# City of West Branch ~A Heritage for Success~

110 N. Poplar Street • PO Box 218 • West Branch, Iowa 52358 (319) 643-5888 • Fax (319) 643-2305 • www.westbranchiowa.org • city@westbranchiowa.org

# SPECIAL PLANNING AND ZONING COMMISSION MEETING Wednesday, May 14, 2014 • 6:30 p.m. West Branch City Council Chambers, 110 N. Poplar St.

Council Quorum May Be Present

- 1. Call to Order
- 2. Roll Call
- 3. Introduction and welcome to newly appointed Planning & Zoning Commission Member LeeAnn Aspelmeier.
- 4. Approve minutes from the March 25, 2014 Planning and Zoning Commission Meeting/Move to action.
- 5. Public Hearing on Proposed Amendment to Section 165.26 of the West Branch Zoning Ordinance.
- 6. Approve recommendation to the City Council for the passage of Ordinance 725, amending Chapter 165 "Zoning Regulations."/Move to action.
- 7. Discussion of the proposed Amended and Restated West Branch Urban Renewal Plan.
- 8. Old Business
  - a. Zoning Administrator Paul Stagg Update on Updated Zoning Map.
  - b. City Engineer Dave Schechinger Meadows Subdivision Part II/Traffic Study Update.
  - c. City Engineer Dave Schechinger Casey's Update.
- 9. New Business
  - a. Discussion of Update to Land Use Chapter (Chapter 5) in the West Branch Comprehensive Plan, Amended April 1, 2013.
  - b. Potential Annexations of West Branch Municipal Cemetery and Other Areas Adjacent to the City of West Branch.
- 10. Adjourn

# City of West Branch Planning & Zoning Commission Meeting March 25, 2014 West Branch City Council Chambers, 110 North Poplar Street

Chair Roger Laughlin opened the meeting of the West Branch Planning and Zoning Commission at 6:30 p.m. by welcoming the audience and the following City Staff: City Administrator Matt Muckler, Administrative Assistant Shanelle Peden, Zoning Administrator Paul Stagg, Zoning Board of Adjustment Chair Craig Walker, Zoning Board of Adjustment Member Jennie Embree, and City Engineer Dave Schechinger. Commission members Roger Laughlin (Chair), Helen Dauber, John Fuller, Trent Hansen, Molly Menard, and Gary Slach.

Motion by Fuller to approve the minutes from the January 28, 2014 Commission meeting, second by Laughlin. AYES: Fuller, Laughlin, Dauber, Hansen, Menard, Slach. NAYS: None. ABSENT: None. Motion carried.

# <u>Public Hearing on Proposed Amendments to Sections 165.04, 165.11, 165.22, 165.24 and 165.44</u> of the West Branch Zoning Ordinance

Laughlin opened the public hearing at 6:31 p.m. Embree suggested that the amendment include language which would allow exceptions to placement of retaining walls where it would be necessary to install public sidewalks. Emily Patton, property owner of Patton Family Health located at 116 North 1<sup>st</sup> Street, asked which properties are being rezoned with the new proposed map. Stagg commented that the only properties affected include a change in zoning from parks to public use. With no additional comments, Laughlin closed the public hearing at 6:35 p.m.

# Approve recommendation to the City Council for the passage of Ordinance 720, amending Chapter 165 "Zoning Regulations."

Walker shared that the purpose of the proposed recommendations is to clarify any unclear information and to help clearly define differences between fences, hedges, walls, and retaining walls. Stagg added that this process prevents ambiguity and allows the City to adopt definitions per the 2009 Uniform Commercial Code. Fuller asked that the Commission include Embree's suggestions.

Motion by Fuller to approve recommendation to the City Council for the passage of Ordinance 720, amending Chapter 165 "Zoning Regulations" to amend language in Section 165.44(1) and to add language in Section 165.44(9) for the allowance of retaining walls when it is necessary to install a public sidewalk, in which case the retaining wall may extend up to the sidewalk edge, second by Menard. AYES: Fuller, Menard, Dauber, Hansen, Laughlin, Slach. NAYS: None. ABSENT: None. Motion carried.

