



**City Council
Development Committee
Meeting Agenda Packet
February 26, 2014
4:00 p.m.**



City of Cedar Rapids
Development Committee Meeting Agenda
City Hall Council Chambers
Wednesday, February 26, 2014
4:00 pm – 6:00 pm

Purpose of Development Committee:

To enable the City Council to discuss and evaluate in greater detail these specific issues that directly impact the physical, social, and economic vibrancy of the City of Cedar Rapids.

City Council Committee Members:

Council member Monica Vernon, Chair
Council member Pat Shey
Council member Susie Weinacht

- Mayor Ron Corbett is an ex-officio member of all Council Committees per City Charter Section 2.06.

Agenda:

- Approval of Minutes – January 22, 2014
 - Review of Development Committee Issue Processing Chart
 - Informational Items & Updates
 - ROOTs
-
- | | | |
|--|--|------------|
| 1. Renaming H Street SW | Wayne Jerman
<i>Police</i> | 10 Minutes |
| | Mark English
<i>Fire</i> | |
| | Sven Leff
<i>Parks and Recreation</i> | |
| 2. Historic Preservation Commission Demolition Review Period | Thomas Smith
<i>Community Development</i> | 15 Minutes |
| | Mark Stoffer Hunter
<i>Historic Preservation Commission</i> | |
| 3. Section 8 Housing Choice Voucher Plan Update | LaSheila Yates
<i>Community Development</i> | 10 Minutes |
| 4. Chapter 32 Updates | Seth Gunnerson
<i>Community Development</i> | 15 Minutes |

Any discussion, feedback or recommendation by Committee member(s) should not be construed or understood to be an action or decision by or for the Cedar Rapids City Council. Further, any recommendation(s) the Committee may make to the City Council is based on information possessed by the Committee at that point in time.

Future Meetings:

1. Items for **March** Agenda –
 - a) Setbacks

Any discussion, feedback or recommendation by Committee member(s) should not be construed or understood to be an action or decision by or for the Cedar Rapids City Council. Further, any recommendation(s) the Committee may make to the City Council is based on information possessed by the Committee at that point in time.



City of Cedar Rapids
DEVELOPMENT COMMITTEE MINUTES
City Hall Council Chambers
Wednesday, January 22, 2014
4:00 p.m.

The meeting was brought to order at 4:05 p.m.

Present: Council members Vernon (Chair), Shey and Weinacht. Staff members present: Gary Kranse, Community Development Director; Jennifer Pratt, Community Development Assistant Director; Adam Lindenlaub, Community Development Planner; Seth Gunnerson, Community Development Planner; Caleb Mason, Housing Rehabilitation Specialist; Thomas Smith, Community Development Planner; Jeff Hintz, Community Development Planner; and Alicia Abernathey, Community Development Administrative Assistant.

Council member Vernon stated the Development Committee meets monthly and the purpose of the committee is to review development and economic issues that involve the community. Items are brought forward to the agenda from City staff, Council members and sometimes citizens.

Council member Vernon called for a motion to approve the minutes from November 20, 2013. Council member Shey made a motion to approve the minutes from November 20, 2013. Council member Weinacht seconded the motion. The motion passed unanimously with none opposed.

Informational Items and Updates

Jennifer Pratt, Community Development Assistant Director, stated there has been a disposition process for properties the City acquired following the 2008 flood. A proposal was received for a vacant property that is along 3rd Avenue SW. The proposal was not received in time for it to be on the agenda but staff would like to take the request to City Council to set a public hearing for competitive proposals. Properties in the area have gone through the competitive proposals process and the same criteria will be used.

2. Comprehensive Plan Update

Pat Boddy, RDG Planning & Design Partner, explained the three basic phases of public engagement including community profile, vision and goals and recommendations, priorities and implementation. RDG is currently in the process of studying factors of Cedar Rapids to translate them into goals and principles. As the project moves forward development concepts and plan elements will be identified. Online tools will be used for public engagement.

Cory Scott, RDG Planning & Design Partner, stated a kick-off meeting will take place in February to provide a brief overview of what a comprehensive plan is and is not. The meeting will allow for people to get an understanding of the individual components that make up the

plan. Mr. Scott identified other meetings that will take place throughout the upcoming months to engage people in the comprehensive plan update.

Ms. Boddy stated the input received indicates Cedar Rapids is a community where people want to look forward and want to complete this kind of work. Ms. Boddy stated work has been done by City staff to develop a brand for the update to the comprehensive plan which is EnvisionCR.

Council member Shey asked how often a comprehensive plan should be completed. Gary Kranse, Community Development Director, stated updating the plan every 5-8 years would be best. It would be beneficial to review the plan every year to ensure the basic philosophies are being followed. There may be things that change over a short period of time that need to be reacted to so the plan needs to be flexible enough to accommodate changes.

