



AGENDA
PLANNING COMMISSION
COUNCIL BLUFFS PUBLIC LIBRARY, MEETING ROOM A
400 WILLOW AVENUE, COUNCIL BLUFFS, IA
Tuesday, July 9, 2019 - 6:00 PM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. ADOPTION OF AGENDA**
- 4. APPROVAL OF MINUTES**
- 5. PROOF OF PUBLICATION**
- 6. REVIEW OF MEETING PROCEDURES**
- 7. PUBLIC HEARINGS**

A. Case #SAV-19-006

Public hearing on the request of Crystal Slason to vacate and dispose of the east/west alley adjacent to Lots 1 through 4, Block 7, Mullin's Subdivision, and Lots 392 through 396, Belmont Addition. Location: Lying West of North 17th Street, between Avenues 'G' and 'H'.

B. Case #ZT-19-002

Public hearing on the request of Brett Derrig to amend Section 15.05.030(02) of the Municipal Code (Zoning Ordinance) by adding 'Commercial recreation (indoor)', as defined by Section 15.03.156, as a conditional use in an A-2/Parks, Estates, and Agricultural District; the Council Bluffs Community Development Department expanded the request to amend Section 15.05.050, Site development regulations of the Municipal Code (Zoning Ordinance) to allow an accessory in an A-2/ Parks, Estates, and Agricultural District to have a minimum 50 foot front yard setback, as opposed to the current front yard setback standard of "greater of 50 feet or existing front setback line of principal structure".

C. Case #ZT-19-003

Public hearing on the request of David Burns to amend Section 15.08A.050, Site development regulations, in R-1E/Single Family Residential Estates District of the Municipal Code (Zoning Ordinance) to increase maximum lot coverage for all structures from 10% to 20%; the Council Bluffs Community Development Department expanded the request to amend Section 15.05A.060(01), Additional regulations, Private Sewage Disposal System, in the R-1E/ Single Family Residential Estates District of the Municipal Code (Zoning Ordinance) by repealing the requirement that individual sewage disposals systems in an R-1E district shall comply with Chapter 4.32 of the Municipal Code

(Health and Sanitation) and replacing it with the requirement that individual sewage disposals systems in an R-1E district shall comply with Chapter 69 of the Iowa Administrative Code.

8. OTHER BUSINESS

9. ADJOURNMENT

If you plan to attend this meeting and require special assistance please contact the Community Development Department at (712) 328-4629 at least 48 hours before the meeting.

Planning Commission Communication

Department: Community
Development

Case/Project No.: SAV-19-006

Case #SAV-19-006

Council Action: 7/9/2019

Submitted by: Moises Monrroy,
Planner

Description

Public hearing on the request of Crystal Slason to vacate and dispose of the east/west alley adjacent to Lots 1 through 4, Block 7, Mullin's Subdivision, and Lots 392 through 396, Belmont Addition. Location: Lying West of North 17th Street, between Avenues 'G' and 'H'.

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description

Type

Upload Date

Case #SAV-19-006 Staff Report & Attachment

Other

7/3/2019

Planning Commission Communication

Department: Community Development Case #SAV-19-006 Property Owner/Applicant: Crystal Slason 1702 Avenue G Council Bluffs, IA 51501	Resolution of Intent No. _____ Resolution to Dispose No. _____	Planning Commission: 7/9/19 Set Public Hearing: Public Hearing:
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Subject/Title

Request: Public hearing on the request of Crystal Slason to vacate and dispose of the east/west alley adjacent to Lots 1 through 4, Block 7, Mullin's Subdivision and Lots 392 through 396, Belmont Addition.

Location: West of North 17th Street, between Avenue G and Avenue H

Background/Discussion

The Community Development Department has received an application from Crystal Slason to vacate and dispose of the east/west alley adjacent to Lots 1 through 4, Block 7, Mullin's Subdivision and Lots 392 through 396, Belmont Addition. The subject east/west alley is unimproved and measures 10 feet in width by 204 feet in length. As per the applicant, a fire was started in the alley that burned down several structures located nearby. If vacated, the applicant intends to acquire the portion adjoining her property to restrict access and increase safety.