# Approve recommendation to the City Council for the passage of Ordinance 721, amending Chapter 165 "Zoning Regulations."

Fuller indicated that this ordinance helps clarify the designation of park properties to public use and that no physical changes have taken place.

Motion by Fuller to approve recommendation to the City Council for the passage of Ordinance 721, amending Chapter 165 "Zoning Regulations.", second by Slach. AYES: Fuller, Slach, Dauber, Hansen, Laughlin, Menard. NAYS: None. ABSENT: None. Motion carried.

## Approve Casey's General Store Site Plan

Schechinger updated the Commission on his firm's review of Casey's Site Plan. Schechinger noted the need to establish specific turn lanes. He also added that improvements to South Downey Street will need approval from the Iowa Department of Transportation. Hansen asked about the stormwater detention area between Casey's and Tidewater Drive. Schechinger noted that Pelds Engineering was hired by Casey's and is working on buried chamber concept system which would allow flow into the same system and create infrastructure to meet future flow needs. Schechinger also noted that curb and gutter improvements would need to be completed for a portion of the project which would need to meet ADA requirements. Laughlin added that he would like to see curb cuts for potential future sidewalk which could continue further south on both sides of street. Muckler noted that the cost of the street improvement project will be borne by Casey's and that the City would provide Tax Incremental Financing (TIF) funds for the City's portion of the project in the form of a rebate to Casey's. Hansen asked when the stormwater detention plan was approved. Schechinger responded that the plan has preliminary approval, but will still need to meet City stormwater requirements and Iowa Department of Transportation approval for access road improvements.

Motion by Hansen to approve the Casey's Site Plan, second by Menard. AYES: Hansen, Menard, Dauber, Fuller, Laughlin, Slach. NAYS: None. ABSENT: None. Motion carried.

# City Engineer Dave Schechinger-Meadows Subdivision Part II/Traffic Study

Schechinger gave an update to the Commission regarding the traffic study that is planned for Phase Two of the Meadows Subdivision. Schechinger indicated that the Metropolitan Planning Organization of Johnson County is conducting the study and will be placing traffic counters out in the spring. Schechinger added that he has received current attendance information from the West Branch Community School District as well as information regarding its upcoming master concept plan changes. Schechinger concluded his update by suggesting the idea of a joint meeting with all stakeholders to present proposed changes to the group.

## City Engineer Dave Schechinger-Zoning Map Discussion

Laughlin reiterated the idea that he would like to see the area where Croell Redi-Mix is located to be rezoned for residential development. Fuller asked if the City would designate flood plain areas on the updated zoning map. Schechinger remarked that previous development would not be subject to review, but any new development would be subject to current flood plain regulations. Muckler added that any changes made to the zoning map would also need to be reflected in the next update of the City's Comprehensive Plan, which is scheduled for 2017.

Motion by Menard to adjourn the meeting, second by Fuller. Motion carried on a voice vote. Planning and Zoning Commission meeting adjourned at 8:17 pm.

### NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO SECTION 165.26 OF THE WEST BRANCH ZONING ORDINANCE.

YOU ARE HEREBY NOTIFIED that a public hearing will be held to consider the above referenced matter by the Planning and Zoning Commission of the City of West Branch, Cedar County, in the Council Chambers at the City Hall at 110 N. Poplar Street, at 6:30 o'clock P.M., on Wednesday, May 14<sup>th,</sup> 2014. The proposed amendment will allow the Zoning Board of Adjustment to approve special requested uses under certain conditions.

All interested persons are invited to attend the meeting and be heard on the aforementioned proposed amendment to the West Branch Code of Ordinances. Further information on this matter may be obtained by contacting the West Branch City Clerk.