Council member Shey asked why a citizen of Cedar Rapids should want to be engaged in this process. Ms. Boddy stated the planning that has been done in the most recent past in Cedar Rapids has been reactive planning. Cedar Rapids was hit by a tragedy and had to come back from the tragedy. There is a great deal of interest in moving forward and doing proactive planning to shape the Cedar Rapids that people want to live in for the future, without the flood being the driving force. People want their quality of life to be the driving force. They also want what their children are doing, their jobs and the schools to be the driving force. The phrase EnvisionCR should be used to get people envisioning Cedar Rapids' future as a place where people want to live and stay.

1. A Revitalization Strategy for the Cedar Lake Area

Dale Todd, Friends of Cedar Lake, stated Friends of Cedar Lake is made up of a diverse group of people including engineers, neighbors of Cedar Lake and people who use the lake such as bicyclists, joggers, fisherman, etc. The Friends of Cedar Lake group has been instructed to put a plan together to establish a vision of what Cedar Lake could be.

Rich Patterson, Friends of Cedar Lake, stated there is a phenomenon of cities looking for bodies of water downtown or close to downtown to develop for recreation. Friends of Cedar Lake are looking into resources to make the water quality of Cedar Lake better in order to enhance recreation and the general environmental health of Cedar Rapids.

Mr. Todd stated Friends of Cedar Lake secured the services of Confluence and they came up with a preliminary draft of possibilities for Cedar Lake. Discussion of what to do with Cedar Lake has been going on for years and numerous plans for the lake have been approved. Mr. Todd presented the current flood alignment plan and stated Friends of Cedar Lake think the plan should be expanded to protect businesses in the area. Mr. Todd presented options for potential funding sources and also presented concepts for different uses of the lake.

3. Urban Agriculture

Seth Gunnerson, Community Development Planner, stated staff met with area stakeholders and the Blue Zones Committee regarding ways to improve the ordinance as it currently exists for urban agriculture. In 2011 City Council adopted an ordinance that allows urban agriculture. The ordinance allows urban agriculture as a primary use on vacant residential lots. However, the ordinance does not allow vacant commercial or industrial lots to be used for agriculture purposes and it does not address whether or not urban agriculture can be an accessory use on a parcel. Mr.

Gunnerson provided a definition for urban agriculture and identified the benefits. Mr. Gunnerson listed proposed changes to the urban agriculture ordinance and the permitting requirements. Mr. Gunnerson stated the proposed changes will be included in a larger update to Chapter 32.

4. Single Family New Construction (SFNC) Round Four

Caleb Mason, Housing Rehabilitation Specialist stated the City has the budget authority of \$11,000,000 in the fourth round of Single Family New Construction (SFNC), also known as ROOTs. The City is required to submit a plan to the State of Iowa no later than February 28th. The primary objective of SFNC is to replace the units lost through the 2008 flood. Mr. Mason explained the program criteria and explained the program results since 2009.

Council member Shey asked if there would only be single family homes or if there would be variations in the buildings. Mr. Mason stated there will be variations in the housing styles as there may be row style housing similar to what is proposed for Ellis Boulevard. Council member Shey asked if there was a waiting list for the program and if willing buyers are placed with contractors to build the homes. Mr. Mason stated the first step is qualifying people to participate and there are approximately 400 families that are qualified. The builders, locations and floor plans are listed on the housing website and the families do the footwork themselves.

Council member Shey made a motion to send the recommendation to City Council. Council member Weinacht seconded the motion. The motion passed unanimously with none opposed.

5. Disposition Process –

- a) 720 1st Avenue NW**
- b) 615 K Avenue NW**

Thomas Smith, Community Development Planner, stated staff is bringing forward two City-owned properties that were acquired post flood and seeking feedback on opening up the properties for a competitive proposal process. 720 1st Avenue NW was discussed by the Historic Preservation Commission (HPC) in November 2013 and the HPC recommended the property for potential reuse. The HPC reached out to the development community and held a tour of the property. Following the tour two letters of interest were received for the property. The property is located outside of the 500 year floodplain and is not located in an historic or overlay district.

Mr. Smith stated 615 K Avenue NW was discussed by the Flood Recovery Committee in December 2013 and it was recommended proposals be sought for reuse of the structure or potential new development on this parcel. The lot is located in the 100 year floodplain and is located in the overlay district for the area and all proposals would have to comply. The Ellis Plan shows the property at a more intense commercial node for the neighborhood. Mr. Smith identified three parcels the City owns that are contiguous with 615 K Avenue NW and stated the properties could be part of a potential development proposal. Mr. Smith identified the criteria that would be used in the competitive proposal process for both properties.

Council member Shey asked if Community Development Block Grant (CDBG) funding was used to acquire the properties. Mr. Smith stated that was correct. Council member Shey asked if there are any restrictions when selling the lots and if the funds have to go back to CDBG. Caleb Mason stated the fair market value of the property will have to be returned back to the Federal Government. Council member Shey stated neither property is eligible for the National Register of Historic Places and asked what the reason was. Mr. Smith stated they would not be eligible if

there was an alteration that changed the nature of the building or if there was an impact that deteriorated the historic significance.