On August 25, 2003 the City Council amended the adopted *Policy and Procedures for Alley, Street and Right-of-way Vacations*. The objectives of the amended Policy are as follows:

1. *To provide due process and citizen participation in the application and review process for vacations.*

There are eight property owners with land that abuts the subject alleyway. The owners of these properties are as follows:

- North – Residential property owned by Martin and Rosario Espinoza (1717 Avenue H)
- Residential property owned by Vicki L. Jones (1715 Avenue H)
- Residential property owned by Tamara A. Donney (1705 Avenue H)
- Residential property owned by Jacob A. Brandt (716 North 17th Street)
- South – Residential property owned by Dixie D. Shaffar (1700 Avenue G)
- Residential property owned by Crystal C. Slason (1702 Avenue G)
- Residential property owned by Wayne Rasmussen (1704 Avenue G)
- Residential property owned by Michael S. Knotek (1714 Avenue G)

All abutting property owners were mailed petitions asking if they are in favor of/opposed to the vacation request and if they were willing to/not willing to acquire the portion of the alley adjacent to their property, if vacated. Responses to these petitions are summarized in #Comment 10 below.

2. *To ensure that no property owner is deprived of required and reasonable access.*

All abutting properties have frontage on either Avenue G or Avenue H, except the property at 716 North 17th Street, which has frontage on North 17th Street, and will not be landlocked or have their access negatively impacted if the subject east/west alley is vacated.

3. *To discourage the creation and eliminate or reduce existing dead-end alleys, streets or other rights-of-way.*

This request will eliminate an existing dead-end alley, as the subject east/west alley dead-ends at the eastern boundary of Woodrow Wilson Junior High School.

4. *To reduce or eliminate hazardous and dangerous traffic conditions.*

The subject right-of-way is unimproved and is not used for vehicular and/or pedestrian traffic.

5. *To protect all existing and proposed public utilities located in the right-of-way and to maintain necessary utility easements.*

All City Departments and utilities were notified of the request. The following responses were received:

- The Fire Department stated they have no comments on the vacation.
- The Public Works Department stated they have no concerns with the vacation.
- Council Bluffs Water Works stated they have no public facilities located within the subject east/west alley.
- MidAmerican Energy Company stated they have existing overhead distribution facilities within the subject east/west alley. They noted that since these facilities supply electric service to multiple residences, they would like to retain an easement over the alley to maintain accessibility for maintenance and reliability.
- Cox Communications stated they have utilities in the alley on the MidAmerican poles. They also stated they would to retain an easement over the alley for access.
- Black Hills Energy stated they had no objections to the vacation and noted they do not have facilities within the subject alley and have no plans to use it in the future.

6. *To maintain appropriate right-of-way width to ensure that an adequate pedestrian and vehicular circulation system is retained.*

Not applicable.

7. *To discourage the vacation of a portion of an existing alley, street or other right-of-way.*

The request is to vacate the entirety of the subject east/west alley.

8. *To assist in the implementation of the goals and objectives of the Comprehensive Plan.*

The request is consistent with the local access and circulation objectives stated in Chapter 6, Transportation of the Bluffs Tomorrow: 2030 Plan (comprehensive plan).

9. *To reduce the City's maintenance liability on previously vacated right-of-way parcels from public improvement projects and various lots acquired through delinquent taxes or assessments.*

Not applicable.

10. *To establish an equitable price for surplus public property.*

All abutting property owners were notified about this vacation request. The following responses were received:

- Crystal Slason stated she is in favor of the request and willing to acquire the portion of the east/west alley adjacent to her property at no cost.
- Wayne Rasmussen stated he is in favor of the request and willing to acquire the portion of the east/west alley adjacent to his property at no cost.
- Vicki L. Jones stated she is in favor of the request and willing to acquire the portion of the east/west alley adjacent to her property at no cost.
- Dixie D. Shaffar stated she is in favor of the request and willing to acquire the portion of the east/west alley adjacent to her property at no cost.
- Tamara A. Donney stated she is opposed to the request, but is willing to acquire the portion of the east/west alley adjacent to her property at no cost if vacated.

Staff Report

- There has been no reply from Martin and Rosario Espinoza, Jacob A. Brandt or Michael S. Knotek regarding the vacation request.