/s/Matt Muckler Matt Muckler, City Clerk by West Branch City Council

### NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENT TO SECTION 165.26 OF THE WEST BRANCH ZONING ORDINANCE.

YOU ARE HEREBY NOTIFIED that a public hearing will be held to consider the above referenced matter by the City Council of the City of West Branch, Cedar County, in the Council Chambers at the City Hall at 110 N. Poplar Street, at 7:00 o'clock P.M., on Monday, June 2, 2014. The proposed amendment will allow the Zoning Board of Adjustment to approve special requested uses under certain conditions.

All interested persons are invited to attend the meeting and be heard on the aforementioned proposed amendment to the West Branch Code of Ordinances. Further information on this matter may be obtained by contacting the West Branch City Clerk.

/s/Matt Muckler Matt Muckler, City Clerk by West Branch City Council

### **ORDINANCE NO. 725**

### AN ORDINANCE AMENDING CHAPTER 165 "ZONING REGULATIONS"

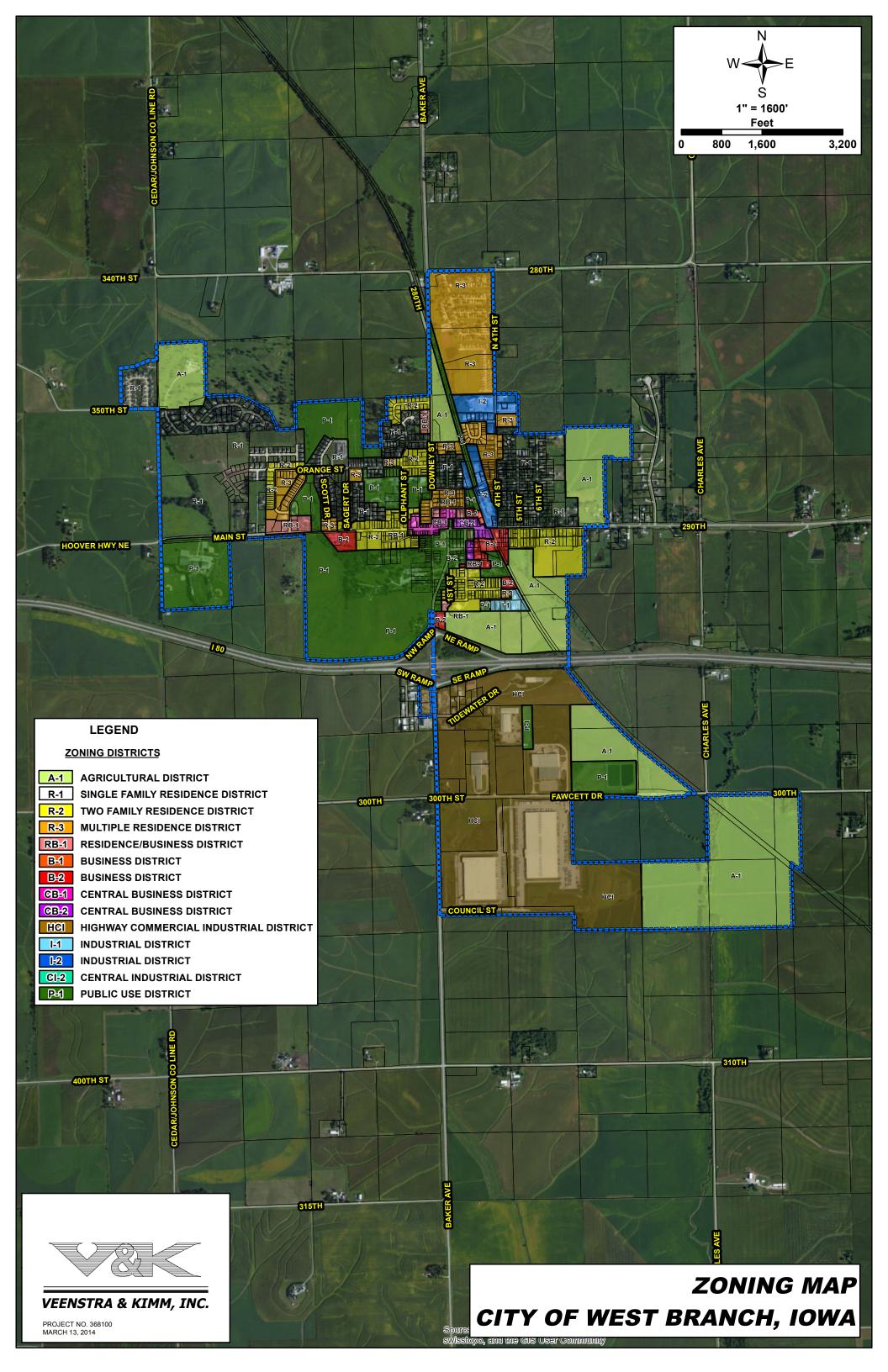
WHEREAS, the City Council of the City of West Branch, Iowa, has heretofore deemed it necessary and desirable to provide a process whereby the Zoning Board of Adjustment could allow uses by special exception under certain conditions.