6. NewBo Station Project – 1020 & 1028 3rd Street SE (Former Brosh Chapel site)

Ms. Pratt provided background and chronology of events that have taken place regarding the redevelopment of 1020 and 1028 3rd Street SE. Ms. Pratt identified changes from the proposed plan to the finalized plan including changes in total investment, building size, mix of uses and City participation. Ms. Pratt presented renderings and identified the timeline for completion.

Council member Shey asked what is required to ensure the developer is financially feasible. Ms. Pratt stated a financial commitment letter from a bank is required as part of the competitive proposal process. The amount from the bank is shown in the sources and uses of funds. Due to the changes of the proposed project an updated financial letter was requested and received.

Council member Shey asked what protection the City has that the project will be completed. Ms. Pratt stated specific milestones must be met by specific dates. There is a legal recourse if the milestones are not complete including not receiving the TIF and possibly recourse of land.

Council member Shey made a motion to send the recommendation to City Council. Council member Weinacht seconded the motion. The motion passed unanimously with none opposed.

7. Commercial Setbacks

Mr. Gunnerson stated the goals for commercial setbacks include maintaining a “street wall” in established corridors, encouraging increased quality of design and flexibility. Mr. Gunnerson identified aspects of the current city code pertaining to setbacks and provided examples.

Jeff Hintz, Community Development Planner, provided maps of major roadways in Cedar Rapids outlining the different setbacks of buildings along the roadways.

Mr. Gunnerson stated a number of communities are switching to a code that dictates setback requirements based on how close the property is to the core of the City and what district the property is in. Mr. Gunnerson presented approaches for setbacks. Staff will continue to research options and further discussion will take place at future Development Committee meetings.

Council member Vernon called for a motion to adjourn the meeting. Council member Shey made a motion to adjourn the meeting. Council member Weinacht seconded the motion. The motion passed unanimously with none opposed.

Meeting adjourned at 6:17 p.m.

Respectfully submitted,

Alicia Abernathey, Administrative Assistant II
Community Development

Original Agenda Date	Agenda Item / Presenter	Action Item	Action Taken	Owner	Date Return to Committee	Recommendation to City Council
10/23/2013	City Planning Commission Work Plan			CD	Done	Nov 13.
10/23/2013	Visual Arts Commission Work Plan			CD	Done	Nov 13.
10/23/2013	Low Income Housing Tax Credit Requests			CD	Done	Dec 13.
11/20/2013	SAFE CR Update			PD	Done	Dec 13.
2/27/2013	Downtown Parklets	Figure out a minimum number of parklets		CD	Done.	Completion slated 6.13. Installation complete. Evaluation 11.13
4/30/2013	Ellis Plan			CD	Done.	
7/24/2013	Section 8 Funding Update			CD	Done	
11/20/2013	Gymnasiums in Industrial Areas			CD	Done.	Dec 13.
1/22/2014	NewBo Station	Development Agreement to Council		CD	Done	
1/22/2014	SFNC Round Four			CD	Done	
7/25/2011	Med District Design Guidelines			CD/Medical Quarter	April 2013	Will revisit April 2013 - Pending
9/26/2011	Land Development Fees Update	Given to City Council (full) to review for further discussion at November 2011 meeting.		CD		On Hold
1/23/2012	Walkable Community Follow-Up Discussion / Council member Vernon AND Charlotte's Street Elevations / Tom Peterson	Jeff Speck to meet with the City Council and Staff. Bring back to Dev Comte a DRAFT of the Street Elevations for Cedar Rapids in April.	Christine Butterfield to set up meeting with Jeff Speck. Public Works Traffic Engineer and staff to bring back recommendation to Dev Comte in April.	CD / PW	underway	Jeff Speck scheduled to visit Cedar Rapids 4/11 - 4/13. Staff will schedule time with City Council during his visit. Meeting Summary sent to Council 4.27.12. Street Typology underway. Jeff Speck meet with staff in Cedar Rapids on 8.13.12 Back to Comte 12.11.12. Policy presented to City Council by Public Works 6.13
1/23/2012	Additional Rezoning of Flood Impacted Property / Seth Gunnerson	Bring remainder of properties to be rezoned back to Dev Comte in April		CD		Ongoing.