Recommendation

The Community Development Department recommends approval to vacate and dispose of the east/west alley adjacent to Lots 1 through 4, Block 7, Mullin's Subdivision and Lots 392 through 396, Belmont Addition, lying west of North 17th Street, between Avenue G and Avenue H, subject to an easement being retained for utility access and maintenance purposes and all portions of the right of way being disposed of to an abutting property owner(s).

Attachments

Attachment A: Location and Zoning Map

Prepared by: Moises Monrroy, Planner, Community Development Department

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION

CASE #SAV-19-006 LOCATION/ZONING MAP

Legend

 Subject Alleyway

0 20 40
1 Inch = 44 Feet



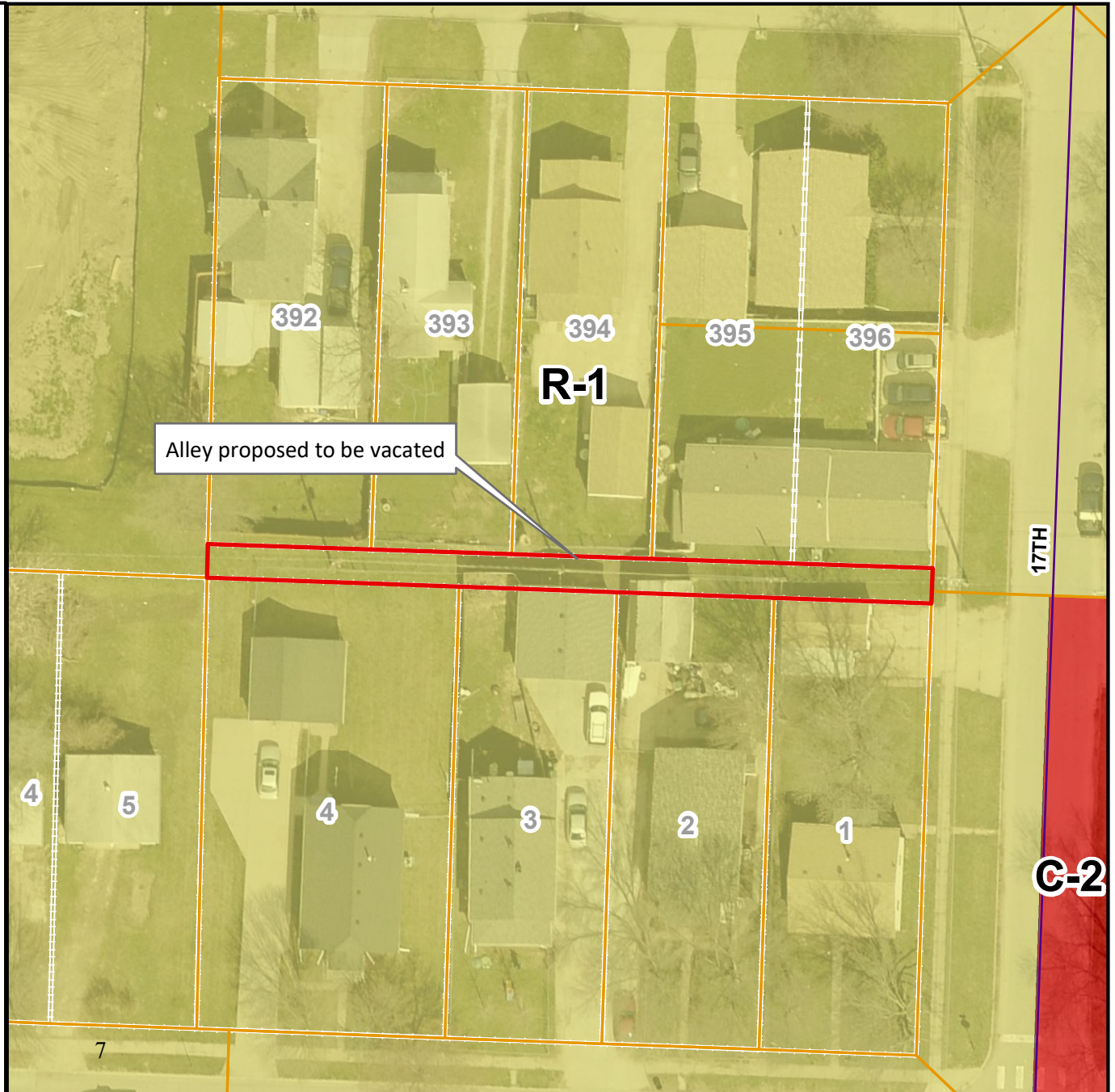
Last Amended: 6/17/19



Council Bluffs Community
Development Department
209 Pearl Street
Council Bluffs, IA 51503
Telephone: (712) 328.4629

