only ground or monument signs to be refaced. Pole and pylon signs were not eligible for refacing, as they are not considered approved detached signs under the CDO and must be replaced upon abandonment or when a sign reface permit is requested.
3. In 2017, the City of Council Bluffs, with financial support from the Iowa West Foundation, launched the West Broadway Private Property Assistance Program. The program provided property owners along West Broadway with funding to improve landscaping and signage on private property, supporting the objectives of the West Broadway CDO by enhancing corridor aesthetics and encouraging new retail and commercial activity. It was implemented in coordination with the West Broadway reconstruction and streetscape project from 2017 to 2022. The signage component offered financial assistance of up to 50% of the cost to purchase and install a new ground or monument sign to replace an existing pole or pylon sign, not to exceed \$15,000. Property owners would pay for the sign costs upfront and then seek reimbursement of 50% of the eligible costs once the project was completed and inspected by the City. Electronic message center signs were not eligible for cost reimbursement, as per program rules.

The Community Development Department managed the West Broadway Private Property Assistance Program and sent multiple letters to property owners along West Broadway to promote participation. The following properties used the program's financial assistance to replace pole or pylon signs with conforming monument signs:

- Retail Rebel (1801 West Broadway)
- Thrift World (2917 West Broadway)
- Metro Pawn (3011 West Broadway)
- Quality Inn (3537 West Broadway)
- Tires Plus (2103 West Broadway)
- Tobacco Hut (1925 West Broadway)

In general, the West Broadway CDO signage standards have succeeded in supporting the corridor's urban design goals, as signs are updated or replaced over time through business turnover or owner-initiated improvements.

4. There are still several nonconforming pole and/or pylon signs that exist on private properties within the West Broadway CDO, including but not limited to, the following:

Multi-tenant building – 417 W. Broadway	Jonsey's Corner – 2752 W. Broadway
Dusty's Lounge – 1501 Avenue A	O'Reilly's Auto Parts – 2826 W. Broadway
Burger King – 1529 W. Broadway	AutoZone – 2811 W. Broadway
McDonald's – 1607 W. Broadway	Midwest Tire – 3150 W. Broadway
Broadway Plaza – 1702 W. Broadway	Mad Hatter – 3339 W. Broadway
Commercial building – 1816 W. Broadway	Multi-tenant building – 3418 W. Broadway
Certified Transmissions – 2112 W. Broadway	Popeyes – 3438 W. Broadway
Boost Mobile/Subway – 2600 W. Broadway	My Wash Carwash – 3518 W. Broadway
Taco Bell – 2759 W. Broadway	Wash Days – 3558 W. Broadway

Several of the above properties feature pole or pylon signs that display multiple tenants. When tenants change, these signs cannot be refaced to reflect the new occupants, as per current CDO sign standards. Additionally, some pole signs along West Broadway show deferred maintenance and have not been replaced with a conforming ground or monument sign due to cost and/or because the building on the property is located too close to the front property lines to accommodate a replacement detached sign.

5. Section 15.33.220, Nonconforming Signs – Legal, of the CBMC (see Attachment C) states the following:

A. Any sign lawfully existing or under construction on the effective date of this chapter which does not conform to one or more provisions of the municipal code may be continued in operation and maintained indefinitely as a legal nonconforming sign subject to the following:

- 1. Normal maintenance of legal, nonconforming signs, including necessary nonstructural repairs, and incidental alterations which do not extend or intensify the nonconforming features of the sign shall be permitted.*
- 2. No structural alteration, enlargement, or extensions shall be made to a legal, nonconforming sign unless the alteration, enlargement, or extension will eliminate the nonconforming features of the sign. If a legal, nonconforming sign is damaged or destroyed by any means to the extent of fifty (50) percent or more of its replacement value at that time, the sign may not be rebuilt or used thereafter unless it conforms to all applicable sign regulations. If the damage or destruction of the nonconforming sign is less than fifty (50) percent of its replacement value at that time, the sign may be rebuilt to its original condition and may continue to be displayed.*

The above code provides guidance on maintaining and repairing legally nonconforming signs throughout the City until they are brought into compliance with applicable zoning requirements. Section 15.32A.140(F), Signs, West Broadway Corridor Design Overlay of the CBMC, states “refacing existing signs is allowed only in conformance with this chapter.” This has been interpreted to mean that only ground or monument signs may be refaced, since they are the only allowed detached sign types within the CDO, while pole and pylon signs must either remain unchanged or be converted to a conforming ground or monument sign. The conflict between these two code sections creates a zoning challenge in determining when a pole or pylon sign may be refaced within the West Broadway CDO.

6. The Community Development Department proposes amending Section 15.32A.140(F), Signs, West Broadway Corridor Design Overlay of the CBMC to allow existing pole and pylon signs to be refaced in accordance with Section 15.33.220, Nonconforming Signs – Legal of the CBMC. This change aligns West Broadway CDO sign standards with other nonconforming sign standards that are applied to other areas of the City, while supporting the corridor’s visual aesthetics. Existing pole and/or pylon signs would not be permitted to increase in height, size, or square footage. The amendment also clarifies when an existing pole or pylon sign must be removed or converted to a conforming ground or monument sign, thus ensuring the CDO’s design standards are maintained as properties undergo substantial new investment or reinvestment. The proposed code language is as follows:

Refacing existing signs are allowed in conformance with Section 15.33.220 Nonconforming Signs – Legal, of the CBMC. Existing pole and pylon signs shall be brought into compliance with the standards of this Chapter upon the earlier of the following events: (a) development or redevelopment of the property in accordance with Section 15.32A.040(A) and Section 15.32A.040(D), Applicability of the West Broadway Corridor Design Overlay of the CBMC; or (b) destruction of the sign by any means to the extent of fifty percent (50%) or more of its replacement value at the time of such damage.