Original Agenda Date	Agenda Item / Presenter	Action Item	Action Taken	Owner	Date Return to Committee	Recommendation to City Council
2/23/2012	ACE District / Streetscaping - 3rd Street from 1st to 8th	Send to staff for research on: Can we implement? How? Dollars? Return to Dev Comte in April.		PW	12.11.12	Public Works meeting with stakeholders group. Installation planned by Pubic Works 6.1.13
2/23/2012	Mound View Coalition for Neighborhood Stabilization	Come back to Dev Comte when Emily Meyer is available.		Mound View Neighborhood		Waiting to hear from neighborhood. On Hold
2/23/2012	Neighborhood Planning Process Implementation	Did not discuss at 2/23 meeting. Bring back at 3/26 meeting.		CD	3/26/2012	Last update to City Council 2.15.13. Next update early 2014.
3/26/2012	Chapter 32 Modifications - Setbacks and Shared Parking	Jeff Speck to look at setbacks on Mt. Vernon Road. Shared parking will come back in May as part of the Maximum vs.		CD	5/28/2012, 8/29/2012, 11/28/12, 1/23/13,	Discussed and reviewed 2006 zoning code. Established build to line. Jeff Speck to report on typology in August.
9/26/2012	Distance Separation from Alcohol, Tobacco and Payday Lenders	City Staff will work to create language for Chapter 32 Zoning Ordinance.	Staff is taking to CPC in December to recommend language.	CD	Sept 2013 - Alcohol/Tobacco	Payday Lending Slated City Council 5.13. Alcohol & Tobacco early 2014
11/28/2012	Tree Planting Policy	City staff will work to draft a policy on tree planting, placement and maintenance		CD	Jan 2013	Early 2013. April 2014.
11/28/2012	Signage	Return with best practices on general signage.		CD	Oct 2013	ongoing.
1/23/2013	Commercial Lighting Requirements	Look into Height requirements, equipment to verify lighting meets standards, interior lighting.		CD	April 2013	
2/27/2013	14th Avenue Alignment	Look into tree lined streets, sidewalks, shared-use lanes,		CD	March 2013	Included in Iowa Steel disposition
4/30/2013	NewBo Volleyball			CD		
5/22/2013	Comprehensive Plan			CD	Update 1.14	Ongoing.
7/24/2013	Convention Center Parking Structure - 1st Floor Retail			CD		Ongoing.
7/24/2013	North Gateway Sign			CD		Ongoing.

Original Agenda Date	Agenda Item / Presenter	Action Item	Action Taken	Owner	Date Return to Committee	Recommendation to City Council
7/24/2013	Design Review Overlay Districts			CD		Ongoing.
8/28/2013	Annexation Agreement with Marion			CD		Ongoing.
9/25/2013	Vacant Housing			BS/CD	Jan 2014	Ongoing
9/25/2013	Historic Preservation Demolition Ordinance Update			CD	Feb 2014	Ongoing
10/23/2013	Emerald Ash Borer Update	Continue to monitor spread. Proactively plant trees.		PW		Ongoing.
10/23/2013	Parking Changes - Round 3	Stakeholder Input		CD	Early 2014	ongoing
11/20/2013	Residential Fiber Optics	Call for RFP's in early 2014.		IT	Early 2014	ongoing.
1/22/2014	Urban Agriculture	Incorporate into larger Chapter 32 update		CD	March 2014	
1/22/2014	720 1st Ave NW - Disposition Process	Set Public Hearing on disposition. Bring back recommendation based on proposals received.		CD	June 2014	July 2014.
1/22/2014	615 K Ave NW - Disposition Process	Set Public Hearing on disposition. Bring back recommendation based on proposals received.		CD	June 2014	July 2014.
1/22/2014	Commercial Setbacks	Further analyze data		CD	Spring 2014	

For the Complete Issue Processing Chart, please contact Community Development at (319) 286-5041.



City of Cedar Rapids Police, Fire, and Parks & Recreation
City Hall
101 First Street SE
Cedar Rapids, IA 52401
Telephone: (319) 286-5041

To: City Council Development Committee
From: Police Chief Wayne Jerman, Fire Chief Mark English, Parks and Recreation
Director Sven Leff
Subject: Renaming H Street SW to Valor Way SW
Date: Wednesday, February 26, 2014

Background: On Thursday, May 15, 2014, in conjunction with Peace Officers Memorial Day, the Bret Sunner Memorial Park Dedication will be held to pay tribute to Officer Sunner and the five other police officers and seven firefighters who have died in the line of duty. H Street SW, north of Diagonal Drive SW, is the main access road to Sunner Memorial Park. Sunner Memorial Park is located in the northeast corner of the intersection of H Street SW and Diagonal Drive SW. The Police Department, Fire Department and Parks and Recreation Department have solidarity and support amongst staff in support of changing the street name from H Street SW to “Valor Way SW.” Valor is a fitting descriptor and means of paying homage to fallen police officers and firefighters in Cedar Rapids. There was input from members of the Police Department and Fire Department in support of the name change. The name “Valor Way SW” also recognizes the sacrifices and service of all police officers, firefighters and members of the armed services, including those officers and firefighters who serve today.

There will be the minimal cost of changing two street name signs and there are currently no occupied structures along H Street SW.

Recommendations: It is the recommendation of the Chief of Police, Fire Chief, and Parks and Recreation Director, on behalf of their departments, that the Development Committee support the renaming of H Street SW to Valor Way SW.

Timeline and Next Steps: Pending the Development Committee’s support and approval, a Public Hearing date will be established by the City Council, three readings of a street name change ordinance will be required, and signs will need to be fabricated and installed. It is desired that the street name change and installation of new street name signs be completed prior to the May 15, 2014 Sunner Memorial Park Dedication.