DISCLAIMER

This map is prepared and compiled from City documents, plans and other public records data. Users of this map are hereby notified that the City expressly denies any and all responsibilities for errors, if any, in the information contained on this map or the use of the same by the user or anyone else. The user should verify the accuracy of information/data contained on this map before using it. The City assumes no legal responsibility for the information contained on this map.



Planning Commission Communication

Department: Community

Development

Case/Project No.: ZT-19-002

Case #ZT-19-002

Council Action: 7/9/2019

Submitted by: Chris Meeks,

Planner

Description

Public hearing on the request of Brett Derrig to amend Section 15.05.030(02) of the Municipal Code (Zoning Ordinance) by adding ‘Commercial recreation (indoor)’, as defined by Section 15.03.156, as a conditional use in an A-2/Parks, Estates, and Agricultural District; the Council Bluffs Community Development Department expanded the request to amend Section 15.05.050, Site development regulations of the Municipal Code (Zoning Ordinance) to allow an accessory in an A-2/ Parks, Estates, and Agricultural District to have a minimum 50 foot front yard setback, as opposed to the current front yard setback standard of “greater of 50 feet or existing front setback line of principal structure”.

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description

Type

Upload Date

Case #ZT-19-002 Staff Report & Attachment

Other

7/3/2019

City Planning Commission Communication

Department: Community Development Case #ZT-19-002 Applicant: Brett Derrig 219 N. 20 th Street Council Bluffs, IA 51501	Ordinance No.	Planning Commission: July 9, 2019
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Subject/Title

CASE #ZT-19-002: Public hearing on the request of Brett Derrig to amend Section 15.05.030(02) of the Municipal Code (Zoning Ordinance) by adding ‘Commercial recreation (indoor)’, as defined by Section 15.03.156, as a conditional use in an A-2/Parks, Estates, and Agricultural District; the Council Bluffs Community Development Department expanded the request to amend Section 15.05.050, Site development regulations of the Municipal Code (Zoning Ordinance) to allow an accessory in an A-2/ Parks, Estates, and Agricultural District to have a minimum 50 foot front yard setback, as opposed to the current front yard setback standard of “greater of 50 feet or existing front setback line of principal structure”.

Background

The Community Development Department has received a request from Brett Derrig, for a text amendment to Title 15 of the Municipal Code (Zoning Ordinance) for:

- An amendment to §15.05.030, Conditional uses in the A-2/Parks, Estates, and Agricultural District, to amend “(2) Commercial recreation (outdoor)” to “(2) Commercial recreation (indoor and outdoor)”.

Additionally, upon reviewing the site development regulations of the A-2 District, the Community Development Department expanded the request to:

- Amend §15.05.050, Site development regulations in the A-2/Parks, Estates and Agricultural District to amend the front yard setback for an accessory structure from “greater of 50 feet or existing front setback line of principal structure” to “50 feet”.

The purpose of the text amendment to §15.05.030, as requested by Mr. Derrig, is to allow indoor commercial recreation as a conditional use in the A-2 District, which currently only allows outdoor commercial recreation as a conditional use. Mr. Derrig is proposing to construct an indoor baseball training facility at 1100 N. 8th Street on ground that is currently zoned A-2/Parks, Estates and Agricultural District, and houses baseball fields. Commercial recreation (indoor) is defined as “businesses and organizations engaged in the provision of sports, entertainment, or recreation within an enclosed or screened building. Typical uses include bowling alleys, billiard parlors, skating rinks, amusement machine complex, racquetball, swimming, tennis and exercise/fitness centers.” while Commercial recreation (outdoor) means “businesses and organizations engaged in the provision of sports, entertainment, or recreation in an open or partially enclosed or screened facility. Typical uses include skating rinks, swimming pools, tennis, driving ranges, miniature golf and golf courses and the structures associated with its operation.”