# NOW, THEREFORE, BE IT ORDAINED:

- 1. BE IT ENACTED by the City Council of West Branch, Iowa, that Chapter 165 "ZONING REGULATIONS" of the Code of West Branch, Iowa is hereby amended by adding the following subsection to Chapter 165:
  - **165.26 A-1 District Requirements.** Section 2. Uses Allowed by Special Exceptions of the Board of Adjustment.
  - 165.26.2(I) Special requests not specifically covered in the City Code which are consistent with the Comprehensive Plan and not specifically prohibited in the Code may be approved upon request to the Board of Adjustment under the following conditions:
    - 1. The request must be compatible within the area or character of the neighborhood.
    - 2. The Board of Adjustment reserves the right to attach specific conditions to Special Requests it may approve.
- 2. This amendment to the ordinance shall be in full effect from and after its publication as by law provided.
- 3. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.
- 4. If any section, provision, or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any part, section, or provision thereof not adjudged invalid or unconstitutional.

Passed and approved this 2nd day of June, 2014.

First Reading:	June 2, 2014		
Second Reading:			
Third Reading:			
		Mark Worrell, Mayor	
Attest:			
Matt Muckler Cit	v Administrator/Clerk		





## **ACKNOWLEDGMENTS**

The 2013 Update to the West Branch Comprehensive Plan is based upon the input from over four hundred community members who completed the West Branch Comprehensive Plan Public Input Survey and attended community input meetings. The City of West Branch is fortunate to have an engaged citizenry. These contributions from community members are greatly appreciated.

Members of the Planning and Zoning Commission devoted many volunteer hours to provide assistance to staff in order to develop a citizen participation process that would reflect the wishes of the community in the Comprehensive Plan. The City is indebted to their service throughout the development of the plan.

The process officially started on June 20, 2011 when the City Council approved an agreement with the East Central Intergovernmental Association (ECIA) to assist the City of West Branch with updating the 1997 West Branch, Iowa Comprehensive Plan. Nicole Turpin, Regional Planning Coordinator with ECIA served as the lead on the project. Mark Schneider, Community Development and Public Services Director with ECIA, also provided technical assistance on the project.

# 2011 Mayor and City Council

Don Kessler, Mayor Jim Oaks, Mayor Pro Tem

David Johnson Dan O'Neil Robert Sexton Mark Worrell

# **Planning & Zoning Commission**

Roger Laughlin, Chair

John Fuller Trent Hansen Lauren O'Neil Al Rozinek Gary Slach

Mary Beth Stevenson Dick Stoolman 2012 Mayor and City Council

Don Kessler, Mayor Jim Oaks, Mayor Pro Tem

Jordan Ellyson Colton Miller Dan O'Neil Mark Worrell

### 2013 Mayor and City Council

Mark Worrell, Mayor Jim Oaks, Mayor Pro Tem

Jordan Ellyson Colton Miller Dan O'Neil Dick Stoolman

## City Staff

Matt Muckler, City Administrator Kevin Stoolman, Fire Chief Nick Shimmin, Library Director