Community Development Department
City Hall
101 First Street SE
Cedar Rapids, IA 52401
Telephone: (319) 286-5041

To: City Council Development Committee
From: Thomas Smith and Amanda McKnight-Grafton, HPC Chair, through Gary Kranse, Director of Community Development and Planning
Subject: Historic Preservation Ordinance Update: 10 Business Day Wait Period Extension
Date: February 26, 2014

Background and Recommendations:

Over the past few months, the Historic Preservation Commission (HPC) has discussed the City's Chapter 18 Historic Preservation ordinance. During these discussions, potential modifications that may improve the demolition review process and better protect the city's historic assets were recommended. The proposed updates are intended to ensure that owners of potentially historic buildings aren't circumventing the intended review process for buildings fifty years old or older, and that adequate time is provided to properly notify the Commission and the public of potential demolitions.

At this time, the HPC is requesting the Development Committee review the following process change:

10 Business Day Wait Period Extension

The HPC expressed concern with the amount of time currently permitted to review demolition applications, especially those that are submitted to the City less than 48 hours before a meeting. The City's Chapter 18 Historic Preservation ordinance currently requires the HPC to review demolition applications within a "ten (10) business day wait period" after a demo application is received by City staff. Because of the current twice-monthly meeting schedule of the HPC, staff must add demolition applications received up to the day of an HPC meeting. If the application isn't reviewed at that day's meeting, the ten business day wait period expires prior to the next HPC meeting, and the demolition application must be released without any review for historic significance.

The HPC recommends extending the 10 business day wait period to a 15 business day wait period. By adding five additional business days to the wait period, the following goals can be accomplished:

- Demolition applications not received the Friday prior to an HPC meeting will be scheduled for the next available HPC meeting afterward. This gives HPC members at least 32 hours' notice to review demolition applications before a meeting.
- Staff can publish a notice in the Gazette for all demolition applications to be reviewed at an upcoming HPC meeting.
- Agenda packets may be sent the Monday prior to a meeting instead of 24 hours in advance.
- The HPC can continue on a regular bimonthly schedule, which is easier for the public and applicants to anticipate, instead of scheduling special meetings on short notice with little time for review or notice of demolition applications.

Timeline and Next Steps:

If recommended by the Development Committee to proceed to City Council, the next steps for this Chapter 18 ordinance update are as follows:

- March 11, 2014 – City Council motion setting a public hearing
- March 25, 2014 – City Council public hearing and first reading
- April 8, 2014 – Combined City Council second and third readings



Community Development and Planning Department
City Hall
101 First Street SE
Cedar Rapids, IA 52401
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To: City Council Development Committee
From: LaSheila Yates through Gary Kranse, Director of Community Development and Planning
Subject: Section 8 Housing Choice Voucher Plan Update (2014 Program Plans)
Date: February 26, 2014

Background:

The U.S. Department of Housing and Urban Development (HUD) requires the entities responsible for the administration of the Section 8 Housing Choice Voucher (HCV) Program to submit Public Housing Agency (PHA) 5-year and Annual Plans. In addition, HUD requires each entity to prepare an Administrative Plan that clearly outlines local policies and HUD program regulations. Each year the PHA Administrative Plan is reviewed and revised as necessary to reflect changes in local policy and regulations. HUD requires a 45-day comment period and a public hearing to obtain comments from citizens.

The Public Housing Agency 5-year and Annual Plans address the following:

1. Goals and objectives that will enable the PHA to serve low-income and extremely low-income families for the next five years
2. Supporting documents: PHA Administrative Plan; PHA certification of compliance with the PHA plan; results of the Section 8 Management Assessment System (SEMAP) rating; audit report; etc.
3. Family Self-Sufficiency Plan
4. Homeownership Option Plan
5. Memorandum of Understanding between the City of Cedar Rapids and the Iowa Department of Human Services Child Welfare Division for the Child Welfare and Housing Preference

PHA 5-year and Annual Goals

- Maximize the number of families assisted with available resources.
- Continue to provide information and resources to program participants as to the location of units outside of areas of high poverty concentration.
- Partner with community organizations to increase the knowledge of community resources available to participants.
- Participate in and / or organize outreach programs for potential landlords and/or participants.
- Continue to support families working towards self-sufficiency.

Significant revisions to the Section 8 HCV Program Administrative Plan for 2014 include:

- Added a limited Child Welfare and Housing preference for up to 75 families with children under the age of 18 that are experiencing homelessness or at imminent risk of homelessness and have current involvement with the IA Department of Human Services,

Child Welfare Division (DHS).

- Updated chronically homeless to include families, which is consistent with HUD's definition.
- Added preference for families that HAP Contracts were terminated due to Insufficient Funding.
- Updated policy to better outline the order Housing Assistance Payment (HAP) contracts will be terminated in the case of insufficient funding.
- Edited Informal Hearing language and updated policies to increase consistency with other areas of the administrative plan.

