RESOLUTION NO. 10-99

A RESOLUTION AMENDING THE TWO-MILE LIMIT AREA POLICY AGREEMENT BETWEEN POTTAWATTAMIE COUNTY AND THE CITY OF COUNCIL BLUFFS, TO ADOPT A NEW MAP AND SERVICE AREA LOCATIONS RESULTING FROM ANNEXATION.

WHEREAS, the *Two-Mile Limit Area Policy Agreement* between the City and County was first adopted in December 1995. The agreement was created to identify and define the administrative policies and responsibility for development regarding subdivision, zoning and annexation within the two-mile extraterritorial jurisdiction of the City; and

WHEREAS, amendments to this agreement were approved in March 1998, November 1999, June 2002, June 2005, August 2005, and September 2007; and

WHEREAS, the two-mile limit area map expands concurrently with annexation. The 2010 Service Area Map – "February 11, 2010 Amendment" shows the expanded two mile limit and the four corresponding service areas; and

WHEREAS, in addition to the land area extended due to the annexation, service area type changes are proposed for three areas:

1. Along the north boundary, City Service Area I which formerly extended the entire length shortened and changed to City Service Area II from west of the Interstate and extending east to connect to the existing City Service Area II.
2. On the east side, southeast of the airport, City Service Area I is moved a half-mile farther east.
3. East of Valley View Drive, the area north of approximately Deer Run will be added to City Service Area I from City Service Area II.

WHEREAS, it is the recommendation of the Community Development Department and the Planning Commission to amend the *Two-Mile Limit Area Policy Agreement* by adopting the 2010 Service Area Map – "February 11, 2010 Amendment", as presented; and

WHEREAS the Community Development Department and the Planning Commission will forward their recommendation to the Pottawattamie County Board of Supervisors for their consideration.

NOW, THEREFORE, BE IT RESOLVED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

The *Two-Mile Limit Area Policy Agreement* is hereby amended by adopting the 2010 Service Area Map – "February 11, 2010 Amendment", upon concurrence of the Pottawattamie County Board of Supervisors.