Melissa Russell, Park & Recreation Director

Mike Horihan, Police Chief

Matt Goodale, Public Works Director

City of West Branch, Iowa, 110 N. Poplar Street, PO Box 218, West Branch, IA 52358

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# RESOLUTION NO. 1093

RESOLUTION APPROVING THE WEST BRANCH COMPREHENSIVE PLAN UPDATE.

provided detailed feedback on matters related to the health and prosperity of the West Branch Community through a community input survey; and WHEREAS, West Branch residents and community members have

met jointly to discuss the comprehensive plan; and WHEREAS, the Planning and Zoning Commission and City Council have

compelling vision for the community which includes specific actions necessary to fulfill that vision; and existing conditions and developing growth goals and presenting a unified and Plan meets the goals of providing a legal basis for land use regulation by analyzing WHEREAS, the Planning and Zoning Commission has determined that the

approval of the West Branch Comprehensive Plan by the City Council. WHEREAS, the Planning and Zoning Commission has recommended the

of West Branch, Iowa, that the West Branch Comprehensive Plan Update is hereby adopted. NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City

Passed and approved this 1st day of April, 2013

Mark Worrell, Mayor

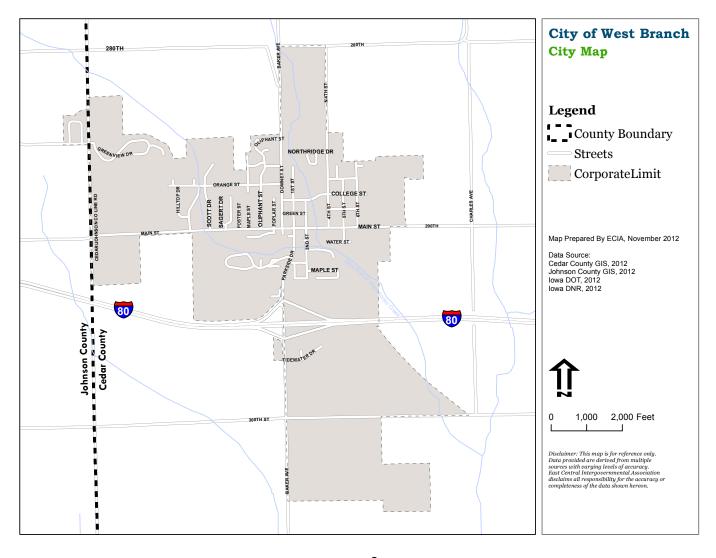
ATTEST:

Matt Muckler, City Administrator/Clerk

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Map 1.1



# **Chapter 1: Introduction**

The City of West Branch comprehensive plan provides a guide for the future of the City. West Branch, with a 2010 census population of 2,322, is located on the western border of Cedar County and the eastern border of Johnson County in the State of Iowa. The comprehensive plan identifies issues and opportunities in such areas as land use, infrastructure, parks and recreation, economic development, and the use of environmental resources. The comprehensive plan also provides a road map for implementation to achieve a shared community vision.

### **Purpose of the Plan**

The comprehensive planning process is designed to be a transparent public process in which citizens create a shared vision to promote the health and prosperity of the community. A comprehensive plan has two fundamental purposes: First, to provide a legal basis for land use regulation by analyzing existing conditions and developing growth goals. Second, to present a unified and compelling vision for a community and establish the specific actions necessary to fulfill that vision. The recommendations of the plan are designed to take advantage of West Branch's unique location, resources and heritage to build an optimal future for the citizens of West Branch.

