

ORDINANCE 821

AN ORDINANCE AMENDING CHAPTER 165 – ZONING REGULATIONS

Section 1: Amendment. This ordinance shall be in full force and effect as of January 16, 2025 and shall expire without further action of the City Council on January 16, 2028. However, the expiration date may be extended after a public hearing by approval of the City Council.

(Insert after current subsection)

165. 37 - Prosperity Pathway Interim Development Overlay District

1. Purpose: The purpose of the Prosperity Pathway Interim Development Overlay (IDO) is to temporarily regulate the establishment of uses, construction of new buildings and demolition or alteration of existing structures in the Prosperity Pathway where potential development could be detrimental or have adverse impacts on current planning, land use or zoning studies underway.
2. Applicability: The Prosperity Pathway IDO is adopted as an amendment to the Zoning Code and shall be illustrated on the Zoning Map and applied to the base district designation. Where inconsistencies exist between the Prosperity Pathway IDO regulations and other provisions of the Municipal Code, the Prosperity Pathway IDO regulations shall apply. The Prosperity Pathway IDO incorporates the Sub-boundaries of the Main Street Sub-District and the Historic District. Both districts will have additional review processes outlined within this ordinance and said sub-district boundaries shall be shown on the Zoning Map and applied to the base district designation.
3. District and Sub-district boundaries:
See Exhibit "i-iii"
4. Definition: "Substantial improvement" includes the following:
 - a. Any new building construction within the Prosperity Pathway IDO or any renovation of an existing structure that involves any modification of the exterior appearance of the structure by virtue of adding or removing exterior windows or doors or altering the color or exterior materials of existing walls.
 - b. All facade improvements, changes, alterations, modifications or replacement of existing facade materials will be considered a substantial improvement.
 - c. A substantial improvement also includes any increase or decrease in existing building height and/or alteration of the existing roof pitch or appearance.
 - d. Routine repair or replacement of existing roof materials that do not materially change the appearance, shape or configuration of the existing roof will not be considered a "substantial improvement". If the entire roof will be replaced, a review will be required.

- e. Owner-occupied detached single-family residences will not be subject to these regulations.
- f. Within the Main Street Sub-District "substantial improvement" also Includes:
 - i. New, modified or replacement awning structures or similar material extensions over the public sidewalk area.
 - ii. Demolition or Removal of any portion of a building otherwise not specified by these regulations.
 - iii. New, modified or replacement of permanent signage.

5. Land Uses:

- a. Permitted Uses: Allowable uses within the Prosperity Pathway Interim Development Overlay District include; commercial, professional office and service-oriented businesses, uses or facilities, including hotels and lodging facilities and, all such uses currently allowed in the RB-1 Neighborhood Commercial, CB-1 and CB-2 Commercial Business District Commercial unless herein limited.
- b. If the underlying zoning district is more restrictive than the CB-1 and CB-2 Commercial Business Commercial district, then only those uses permitted in the more restrictive district shall be allowed.
- c. No residential or storage use may be established on the ground floor of any store front or shop front located within the area zoned CB-1 and CB-2, Commercial Business District Commercial. Residential uses are encouraged to be established in upper levels of commercial facilities.

6. Prohibited Uses. These prohibited uses are incompatible with the historic, commercial, and aesthetic goals of the Prosperity Pathway IDO, which prioritizes preserving the character of West Branch's downtown as a vibrant, service-oriented area. In furthering the goals of the Prosperity Pathway Interim Development Overlay District, the following uses shall be prohibited in the Main Street Sub-District on the first-floor commercial storefronts:

- a. Storage: No first-floor commercial storefront may be used primarily or exclusively for storage of goods, materials, equipment, or any other non-retail items, except as incidental to an active, permitted commercial use.
- b. Residential: No first-floor commercial storefront may be converted to or used for residential purposes, including but not limited to apartments, condos, or other living spaces.
- c. Mechanic Shops
- d. Recreational Drug Stores, including liquor, tobacco, marijuana and other recreation drugs
- e. Gas Stations
- f. Pawn Shops
- g. Lumber Yards
- h. Building or construction supply business