The purpose of the proposed amendment to §15.05.050, Site development regulations in the A-2/Parks, Estates and Agricultural District, as proposed by the Community Development Department is in response to a review of properties located within the A-2 District and the future development of those properties. By today’s ordinance, accessory structures are required to be located behind the front setback of the principal structure on the property, as is the case with many residential districts in the City. However, with the intent of

the district being for agricultural, recreational and large-parcel residential uses with a minimum lot size of three acres, the parcels located in the A-2 District often serve a different purpose and feature development patterns that are unlike other districts in the City. The front yard setback of 50 feet in the A-2 District is also twice as large as the 25 foot front yard setback of the R-1/Single Family Residential District and R-2/Two-Family Residential District. Allowing accessory structures to be located in front of a principal structure, so long as they meet or exceed the required 50 foot front yard setback, will provide easier construction options to those with long driveways or topographic constraints who wish to construct an accessory garage for personal storage, or for agricultural operations who are in need of equipment storage structures or other necessary accessory buildings for their operation.

All City departments and utility providers received a copy of the proposed text amendments. The Council Bluffs Fire Marshall, Council Bluffs Permits and Inspections Division, Council Bluffs Public Works Department, Black Hills Energy, and Council Bluffs Water Works all responded that they have no comments on the request.

No other comments have been received.

Recommendation

The Community Development Department recommends approval of the following requests:

1. Amend Section 15.05.030(02) of the Municipal Code (Zoning Ordinance) by adding ‘Commercial recreation (indoor)’, as defined by Section 15.03.156, as a conditional use in an A-2/Parks, Estates, and Agricultural District.
2. Amend Section 15.05.050, Site development regulations of the Municipal Code (Zoning Ordinance) to allow an accessory in an A-2/ Parks, Estates, and Agricultural District to have a minimum 50 foot front yard setback, as opposed to the current front yard setback standard of “greater of 50 feet or existing front setback line of principal structure”.

Attachment

Attachment A: Proposed text amendment

Prepared by: Chris Meeks, Planner

Attachment A:

Chapter 15.05 - A-2/PARKS, ESTATES AND AGRICULTURAL DISTRICT

15.05.010 - Statement of intent.

This district is intended to preserve lands best suited for agricultural, recreational and large-parcel residential uses. It is also intended to preserve land suited for eventual development, pending proper timing for economical and practical provisions of streets, utilities, schools and other facilities so that reasonably compact development will occur.

(Ord. 5285 § 1 (part), 1996).

15.05.020 - Principal uses.

The following principal uses shall be permitted outright in an A-2 district:

- (1) Animal production.
- (2) Cemetery.
- (3) Dwelling, single-family detached.
- (4) Family home.
- (5) Government maintenance facility.
- (6) Horticulture and crop production.
- (7) Local utility services.
- (8) Park and recreation services.
- (9) Public campground.
- (10) Public safety services.
- (11) Religious assembly.
- (12) Secondary airports and private light plane landing strips, when laid out and operated in accordance with all applicable regulations of the Federal Aviation Administration (FAA) and when situated on a site containing not less than thirty (30) acres.
- (13) Animal shelter (non-profit).

(Ord. No. 6055, § 1, 3-8-2010; Ord. No. 6081, § 1, 5-24-2010).

Editor's note— Ord. No. 6055, § 1, adopted Mar. 8, 2010, repealed the former section and enacted a new section as set out herein. The former section pertained to similar subject matter and derived from Ord. No. 5523, § 1, 2000.

15.05.030 - Conditional uses.

The following conditional uses shall be permitted in an A-2 district in accordance with the requirements set forth in Chapter 15.02:

- (1) Agricultural sales and service;
- (2) Commercial recreation (indoor and outdoor);
- (3) Day care services;
- (4) Extraction activity;

- (5) Funeral service in conjunction with a cemetery;
- (6) Outdoor firing range;
- (7) Private campground;
- (8) Sanitary landfill;
- (9) Rubble dump; and
- (10) Greenhouse, commercial.

(Ord. No. 6055, § 2, 3-8-2010; Ord. No. 6372, § 1, 12-17-2018).