### **Legal Role**

lowa Code2003: Section 414.4 enables communities to plan. A municipality is empowered to plan future land uses within a 2-mile radius of its actual municipal boundaries. Where multiple municipal jurisdictions overlap, the authority is generally split at the half-way point between those municipal boundaries. However, municipalities often plan to the 2-mile radius limit even if there is an overlap. This is to indicate their desired land use pattern as a basis for boundary agreements, review of plans for unincorporated areas, and the reservation of public sites and open space corridors. If a city chooses to adopt zoning and subdivision ordinances, which recognize that people in a city live cooperatively and have certain responsibilities to coordinate and harmonize the uses of private property, the lowa Code requires that these ordinances be in conformance with a comprehensive plan and its corresponding vision for the community's physical development. The West Branch Comprehensive Plan provides the legal basis for the city's authority to regulate land use and de-velopment. To maximize resources, the West Branch Comprehensive Plan will plan to existing City limits.

# **Community Vision**

Comprehensive planning is important because it helps solve and avoid problems, meet the needs of the future, and realize new opportunities for the overall benefit of the entire community. A comprehensive plan helps achieve the community's vision of the future in accord with local priorities and resources. Many of the opportunities of the future may be beyond the current resources of the City or require conditions which do not exist at the time the plan is created. Comprehensive planning provides the basis for shaping the decisions within the City's control and for reacting effectively as changes occur through external factors.

A complete comprehensive plan provides the framework for both public and private decision makers to choose end results that are in the best interest of the entire community. The foundation of the plan is based upon principals that make it valid regardless of the exact rate or extent of growth. Comprehensive planning can be vital in determining:

The quality of life in the community;

The character, health and accessibility of open space and natural resources;

The degree to which storm water runoff is controlled from new development;

The available revenues to support capital improvements and public services;

The employment, housing, recreational and shopping desires of the community;

The current and future demands on infrastructure and;

The compatibility of development, especially that which occurs adjacent to existing or proposed residential land uses.

### **Public Involvement:**

Public involvement is critical to building consensus in the planning process. If the full community is involved in the planning process the comprehensive plan is more likely to be applied. It is unrealistic that all ideas presented in the comprehensive plan will receive complete agreement. However, since West Branch's planning process was all inclusive and included a wide range of ideas and opinions, the comprehensive plan becomes a unifying element for decisions.

Public participation in West Branch's comprehensive plan was sought through a variety of measures. First, a community wide comprehensive plan informational meeting was held on July 18, 2011. This meeting was designed to inform the planning and zoning commission as well as residents about the purpose and importance of the comprehensive plan. A public input open house was held on October 12, 2011. It was designed so that participants could come and go in hope it would be convenient for participants and more input would be received. A community wide survey was conducted in late March and early April of 2012. Over 400 surveys were received. The survey results are in Appendix A.



# **Chapter 5: Land Use**

The Iowa Land Use Planning Notebook defines land use planning as showing "the existing and proposed location, extent and intensity of development of land to be used in the future for varying types of residential, commercial, industrial, agricultural, recreational, educational and other public and private purposes or combination of purposes." In other words, land use describes how and why the land is being used for a particular purpose. Existing land uses are those in place at the time the information was recorded or surveyed. Future land use addresses the desired use of land within the planning period and planning boundary. The West Branch Comprehensive Plan's planning period is 20 years with a planning boundary of roughly the existing corporate limits.

The land use chapter provides the framework and statement of land use policy. The future land use map presented in this chapter provides guidance to local officials on the quality and character of the development that may take place within the next 20 years.

There are six types of land uses identified in the comprehensive plan. They are residential, commercial, industrial, agricultural and open space, park and recreation and governmental. Residential land use is land that has a home or dwelling on it for the purpose of human habitation. Commercial land use is land used primarily for wholesale/retail sales, office use, professional services and business activities. Industrial facilities include manufacturing, warehousing, wholesale trade, construction and utilities. Institutional land use is defined as land dedicated for government buildings, schools, and cemeteries. Parks and recreation is land dedicated to parks and recreational facilities such multi-use trails. An agricultural land use is land used for agricultural production

either crop or livestock production, or land that has been left as open space.