- i. Truck Terminals
 - j. Boat Sales
 - k. Vehicle Sales
 - l. Pre-Assembly Yards
 - m. Light manufacturing
 - n. Firework Sales
7. Conditional Uses: All Conditional Use Site and Building Plans shall be reviewed by the Planning and Zoning Commission and City Council prior to proceeding to the Zoning Board of Adjustment for consideration.
8. Site and Building Plan Review Process: No person who proposes to substantially improved or new building structure or development, shall be issued a building permit or certificate of occupancy, as the case may be until said person submits a detailed site plan, building plan and color renderings for review as established below:
- a. Prosperity Pathway IDO Review: Any proposed substantial improvement or new building structure located in the Prosperity Pathway IDO, including proposed residential facilities, must submit a detailed site plan and building plan for review and approval by the Planning and Zoning Commission and the City Council.
 - b. Main Street Sub-District: Any proposed substantial improved or new building structure located within the Main Street West Branch Sub- district, including proposed residential facilities, must submit a detailed site plan and building plan for review and recommendation by the Main Street West Branch Board of Directors or their designee for consistency with the Iowa Main Street program. Design Guidelines prior to the project being reviewed by the Planning and Zoning Commission and City Council.
 - c. Historic District Review: Any proposed substantial improvement or new building structure located within the Historic District, shall be reviewed by the Historic Preservation Commission, or their designee, and a report provided to determine whether the project would be consistent with the Historic District. Any substantial improvement or new building structure located within the Historic District that is determined to detract from the Historic District shall be denied.
9. Site and Building Design Considerations:
- a. Elements to be considered in this review process are proposed use, proposed building improvements or new structural elements, with particular attention to exterior building design elements, landscaping and how the proposed improvement or development will complement existing and proposed uses and building design elements.
 - b. The upcoming comprehensive plan will be considered during this review process. In the event the City Council determines that the proposed project is not consistent with the direction of the comprehensive plan, the project may be delayed until such time the plan is complete.

- c. Paramount in this review will include consideration of, exterior building materials on all sides, coloration of materials, building height, roof line, size and location of windows and doors, roof mounted appurtenances, and facades.

10. Design Elements:

- a. Proportion: The relationship of width and height of the front elevations of adjacent buildings shall be considered in the construction or alteration of a building. The relationship of width and height of windows and doors of adjacent buildings shall be considered in the construction or alteration of a building. Particular attention must be given to the scale of street level doors, walls and windows. Large expanses of blank wall spaces at street level are to be discouraged, unless utilized for approved public art installation.
- b. Color: Building colors should emphasize light and muted colors, with earth tones dominant. Saturated hues and bright colors except for use in small areas is not encouraged.
- c. Architectural features: Architectural features including but not limited to cornices, entablatures, doors, windows, shutters, fanlights and other elements prevailing in the area shall be considered in the construction or alteration of a building. For properties outside the Historic District, it is not intended that the details of existing buildings be duplicated precisely, but those features should be suggestive of the extent, nature and scale of details that would be appropriate on new buildings or associated with building alterations.
- d. Materials and Texture: Architectural design within this area shall recognize the importance of material strength and permanency through the selection of building materials and the principle of structural strength and permanency shall dominate the structural and exterior materials and components. The primary material shall constitute at least 25% of the wall area, excluding glass. The primary exterior material shall consist of a combination of brick, architectural concrete panels, textured concrete block, or architectural steel, or stone panels.
- e. No wood, Masonite, asphaltic exterior wall or roof material, aluminum or steel siding, non-architectural sheet metal, non-textured concrete block, stucco, vinyl, E.I.F.S. (Exterior Insulation and Finish Systems) or other similar materials shall constitute any portion of any building, except as trim.
- f. In the Main Street Sub-District and Historic District, the Main Street Design Guidelines shall regulate Material and Texture.

11. Emergency Repairs:

- a. In the case of emergency repairs of no more than 65% of the building's assessed value is needed as the result of unanticipated building or facade damages due to events such as fire, vandalism, or weather-related damages, site plan review will not be required, provided that the needed repairs do not alter the appearance of the structure prior to the event causing the unanticipated damages.

12. Signage: Signage within the Main Street and Historic District should align with the aesthetic goals of the district, with size and placement ensuring visual harmony. Businesses are encouraged to utilize traditional materials such as wood or metal for signage to maintain historical continuity. All signage shall conform to requirements of the Chapter 165.42 Signs, except as provided for below:
- a. Electronic Message Center Signs shall not be permitted within the Prosperity Pathway IDO.
 - b. In the Main Street West Branch Sub-District and the Historic District signage shall be reviewed by the City Administrator and Historic Preservation Chair
13. Exterior Lighting: All lighting within the West Branch Main Street District must provide warm white of up to 2,900 Kelvin degrees.

Renumber all remaining sections after these changes.

Section 1. Time Frame: This Ordinance shall be of no further force or effective thirty-six (36) months after adoption unless prior to that date, after a public hearing, the City Council by majority vote extends the Prosperity Pathway IDO Overlay District.

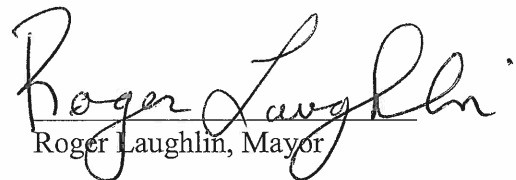
Section 2. Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.