Editor's note— Ord. No. 6055, § 2, adopted Mar. 8, 2010, repealed the former section and enacted a new section as set out herein. The former section pertained to similar subject matter and derived from Ord. No. 5523, § 2, 2000.

15.05.040 - Accessory uses.

Accessory uses shall include uses of land or structures customarily incidental and subordinate to one of the principal uses, unless otherwise excluded. In an A-2 district only, an accessory structure may exceed the ground floor coverage of the principal structure.

(Ord. 5285 § 1 (part), 1996).

15.05.050 - Site development regulations.

Minimum Lot Size

Lot area:	3 acres
Lot width:	150 feet
Lot depth:	200 feet

Minimum Setbacks	Principal Structure	Accessory Structure
Front yard:	50 feet	Greater of 50 feet or existing front setback line of principal structure 50 feet
Street side yard:	20 feet	20 feet

Side yard:	10% of lot width or 10 feet whichever is greater	10% of lot width or 10 feet whichever is greater
Rear yard:	20 feet	20 feet
Maximum height:	35 feet	25 feet
Lot coverage:	10% maximum	

(Ord. 5285 § 1 (part), 1996).

15.05.060 - Additional regulations.

01. Reserved.

(Ord. 5285 § 1 (part), 1996).

15.05.070 - Signs.

Signage in this district shall comply with Chapter 15.33, "Signs."

(Ord. 5285 § 1 (part), 1996).

Planning Commission Communication

Department: Community

Development

Case/Project No.: ZT-19-003

Case #ZT-19-003

Council Action: 7/9/2019

Submitted by: Moises Monrroy,

Planner

Description

Public hearing on the request of David Burns to amend Section 15.08A.050, Site development regulations, in R-1E/Single Family Residential Estates District of the Municipal Code (Zoning Ordinance) to increase maximum lot coverage for all structures from 10% to 20%; the Council Bluffs Community Development Department expanded the request to amend Section 15.05A.060(01), Additional regulations, Private Sewage Disposal System, in the R-1E/ Single Family Residential Estates District of the Municipal Code (Zoning Ordinance) by repealing the requirement that individual sewage disposals systems in an R-1E district shall comply with Chapter 4.32 of the Municipal Code (Health and Sanitation) and replacing it with the requirement that individual sewage disposals systems in an R-1E district shall comply with Chapter 69 of the Iowa Administrative Code.

Background/Discussion

See attachments.

Recommendation

ATTACHMENTS:

Description	Type	Upload Date
Case #ZT-19-003 Staff Report & Attachments	Other	7/3/2019

Planning Commission Communication

Department: Community Development Case #ZT-19-003 Applicant: David Burns 1210 Longview Loop Council Bluffs, IA 51503	Ordinance No. _____	Planning Commission: 6/11/2019
Subject/Title Request: Public hearing on the request of David Burns to amend Section 15.08A.050, <u>Site development regulations</u> , in the R-1E/Single-Family Residential Estates District of the Municipal Code (Zoning Ordinance) to increase maximum lot coverage for all structures from 10% to 20%; the Council Bluffs Community Development Department expanded the request to amend Section 15.05A.060(01), <u>Additional regulations</u> , <u>Private Sewage Disposal System</u> , in the R-1E/Single-Family Residential Estates District of the Municipal Code (Zoning Ordinance) by repealing the requirement that individual sewage disposals systems in an R-1E district shall comply with Chapter 4.32 of the Municipal Code (Health and Sanitation) and replacing it with the requirement that individual sewage disposals systems in an R-1E district shall comply with Chapter 69 of the Iowa Administrative Code.		
Background/Discussion The Community Development Department has received a request by David Burns to amend Section 15.08B.050, <u>Site development regulations</u> , in the R-1E/Single-Family Residential Estates District of the Council Bluffs Municipal Code (Zoning Ordinance) to increase maximum lot coverage for all structures from 10% to 20%. The applicant owns property located at 1210 Longview Loop which is zoned in an R-1E District. Last year, the applicant was issued a building permit to construct a detached single-family dwelling in this property. At the time of permit approval, the applicant was informed that his dwelling comprised the entire 10% maximum lot coverage allowed in an R-1E District, and would not be able to construct another structure in his property without obtaining a variance from the Zoning Board of Adjustment. Earlier this year, the applicant submitted a building permit application to construct an in-ground swimming pool on his property. The applicant was informed that he must receive a variance from the Zoning Board of Adjustment or amend Section 15.08A.050, <u>Site development regulations</u> , in the R-1E/Single-Family Residential Estates District of the Municipal Code (Zoning Ordinance) to increase the maximum lot coverage for all structures. After considering these options, the applicant proposes to amend Section 15.08B.050, <u>Site development regulations</u> , of the Council Bluffs Municipal Code (Zoning Ordinance) to increase maximum lot coverage for all structures in the R-1E District from 10% to 20%. In the text amendment application, Mr. Burns stated he is seeking this request because it will benefit all owners of property zoned in an R-1E District, provide better use of properties by allowing the construction of more accessory structures, increase property tax revenue, and will not adversely impact aesthetics. The following attachments are included with this report: Attachment A: Proposed text amendment to Chapter 15.08A, <u>R-1E/Single-Family Estates Residential District</u> Attachment B: Maps showing all R-1E District in the City of Council Bluffs		