The 5-year, Annual, and Administrative Plans are made available for public review from January 31, 2014 through March 18, 2014. Copies of these documents are located at the City Clerk's Office, Cedar Rapids Public Library, and the Housing Services Office. All the Plans are also available on the City's website at www.CityofCR.com/Section8.

A Resolution will be submitted for final approval of the Public Housing Agency (PHA) Annual Plan and Administrative Plan at the March 25, 2014 City Council meeting.

Target Dates for 2014:

- January 28– Presentation of plan to Section 8 Resident Advisory Board
- January 28 – Plans submitted to Resident Advisory Board for Comments
- January 31 through March 18– Draft 5-year, Annuals and Admin Plans available for public comment
- March 25 – Public hearing and City Council action
- April 15 – Deadline for submission to HUD
- July 1 – Start of program fiscal year. HUD approved Annual and Administrative Plans changes will become effective



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To: City Council Development Committee
From: Seth Gunnerson and Jeff Hintz through Gary Kranse, Director of Community Development and Planning
Subject: Chapter 32 Code Updates
Date: February 26, 2014

Background:

Staff has identified a number of areas within the City Code which are out of date or subject to numerous variance requests. Staff is recommending several changes, to be incorporated within a single update to the Zoning Ordinance.

Recommendations within this memo include updates to the following areas of the code:

1. **On-Site Navigation Signs** – Separating definition from small directional signs on a site from larger freestanding signs viewed from the right of way.
2. **Garage Size Limitation** – Staff has noticed a large number of variances have been granted for garages over the limit set by the zoning ordinance. Staff is seeking a recommendation to either amend the standards or strictly enforce the existing regulation.
3. **Urban Agriculture** – Staff is bringing forth a final set of recommendations to expand the definition of urban agriculture.
4. **Development Services Reorganization** – With the development of the Development Services Department, the Zoning Ordinance needs to be updated to reflect current roles and responsibilities.
5. **Gymnasiums in Industrial Areas** – Allowing gyms, health clubs, and other similar activities to operate by Conditional Use in industrial districts was recommended by the Development Committee in November and will be incorporated into the next update of Chapter 32.

Staff is seeking a recommendation to incorporate each item into an update to Chapter 32. The recommendations will be combined and brought before City Council as a single ordinance.

The proposed ordinance will be reviewed by the City Planning Commission in March prior to setting a Public Hearing before the full City Council.

1. On-Site Navigation Signs

Background:

Staff has identified a number of variance requests for smaller on-site navigation signs. These signs include signs notifying the public of entrance drives, parking areas, or drive-thru window locations.

On-site navigation signs less than three square feet are currently exempt from sign permitting. Signs larger than 3 square feet must be included in the calculations of allowable sign area on the site. Many of these types of enter/exit signs are larger than this maximum threshold and thus are counting against allotted signage maximums for the property. Many of these signs include a company logo in conjunction with the words enter & exit; by doing so the sign is generally pushed over that three square foot maximum and thus requires a sign permit.

Intent of the regulation:

This regulation exists to allow common signage that most businesses have from counting against their signage limit when computing overall signage requirements for a site. Smaller entrance and exit signs with company logos are quite common and generally unobtrusive. Given the signage's purpose to aid in navigation the intent of the regulation is to exempt these signs from permitting.

Other communities:

Staff researched 21 other communities in reference to the size requirements and applicable regulations for directional/navigation signage. Size limitations varied from 3 square feet (Cedar Rapid's current standard) to 12 square feet. Nearly all communities surveyed exempt navigational signs from sign permits altogether. A chart of these findings from other communities is attached to this memo as Appendix A.

Staff also referenced the Model Sign Code recommended by the United States Sign Council, which recommends navigational signs under 6 square feet be exempt from permitting.

Staff Recommendation:

Staff surveyed several businesses in town and found that navigational signage on site was generally between 4 and 8 square feet, with newer development generally being under 6 square feet. Staff also noted that most signs were less than 5 feet in height. These dimensions were consistent with many of the other communities surveyed.

Staff is seeking a recommendation from Development Committee to exempt the following informational signs from permitting requirements:

- Signs no more than 6 square feet in size
- Signs no more than 5 feet tall
- No more than two directional/navigation signs per approved access

Signage over these thresholds would simply require a sign permit and count against the allotted amount for the lot in question. It also should be noted that signs not viewable from the public right of way are also exempt from sign permitting under the current code.

2. Garage Size

Background:

In 2006 City Council adopted a new Zoning Ordinance, which reduced the maximum size for a detached garage from 1,250 square feet to 900 square feet. Since that time the Board of Adjustment (BOA) has seen a large number of requests for detached garages exceeding the maximum allowed size. Since 2006, 77 variances have been requested to exceed the minimum garage size, with 70 of these requests approved. All 43 variances applied for since 2010 have been approved by the Board of Adjustment. No variance requests for garages were received by the Board of Adjustment between 2001 and 2006.