Section 3. Adjudication. 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 the ordinance as a whole or any section, provision or part thereof no adjudged invalid or unconstitutional.

Section 4. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

Passed and approved this 6th day of January, 2025.

First Reading: December 2, 2024
Second Reading: December 16, 2024
Third Reading: January 6, 2025


Roger Laughlin, Mayor

ATTEST:


Leslie Brick, City Clerk

I certify that the foregoing was published as Ordinance No. 821 on the 16th day of January, 2025.

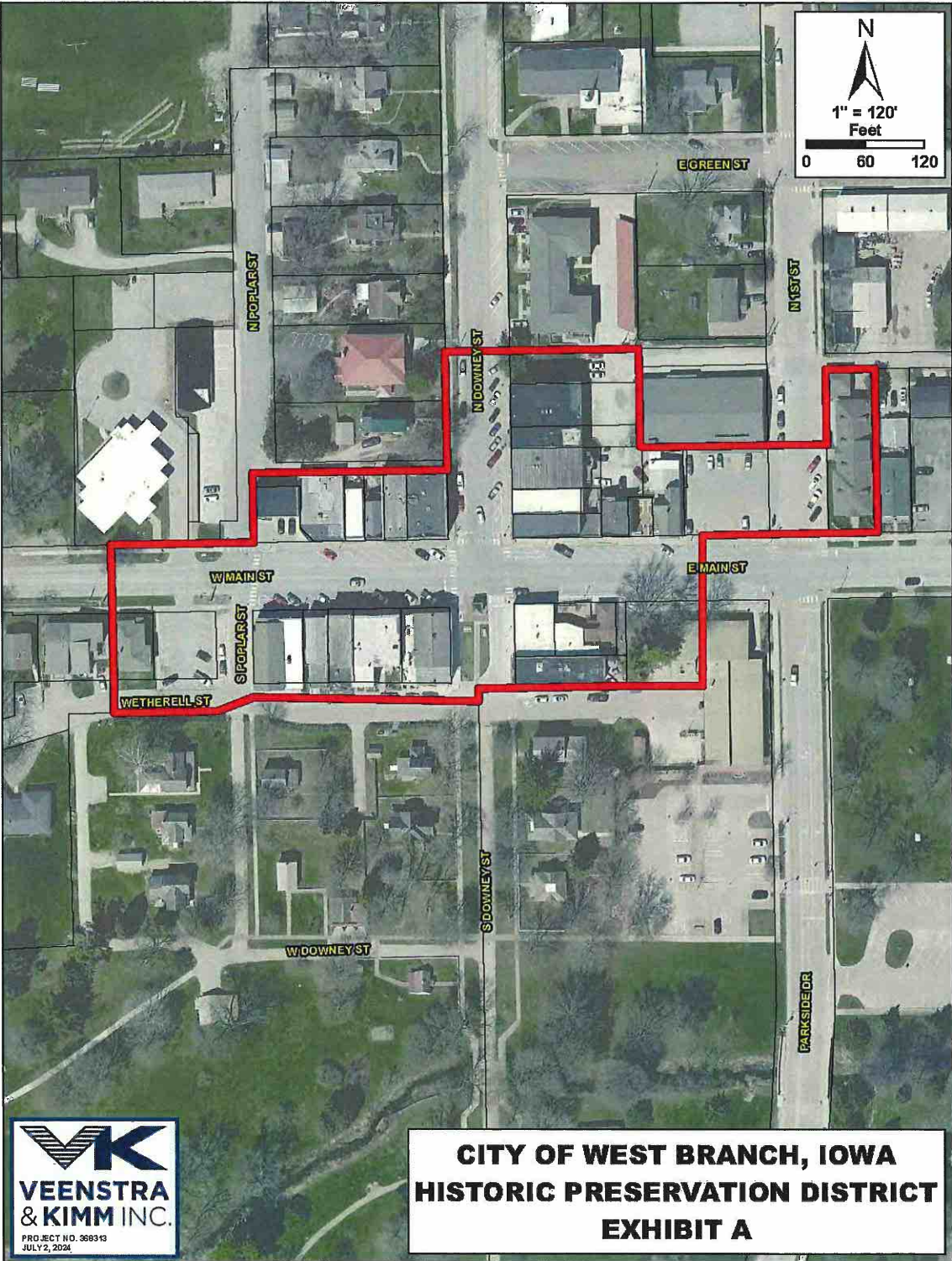
Leslee Brick
City Clerk

Exhibits

Prosperity Pathway Interim Development Ordinance

- i. Historic District.
- ii. Main Street Sub-district
- iii. Prosperity Pathway Interim Dev. Overlay Dist.

Historic District



Main Street Sub-District