Comments

All City Departments and local utility providers were notified of the proposed text amendment change. The following responses were received:

- The Permits and Inspections Division and the Public Works Department noted that Section 15.08A.060(01), Additional regulations, Private Sewage Disposal System, of the Council Bluffs Municipal Code (Zoning Ordinance) references Chapter 4.32, Private Sewage Disposal Systems, of the Council Bluffs Municipal Code, which has been repealed. They stated that Section 15.08A.060(01) should reflect this change.
- The Fire Department stated they had no comments on this request.
- Council Bluffs Water Works stated they had no comments on this request.
- Mid-American Energy stated they had no objections to this request.

The Community Development Department provided the following comments for the text amendment request:

1. As per Section 15.05A.010, Statement of intent, the R-1E District is intended for “low-density residential neighborhoods characterized by single-family detached dwellings on large lots... and serves to preserve existing low-density neighborhoods and for newly developed areas where environmental concerns preclude smaller lots.” The Community Development Department determines that the proposed text amendment is compatible with the purpose of the R-1E District.
2. As per Section 15.05A.050, the minimum lot size requirement in the R-1E District is one acre. Along with the maximum lot coverage of 10%, this is intended to allow the construction of private sewage disposal systems, which are not permitted in other residential districts in the City. Increasing the maximum lot coverage to 20% provides owners greater flexibility on how to use their property while reserving 80% of the parcel for the placement of septic tanks and septic drain fields. Furthermore, the proposed request will maintain the low-density character of neighborhoods in an R-1E District and provide a less abrupt “transition” to the R-1/Single-Family Residential District.
3. Changes to the text of Title 15: Zoning are made through the adoption of an ordinance. The ordinance is adopted as part of the Municipal Code and is not specific to an individual project. In the case of this request, the change would apply to any property that is zoned in an R-1E District. As shown on Attachment B, this request will only impact a small number of properties in the City. The following are all properties zoned in an R-1E District in the City of Council Bluffs:
 - a. Three residential properties (1005 State Orchard Road; 4703 and 4761 Cedar Lane) located southwest of the intersection of State Orchard Road and Cedar Lane.
 - b. Six residential properties (1170, 1201, 1210, 1335, 1401 and 1415 Longview Loop) and two undeveloped parcels of land located along the section of Longview Loop north of Greenview Road.
 - c. Two undeveloped parcels of land located east of the intersection of Harry Langdon Boulevard and Valley View Drive.
 - d. Sixteen residential properties (100, 101, 105, 108, 112, 116, 117, 120, 121, 124, 125 and 128 Discovery Circle; 4205, 4209, 4525 and 4535 Harry Langdon Boulevard) located in the Cedar Point Subdivision.
4. As stated above, Section 15.05A.060(01), Additional regulations, Private Sewage Disposal System, references Chapter 4.32 of the Municipal Code to establish standards for the construction and maintenance of septic tanks in an R-1E District. As per Ordinance No. 6361, City Council repealed Chapter 4.32 on October 22, 2018. The Permits and Inspections Division stated that now they reference Chapter 69, Private Sewage Disposal Systems, of the Iowa Administrative Code. The Community Development recommends the following text amendment:

15.08A.060 - Additional regulations.