Staff is concerned with the volume of variance requests being approved and seeking direction from the Development Committee to either:

1. Affirm the existing ordinance, and direct staff to recommend against further variance requests in front of the Board of Adjustment
2. Recommend an amendment to the existing policy.

Current regulations:

Currently under the zoning ordinance detached garages are limited to 900 square feet and can occupy no more than 40% of the required rear yard area.

An attached garage can be as large as 1,250 square feet provided that it is no larger than 50% of the size of the home it is attached to.

Accessory structures (including garages) must also fall within the lot coverage limits for the zone district they are in. This is a combination of the size of the residence and other accessory buildings on the site. Residential lots range from 25% to 50% of allowable coverage based on zone district.

Intent of the regulation:

This regulation exists to keep residential areas from being dominated by accessory structures such as garages and sheds. Without this regulation, accessory structures which dwarf the size of the house could be constructed creating development which appears out of character with surrounding properties.

Other communities:

Staff has researched 21 other communities in reference to the size requirements for accessory structures. Approaches vary by community, with some requiring smaller garages than Cedar Rapids and others allowing larger garages. A chart of these findings is attached to this memo as Appendix B.

Options to consider regarding a potential change:

Staff is seeking a recommendation from the Development Committee on standards for detached garages.

1. Affirm the existing requirement of a 900 square foot limit for a detached garage.
2. Increase the maximum size to 1,250 square feet (return to the previous standard)
3. Maintain a 900 square foot limit, but create criteria for staff to administratively allow garages to exceed this requirement, including:
 - Garages must either have garage doors that do not face the primary street OR be located on the back 1/3rd of the lot.
 - Height does not exceed the height of the primary structure
4. Use a formula based approach where the accessory structure takes up no more than 15% percentage of the lot.

District Name	Minimum Lot Size	Lot Coverage Max %	Maximum Coverage - All Buildings	Maximum Sq. ft. of Accessory Structure	% of Buildable area as Accessory Structure
R-T	14,500	30	4,350	2,175	50.00%
R-1	10,000	40	4,000	1,500	37.50%
R-2	7,200	50	3,600	1,080	30.00%
R-3	6,000	50	3,000	900	30.00%
R-TN	4,200	50	2,100	630	30.00%

Staff Recommendation:

Staff recommends **Option 3**, maintaining the existing standard while establishing criteria for staff to approve larger structures. If the Development Committee recommends against amending the current Zoning Ordinance, staff will recommend against approval of future variance requests unless unusual circumstances are present.

3. Urban Agriculture

In the fall of 2011 the City Council adopted standards to allow for Urban Agriculture within the City. The intent of the ordinance was to allow for smaller scale, low intensity agricultural activities to occur as the primary use on vacant residential lots.

At the January 2014 Development Committee Meeting, staff proposed to update the Urban Agriculture standards to allow urban agriculture to occur throughout the community. At the meeting the Development Committee expressed an interest in updating the ordinance. Staff committed to do additional research and return with final recommendations to be incorporated into the final ordinance, which are listed below.

1. Allow Urban Agriculture in all districts:

The ordinance will be amended to specifically allow Urban Agriculture as a primary or accessory use in all districts.

2. Requirements for a Permit

An Urban Agriculture Permit would be required if:

- Urban Agriculture is proposed as the primary use on a parcel
- Urban Agriculture is proposed as an accessory use and the area to be cultivated exceeds $\frac{1}{4}$ of an acre.

Staff recommends $\frac{1}{4}$ th of an acre (10,890 sq. ft.) as the size threshold where a permit would be required due to the fact that the City requires a minor erosion control permit where over $\frac{1}{4}$ th of an acre of land is disturbed.

Any accessory garden less than one quarter of an acre would not require a permit and would be permitted to exist anywhere in the community.

3. Allow riding lawn tractors.

Staff recommends allowing small garden tractors be utilized with Urban Agriculture Activities. Staff recommends the following language within the Ordinance:

“Mechanical farm equipment shall be limited to walk-behind equipment or small riding tractors with a deck width less than 36 inches”.

4. Development Services Reorganization

In January 2013 the City of Cedar Rapids undertook a series of process improvements to streamline the review process for development. These improvements included the creation of a new Development Services Department, which created a “one stop shop” for all development review. The reorganization also created a new Executive Administrator for Development Services positive which oversees the Community Development, Development Services, Building Services and Public Works Departments.

Currently Chapter 32 specifies certain roles and responsibilities for the Community Development Department, and the Director of Community Development, in the development review and approval process. These roles have been assumed by the Development Services team and the Executive Administrator of Development Services. Staff recommends updating Chapter 32 to incorporate the following:

- Update the code to reflect recent reorganization of roles and responsibilities.
- Develop language which is flexible and allows for future organizational changes. Rather than identify specific departments or positions, code language will identify roles and approval bodies that shall be designated by the City Manager.

5. Gymnasiums in Industrial Areas

At its November, 2013 meeting, the Development Committee made a recommendation to update Chapter 32 to allow gymnasiums to operate in Industrial areas as a Conditional Use.

