City Council Communication

Department: Community Development CASE #ZT-24-002 Applicant: Community Development Department	Ordinance No. _____	City Council 1st Consideration: 4/22/2024 2nd Consideration: 5/06/2024 3rd Consideration: 5/20/2024 Planning Commission: 4/09/2024

Subject/Title

Request: Public hearing on the request of the City of Council Bluffs to amend Section 15.28.020, *Applicability*, of the P-R/Residential Overlay District and Section 15.08B.020, *Principal Uses*, of the R-1/Single-Family Residential District to allow the PR-2 Overlay to be utilized for development of residential structures with a minimum of two (2) dwelling units.

Background

The Community Development Department, at the request of City Council, is proposing to amend Title 15: Zoning of the Council Bluffs Municipal Code as follows:

A. Amend Section 15.28.020, *Applicability*, by allowing one structure with a minimum of two dwelling units to qualify for use of the PR-2 Overlay, as opposed to the currently required three dwelling units; and
B. Amend Section 15.08B.020, *Principal Uses*, to state that "dwelling, single-family attached" is a principal use as permitted in a planned residential overlay in CBMC 15.28.

Currently, a PR-2 Overlay can be adopted for site-specific infill development in all residential zoning districts (excluding the R-1M/Single-Family Manufactured Housing District and A-P/Administrative Professional District) if one of the following is included within the development:

A. A minimum of two (2) residential structures;
B. A minimum of one (1) residential structure that contains a minimum of three (3) dwelling units; or
C. A minimum of one (1) mixed commercial-residential structure.

The proposed text amendment would modify #2 above to state, "A minimum of one (1) residential structure that contains a minimum of **two (2)** dwelling units" to allow for the PR-2 Overlay to be utilized for development of a duplex or single-family attached structure with only two dwelling units.

All City Departments and local utilities were notified of the proposed text amendment. No adverse comments have been received.

Discussion

A. The Planned Residential Overlay was established to permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of requirements of the underlying zone would not be inconsistent with the comprehensive plan or harmful to the surrounding neighborhoods. The PR Overlay is intended to:

1. Provide for innovative and imaginative development through flexibility in subdivision and site layout, placement of buildings, a variety of housing types, efficient diversification of land uses, alternative modes of transportation, pedestrian and vehicular interconnections, use of open space, conservation of natural habitats and wildlife, and related architectural design, off-street parking and signage considerations;

2. Increase and diversify the city's housing stock;

3. Encourage the preservation and use of existing landscape features;

4. Promote efficient land use and infrastructure with smaller networks of utilities and streets;

5. Promote an attractive and safe living environment which is compatible with surrounding residential developments;

6. Provide an alternative method for redeveloping older residential areas and to encourage infill development.

The PR-2 Overlay is intended for site-specific infill development and can be applied to any property, or combination of contiguous properties owned by the same person or entity that contain a maximum of one and one-half (1 ½) acres of total land area. The proposed text amendment would further diversify the housing typologies allowed in the R-1/Single-Family district and provide additional opportunity to increase the City's housing stock.

B. Per Section 15.28.050, *Establishment of a Planned Residential Overlay*, of the CBMC (Zoning Ordinance), a planned residential overlay shall be considered in the same manner as a rezoning request; therefore, any application made to utilize the PR-2 Overlay for the use of a duplex or single-family attached development would require that all property owners within 200 feet of the subject property be notified of the request.

Recommendation

The Community Development Department recommends approval to amend Section 15.28.020, *Applicability*, of the P-R/Residential Overlay District and Section 15.08B.020, *Principal Uses*, of the R-1/Single-Family Residential District to allow the PR-2 Overlay to be utilized for development of residential structures with a minimum of two (2) dwelling units, as shown in Attachments 'A' and 'B.'

Public Hearing

Staff speakers for the request:

1. Haley Weber, Planner, 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 Section 15.28.020, *Applicability*, of the P-R/Residential Overlay District and Section 15.08B.020, *Principal Uses*, of the R-

1/Single-Family Residential District to allow the PR-2 Overlay to be utilized for development of residential structures with a minimum of two (2) dwelling units, as shown in Attachments 'A' and 'B.'

VOTE: AYE – Hutcheson, Fruend, Rater, Rew, Stroebele, and Van Houten, NAY – None.
ABSTAIN – None ABSENT – Rater and Watson. VACANT – Three. Motion: Carried.

Attachment

Attachment A: Proposed Section 15.28.020, *Applicability*, of the Council Bluffs Municipal Code (Zoning Ordinance)

Attachment B: Proposed Section 15.08B.020, *Principal Uses*, of the Council Bluffs Municipal Code (Zoning Ordinance)

Prepared by: Haley Weber, Planner, Community Development Department