To plan what types of land use West Branch will need in the next 20 years it is important to understand what the existing conditions are. Map 5.1 shows the existing land use in West Branch. Table 5.1 provides a detailed breakdown of the existing land use by acres in the incorporated areas of the City of West Branch.

Table 5.1 Existing Land Use for West Branch in 2012					
Land Use Type	Total Acres	Percentage			
Residential	358	28.9%			
Commercial	313	25.3%			
Industrial	90	7.3%			
Institutional	212	17.1%			
Agricultural and Open Space	219	17.7%			
Park and Recreation	45	3.6%			

### **Future Land Use**

Having a map of the anticipated future growth areas and expected future land uses allows for preferred future growth patterns to occur. This provides a guide for where development activities should occur to maximize the city's resources. Map 5.2 is the Future Land Use Map for the City of West Branch and displays the city's preferred future growth patterns and future land uses. In preparing for the future it is essential to identify ways to encourage, attract and/or retain residents. Ways to encourage long-term residents are:

- Retain and encourage locally owned businesses;
- Encourage home ownership;
- Provide a variety of housing options;
- Offer quality-of-life amenities, such as multi-use trails.

Table 5.2 provides a detailed breakdown of expected land use for the City of West Branch based on the future land use map developed from the public input surveys and meetings.



Table 5.2 Future Land Use for West Branch in 2032					
Land Use Type	Total Acres	Percentage	Expected Acre Change 2012 - 2032		
Residential	473	38.3%	115		
Commercial	363	29.4%	50		
Industrial	90	7.3%	0		
Institutional	212	17.1%	0		
Agricultural & Open Space	53	4.3%	-166		
Parks and Recreation	45	3.6%	0		

### **Land Use Goals**

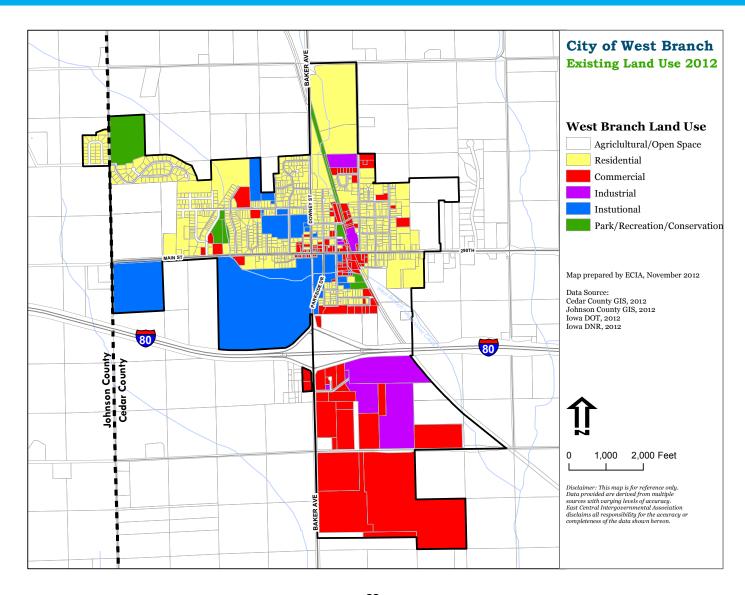
The land use goals of the City of West Branch are meant to provide continuity on how land use matters are addressed over the next 20 years in the City of West Branch. Using these goals is a means to protect identified valuable resources and preserve what truly makes the City of West Branch a great place to live, work and play. The City should look into ways to incentivize redevelopment within the City of West Branch. For example, a housing rehabilitation pro-gram should be considered.

### Other Items for Consideration

The public input survey found that respondents of the survey thought the City of West Branch needed more commercial uses (shopping, services, food/beverage establishments, and offices). Land for natural areas, open space and wildlife habitat was found to be about right. Survey respondents believe there are too many condominium style residences. The survey also found that City of West Branch needed more was civic spaces (parks, pedestrian plazas, outdoor entertainment).



Map 5.1 Existing Land Use in West Branch (only land use in the City limits is shown)



Map 5.1 Future Land Use in West Branch