To reduce the number of individual amendments to Chapter 32, staff will incorporate these recommended changes into the proposed Chapter 32 Update.

Appendix A – On-Site Directional Signage Requirements in other Communities

City	Maximum Sign Size	Maximum Height	Permit Required?	Notes
Cedar Rapids, IA	3 square feet	None specified	No, exempt	
Colorado Springs, CO	6 square feet	4 feet	No, exempt	
Madison, WI	3 square feet	10 feet	No, exempt	Limited to 2 per street frontage
Omaha, NE	N/A	Per Zone District	Yes	Not Exempted
Peoria, IL	N/A	Per Zone District	Yes	Not Exempted
Austin, TX	12 square feet	4 feet	No, exempt	
San Angelo, TX	8 square feet	Per Zone District	No, exempt	Limits per street frontage
Shorewood, WI	2 square feet	Per Zone District	No, exempt	Not for advertising purposes
Rochester, MN	None Specified	None specified	No, exempt	Must meet DOT Guidelines, no commercial messages
Germantown, WI	3 square feet	Per Zone District	No, exempt	
Racine, WI	Per Zone District	Per Zone District	No, exempt	
Lake Forest, IL	2 square feet	Per Zone District	No, exempt	Not for advertising purposes
Marion, IA	9 square feet	10 feet	Yes	Limited to one per entrance or exit
Waterloo, IA	6 square feet	Per Zone District	No, exempt	business logo not to exceed 2 square feet
Davenport, IA	3 square feet	Per Zone District	No, exempt	
Dubuque, IA	N/A	Per Zone District	Yes	Not Exempted
Iowa City, IA	3 square feet	None specified	No, exempt	
Des Moines, IA	4 square feet	8 feet	No, exempt	Illumination requires sign permit
West Des Moines, IA	8 square feet	4 feet	No, exempt	Logos not allowed
Downers Grove, IL	Based upon type	Per Zone District	No, exempt	Not for advertising purposes
Waukegan, IL	Based upon type	Per Zone District	No, exempt	Must meet Traffic Control Device Regulations
Burlington, WI	Per Zone District	Per Zone District	Yes	Not Exempted

Appendix B – Residential Detached Accessory Structure Standards in Other Communities

City	Residential Detached Accessory Structure (Garage) Maximum Size Requirement	Special Notes
Cedar Rapids, IA	900 square feet (detached) – 50% size of primary structure, max of 1,250 square feet (attached)	
Colorado Springs, CO	1200 square feet for 4 cars. 600 square feet for 2 cars. More than 1200 square feet with 450 square feet for storage only Not to exceed footprint of primary structure	
Madison, WI	576 in TR Zone - 800 in all others (1,000 total), exceeding allowed with Conditional Use	not allowed to occupy more than 50% of required yard
Omaha, NE	750 square feet maximum	FAR also limits size
Peoria, IL	26x42 max (1,092) any accessory structure in MF requires approval from Site Plan Review Board	
Austin, TX	5 foot setback from rear property line required, no other mention	development limited by required side yards and impervious lot coverage
San Angelo, TX	600 square feet or 1/2 the size of the primary structure (greater of the 2)	
Shorewood, WI	10% of lot area max	
Rochester, MN	no more than 35% of the required rear yard	20 foot setback from street property line on corner lots
Germantown, WI	No size limit on 1st garage, 2nd one requires site plan approval max size 192 square feet. Other buildings (not garages) 1% of lot area or 192 square feet (with garage) or 1% of lot area or 864 square feet (without garage)	separates detached and attached buildings from each other
Racine, WI	No more than 25 percent of the area of a required rear yard nor 50 percent of the	only allowed to occupy rear yard

City	Residential Detached Accessory Structure (Garage) Maximum Size Requirement	Special Notes
Lake Forest, IL	additional space in the rear of the principal building shall be occupied by an accessory building or structure no more than 40% of the area of a required yard	not allowed in front yard, must have 10 foot separation
Marion, IA Waterloo, IA	Shall not occupy more than 40% of rear yard 30% of rear yard but not more than 850 square feet. Over 850 if less than 6% of lot is covered up to a max of 1800 square feet	
Davenport, IA Dubuque, IA	750 square feet or 1/2 principal building, whichever is greater 1,000 square feet for all detached structures	accessory buildings not to exceed primary structure square footage
Iowa City, IA Des Moines, IA	In residential zones cover no more than 15% of the lot area 20% of rear yard but not more than 1,000 square feet total. In addition, not more than 576 square feet in minimum rear yard	includes outdoor "special" vehicle storage as well only applies to lots R1 & R2 less than 1 acre
West Des Moines, IA Downers Grove, IL	10% of lot area not to exceed 1000 square feet 1000 square feet or the area of the principal structure, whichever is LESS	porches or architectural features are not computed
Waukegan, IL Burlington, WI	no more than 40% of a required yard, nor larger than principal structure at ground level Shall not occupy more than 20% of the existing rear yard area	Site Plan approval by PC to place in side yard