01. Private Sewage Disposal System. The construction, use, and maintenance of individual sewage disposal systems in the R-1E district shall comply with Chapter 69 of the Iowa Administrative Code.

Recommendation

The Community Development Department recommends approval to amend Chapter 15.05A, R-1E/Single-Family Estates Residential District, as follows:

1. Amend Section 15.05A.050, Site development regulations, in the R-1E/Single-Family Residential Estates District of the Council Bluffs Municipal Code (Zoning Ordinance) to increase maximum lot coverage for all structures from 10% to 20%.
2. Amend Section 15.05A.060(01), Additional regulations, Private Sewage Disposal System, in the R-1E/Single-Family Residential Estates District of the Municipal Code (Zoning Ordinance) by repealing the requirement that individual sewage disposals systems in an R-1E district shall comply with Chapter 4.32 of the Municipal Code (Health and Sanitation) and replacing it with the requirement that individual sewage disposals systems in an R-1E district shall comply with Chapter 69 of the Iowa Administrative Code.

Attachments

Attachment A: Proposed text amendment to Chapter 15.08A, R-1E/Single-Family Estates Residential District
Attachment B: Map showing all R-1E District properties in the City of Council Bluffs

Prepared by: Moises Monrroy, Planner

Attachment A:

Chapter 15.08A - R-1E/SINGLE-FAMILY RESIDENTIAL ESTATES DISTRICT

Sections:

15.08A.010 - Statement of intent.

This district is intended for low-density residential neighborhoods characterized by single-family detached dwellings on large lots. This district is also intended for areas of the city in which sanitary sewer service is deemed to be impractical due to topography or the availability and proximity of sanitary services. It is also appropriate for established areas of the city where it serves to preserve existing low-density neighborhoods and for newly developed areas where environmental concerns preclude smaller lots.

(Ord. 5305 § 1 (part), 1996).

15.08A.020 - Principal uses.

The following principal uses shall be permitted outright in an R-1E district:

01. Community recreation services;
02. Dwelling, single-family detached;
03. Family home;
04. Local utility services;
05. Park and recreation services;
06. Public safety services;
07. Religious assembly.

(Ord. 5305 § 1 (part), 1996).

15.08A.030 - Conditional uses.

The following conditional uses shall be permitted in an R-1E district when authorized in accordance with the requirements set forth in Section 15.27.020 of this title:

01. Cemetery;
02. Day care services.

(Ord. 5305 § 1 (part), 1996).

15.08A.040 - Accessory uses.

The following accessory uses shall be permitted in an R-1E district:

01. Uses of land or structure customarily incidental and subordinate to one of the principal uses, unless otherwise excluded. No accessory structure shall exceed the ground floor coverage of the principal structure.

(Ord. 5305 § 1 (part), 1996).

15.08A.050 - Site development regulations.

Minimum Lot Size

Lot area:	43,560 square feet (1 acre)
Lot width at front building line:	125 feet
Lot depth:	200 feet

Minimum Setbacks	Principal Structure	Accessory Structure
Front yard:	35 feet	Greater of 35 feet or existing front setback line of principal structure
Interior side yard:	20 feet at building setback line	10 feet
Street side yard:	30 feet	30 feet
Rear yard:	35 feet	10 feet
Maximum height:	35 feet	18 feet
Lot coverage: all structures	10% maximum 20% maximum	

One principal structure per lot.

(Ord. 5305 § 1 (part), 1996).

15.08A.060 - Additional regulations.

01. Private Sewage Disposal System. The construction, use, and maintenance of individual sewage disposal systems in the R-1E district shall comply with ~~Chapter 4.32 of the municipal code~~ **Chapter 69 of the Iowa Administrative Code.**
02. Cluster Lots Prohibited. The subdivision of cluster lots under Chapter 14.10 of the municipal code shall be prohibited in the R-1E district.

(Ord. 5305 § 1 (part), 1996).

15.08A.070 - Signs.

Signage in this district shall comply with Chapter 15.33, "Signs."

(Ord. 5305 § 1 (part), 1996).

DRAFT

Attachment B:

CITY OF COUNCIL BLUFFS - CITY PLANNING COMMISSION
CASE #ZT-19-003 R-1E DISTRICT IN THE CITY OF COUNCIL BLUFFS