ADOPTED
AND
APPROVED

March 29, 2010

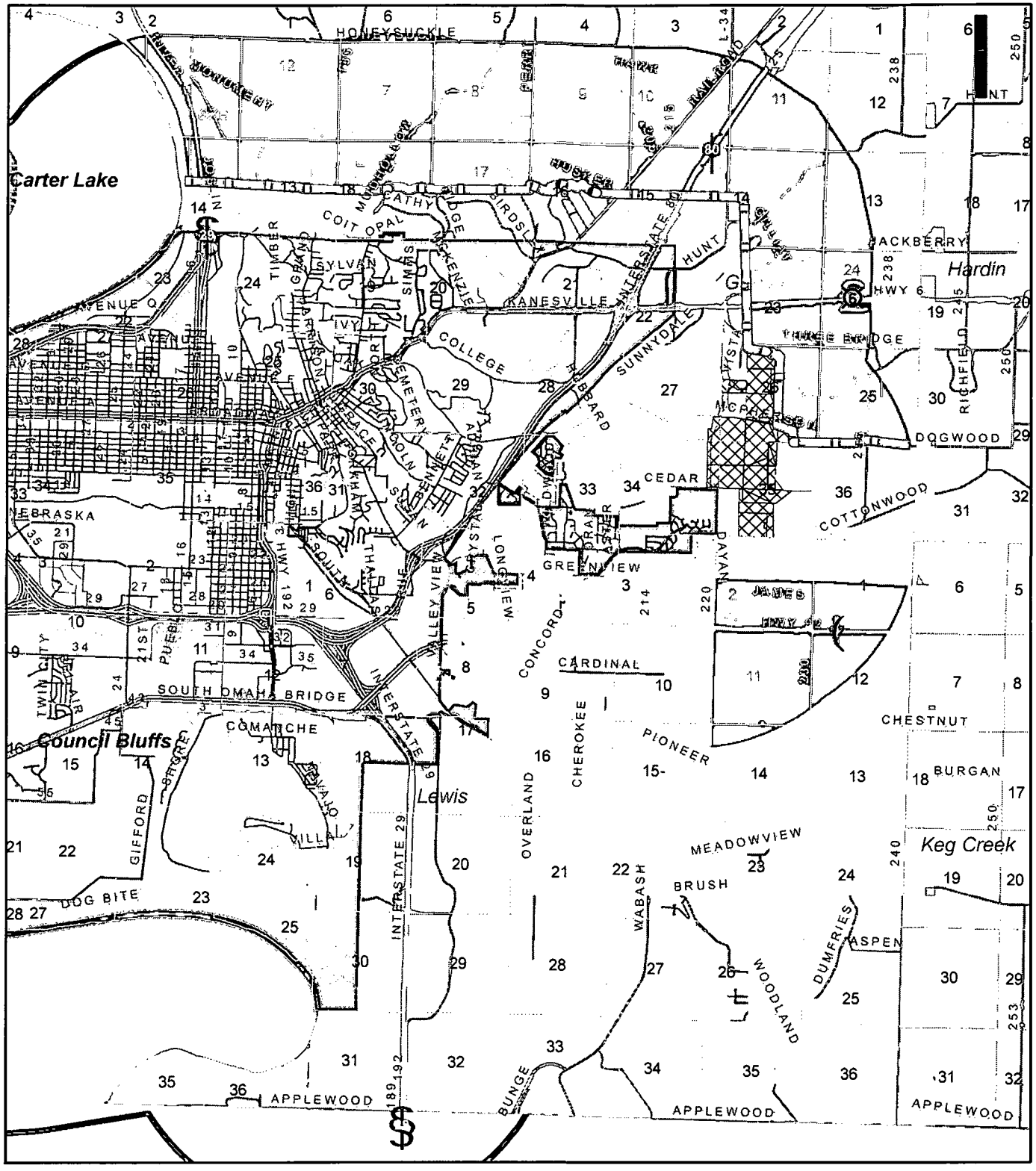
SCOTT A. BELT Mayor Pro-tem

Attest:

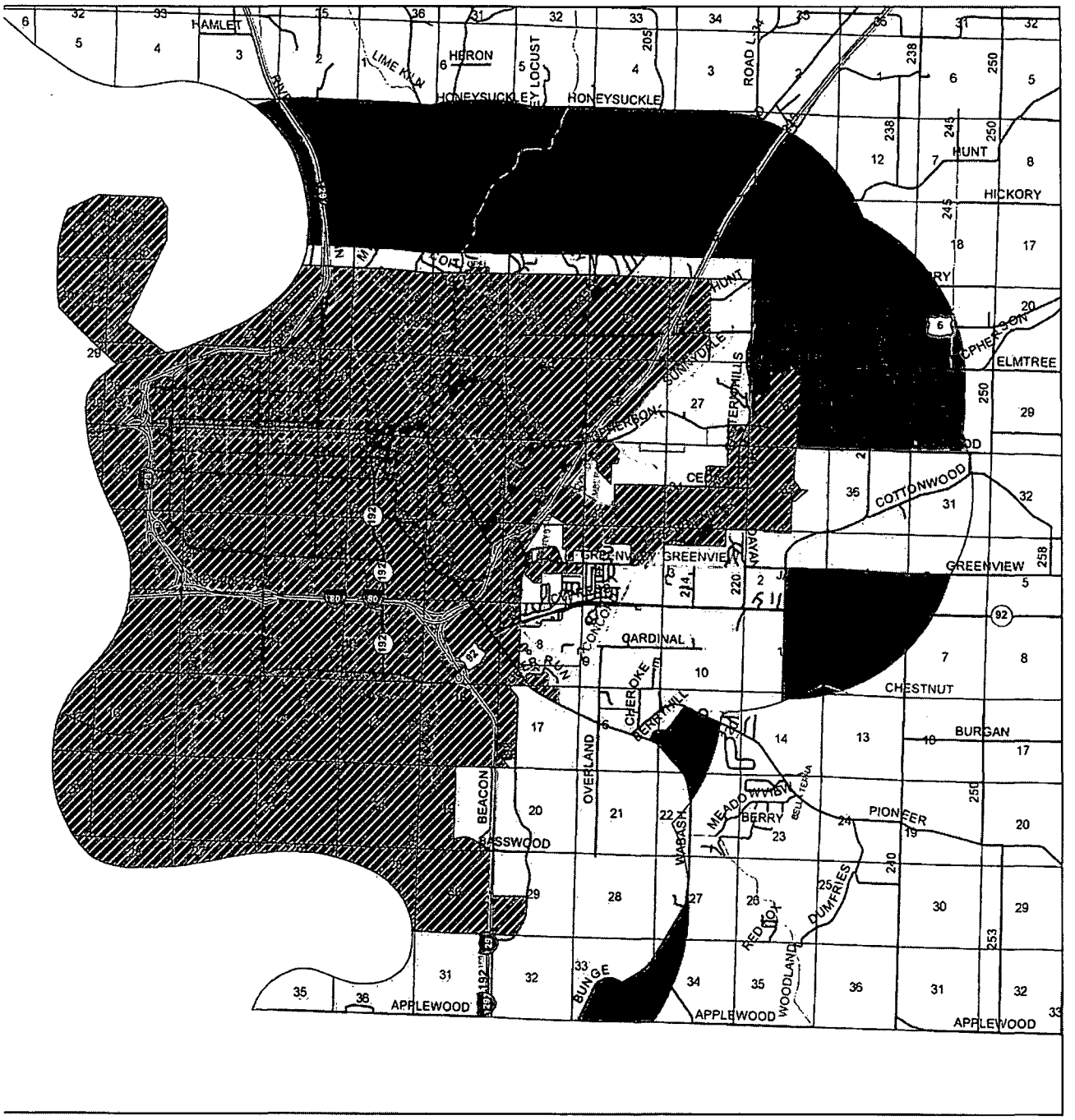
MARCIA L. WORDEN City Clerk

MIS-10-001

Service Area Map 2005



2010 Service Area Map



February 11, 2010 Amendment

Legend

Service Areas

- City Service Area 1
- City Service Area 2
- County Service Area 1
- County Service Area 2

Council Communication

Department and Applicant: Community Development Case #MIS-10-001	Resolution No. 10-99	City Council: 3-29-10 Planning Commission: 3-9-10

Subject/Title

Amend the *Two-Mile Limit Area Policy Agreement* between Pottawattamie County and the City of Council Bluffs to adopt a new map and service area locations resulting from annexation.

Background/Discussion

The *Two-Mile Limit Area Policy Agreement* between the City and County was first adopted in December 1995. The agreement was created to identify and define the administrative policies and responsibility for development regarding subdivision, zoning and annexation within the two-mile extraterritorial jurisdiction of the City. Subsequently, the agreement was amended in March 1998, November 1999, June 2002, June 2005, August 2005 and September 2007.

The two-mile limit area map expands concurrently with annexation. The 2005 Service Area map is included for reference. The 2010 Service Area Map –'February 11, 2010 Amendment' shows the expanded 2 mile limit and the four corresponding service areas as described below.

City Service Area I - Development served by municipal utilities, which are constructed to City subdivision and design standards. Annexation is required. The County will approve zoning requests, not involving annexation.

City Service Area II – Development served by municipal water and septic systems or common sewage treatment plants, which are constructed to City subdivision and design standards. Annexation is also required. The County will approve zoning requests, not involving annexation.

County Service Area I – Development served by municipal water services and septic systems or common sewage treatment plants. Location of these properties is such that they are beyond a reasonable expectation of future annexation by the City. All zoning requests will be reviewed and approved by the County. County subdivision and design standards will be applied to regulate development.

County Service Area II - Development served by a combination of public/common water systems or individual private wells and septic systems or common sewage treatment plants. Location of these properties is such that they are beyond a reasonable expectation of future annexation by the City. All zoning requests will be reviewed and approved by the County. County subdivision and design standards will be applied to regulate development.

In addition to the land area extended due to the annexation, service area type changes are proposed for three areas.

1. Along the north boundary, City Service Area I which formerly extended the entire length shortened and changed to City Service Area II from west of the Interstate and extending east to connect to the existing City Service Area II.
2. On the east side, southeast of the airport, City Service Area I is moved a half mile farther east.
3. East of Valley View Drive, the area north of approximately Deer Run will be added to City Service Area I from City Service Area II.

Both the City and the County Planning Commissions are considering the proposed map amendment to the adopted *Two Mile Limit Area Policy Agreement.* Those recommendations will be forwarded to the City Council and County Board of Supervisors respectively, for consideration and action.

Recommendation

The Community Development Department recommends amending the *Two-Mile Limit Area Policy Agreement* by adopting the 2010 Service Area Map - 'February 11, 2010 Amendment', as presented and forwarding the recommendation to the Pottawattamie County Board of Supervisors for their consideration.

Public Hearing

Gayle Malmquist appeared before the Planning Commission in favor of the request. No one appeared in opposition.

Planning Commission Recommendation

The Planning Commission recommends amending the *Two-Mile Limit Area Policy Agreement* by adopting the 2010 Service Area Map - 'February 11, 2010 Amendment', as presented and forwarding the recommendation to the Pottawattamie County Board of Supervisors for their consideration.

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

Attachments: 2010 Service Area Map – 'February 11, 2010 Amendment' and 2005 Service Area Map

Prepared by: Gayle M. Malmquist, Development Services Coordinator