See Attachment ‘D’ for the specific language referenced in Section 15.32A.040(A) and Section 15.32A.040(D), Applicability of the West Broadway Corridor Design Overlay of the CBMC.

Recommendation

The Community Development Department recommends approval to amend Title 15: Zoning of the Council Bluffs Municipal Code by repealing Section 15.33.130, West Broadway Corridor, Signs, and amending Section 15.32A.140(F), Signs, West Broadway Corridor Design Overlay relative to allowing existing pole and pylon signs to be refaced in accordance with the standards stated in Section 15.33.220, Nonconforming Signs – Legal, as shown in Attachments ‘A’ and ‘B.’

Public Hearing

Staff speaker for the request:

A. Christopher Gibbons, Planning and Code Compliance Manager, City of Council Bluffs, 209 Pearl Street, Council Bluffs, IA 51503.

Speakers in favor: None

Speakers against: None.

The City Planning Commission recommended approval of the request to amend Title 15: Zoning of the Council Bluffs Municipal Code by repealing Section 15.33.130, West Broadway Corridor, Signs, and amending Section 15.32A.140(F), Signs, West Broadway Corridor Design Overlay relative to allowing existing pole and pylon signs to be refaced in accordance with the standards stated in Section 15.33.220, Nonconforming Signs – Legal, as shown in Attachments ‘A’ and ‘B.’

VOTE: AYE – Dew, Hutcheson, McAtee, Rater, Stroebele, Van Houten, Waggoner, and Watson.
NAY – None. ABSTAIN – None. ABSENT – Behrens and Epley. VACANT – One. Motion: Carried.

Attachments

Attachment A: Repealing Section 15.33.130, West Broadway Corridor, Signs of the CBMC

Attachment B: Proposed 15.32A.140(F), Signs, West Broadway Corridor Design Overlay of the CBMC

Attachment C: Section 15.33.220 Nonconforming Signs – Legal of the CBMC

Attachment D: Section 15.32A.040(A) and Section 15.32A.040(D), Applicability of the West Broadway Corridor Design Overlay, of the CBMC

Prepared by: Christopher N. Gibbons, AICP, Director of Community Development Department

15.33.130 West Broadway Design Corridor

Additional restrictions for detached signage apply in the corridor design overlay district (CDO) as established in CBMC 15.32. The overlay district shall overlay all other zoning districts established within the boundaries as described below:

- ~~A. West Broadway Corridor. All properties abutting West Broadway between Interstate 29 on the west end and 13th Street and Indian Creek on the east and all properties abutting streets which intersect with West Broadway including 13th Street through 36th Street between Avenue A to the north and Second Avenue to the south.~~
- ~~B. The on-premise sign height and area regulations available for property within seven hundred (700) feet of the interstate highway system are not applicable within the CDO district.~~
- ~~C. One detached on-premise sign shall be allowed for each property.~~
- ~~D. 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 forty-two (42) inches in width. The maximum height for monument signs shall be ten (10) feet. The maximum allowable square feet 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.~~
- ~~E. Off-premises signs are not permitted within the district.~~
- ~~F. All abandoned signs shall be removed within ninety (90) days, removal shall include the supports, poles, framing and sign face.~~
- ~~G. Refacing existing signs are allowed only in conformance with this chapter.~~

(Ord. 5920 § 2 (part), 2007)

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~~ in conformance with Section 15.33.220 Nonconforming Signs – Legal of the CBMC. Existing pole and pylon signs shall be brought into compliance with the standards of this Chapter upon the earlier of the following events: (a) development or redevelopment of the property in accordance with Section 15.32A.040(A) and Section 15.32A.040(D), Applicability of the West Broadway Corridor Design Overlay of the CBMC; or (b) destruction of the sign, by any means to the extent of fifty percent (50%) or more of its replacement value at the time of such damage.

(Ord. 6427 § 1, 2020)

HISTORY

Approved by Ord. [6427](#) on 10/12/2020

15.33.220 Nonconforming Signs - Legal

- A. Any sign lawfully existing or under construction on the effective date of this chapter which does not conform to one or more provisions of the municipal code may be continued in operation and maintained indefinitely as a legal nonconforming sign subject to the following:
1. Normal maintenance of legal, nonconforming signs, including necessary nonstructural repairs, and incidental alterations which do not extend or intensify the nonconforming features of the sign shall be permitted.
 2. No structural alteration, enlargement, or extensions shall be made to a legal, nonconforming sign unless the alteration, enlargement, or extension will eliminate the nonconforming features of the sign. If a legal, nonconforming sign is damaged or destroyed by any means to the extent of fifty (50) percent or more of its replacement value at that time, the sign may not be rebuilt or used thereafter unless it conforms to all applicable sign regulations. If the damage or destruction of the nonconforming sign is less than fifty (50) percent of its replacement value at that time, the sign may be rebuilt to its original condition and may continue to be displayed.

(Ord. 5920 § 2 (part), 2007)

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. New construction of townhomes shall not be subject to the full extent of the design standards within this Chapter, but shall be designed in a manner that is consistent with the spirit and intent of the West Broadway CDO, with particular emphasis on building placement, architectural materials and design, and pedestrian and vehicular access. Specific requirements shall be determined on a case-by-case basis based on the property's location within the West Broadway CDO.
- C. 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.
- D. 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.
- E. 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. 3. Minor, equivalent deviations from the standards of this Chapter may be granted by the Community Development Director
- F. 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.

(Ord. 5955 § 2 (part), 2007)

HISTORY

Repealed & Reenacted by Ord. 6427 on 10/12/2020

Amended by Ord. 6564 on 8/14/2023