



City Council Information Packet

February 29, 2024

Council Tentative Meeting Schedule

IP1. Council Tentative Meeting Schedule

Miscellaneous

IP2. Memo from Senior Planner: 2023 Certified Local Government Annual Report

IP3. Memo from Associate Planner: Annual Progress Report

Draft Minutes

IP4. Ad Hoc Truth & Reconciliation Commission: February 15

IP5. Community Police Review Board: February 13



CITY OF IOWA CITY COUNCIL ACTION REPORT

February 29, 2024

Council Tentative Meeting Schedule

Attachments: [Council Tentative Meeting Schedule](#)



City Council Tentative Meeting Schedule

Subject to change

February 29, 2024

| <u>Date</u> | <u>Time</u> | <u>Meeting</u> | <u>Location</u> |
|-----------------------------|-------------|---|--|
| Tuesday, March 19, 2024 | 4:00 PM | City Conference Board Meeting Work Session | City Hall, Emma J. Harvat Hall 410 E. Washington Street |
| | 6:00 PM | Formal Meeting | |
| Tuesday, April 2, 2024 | 4:00 PM | Special Formal Meeting Work Session | City Hall, Emma J. Harvat Hall 410 E. Washington Street |
| | 6:00 PM | Formal Meeting | |
| Monday, April 15, 2024 | 4:30 PM | Joint Entities Meeting Hosted by the City of Iowa City | City Hall, Emma J. Harvat Hall 410 E. Washington Street |
| Tuesday, April 16, 2024 | 4:00 PM | Work Session | City Hall, Emma J. Harvat Hall 410 E. Washington Street |
| | 6:00 PM | Formal Meeting | |
| Tuesday, May 7, 2024 | 4:00 PM | Work Session | City Hall, Emma J. Harvat Hall 410 E. Washington Street |
| | 6:00 PM | Formal Meeting | |
| Tuesday, May 21, 2024 | 4:00 PM | Work Session | City Hall, Emma J. Harvat Hall 410 E. Washington Street |
| | 6:00 PM | Formal Meeting | |
| Tuesday, June 4, 2024 | 4:00 PM | Work Session | City Hall, Emma J. Harvat Hall 410 E. Washington Street |
| | 6:00 PM | Formal Meeting | |
| Tuesday, June 18, 2024 | 4:00 PM | Work Session | City Hall, Emma J. Harvat Hall 410 E. Washington Street |
| | 6:00 PM | Formal Meeting | |
| Monday, July 15, 2024 | 4:30 PM | Joint Entities Meeting Hosted by the City of North Liberty | TBD |
| Tuesday, July 16, 2024 | 4:00 PM | Work Session | City Hall, Emma J. Harvat Hall 410 E. Washington Street |
| | 6:00 PM | Formal Meeting | |
| Tuesday, August 6, 2024 | 4:00 PM | Work Session | City Hall, Emma J. Harvat Hall 410 E. Washington Street |
| | 6:00 PM | Formal Meeting | |
| Tuesday, August 20, 2024 | 4:00 PM | Work Session | City Hall, Emma J. Harvat Hall 410 E. Washington Street |
| | 6:00 PM | Formal Meeting | |
| Tuesday, September 3, 2024 | 4:00 PM | Work Session | City Hall, Emma J. Harvat Hall 410 E. Washington Street |
| | 6:00 PM | Formal Meeting | |
| Tuesday, September 17, 2024 | 4:00 PM | Work Session | City Hall, Emma J. Harvat Hall 410 E. Washington Street |
| | 6:00 PM | Formal Meeting | |
| Tuesday, October 1, 2024 | 4:00 PM | Work Session | City Hall, Emma J. Harvat Hall 410 E. Washington Street |
| | 6:00 PM | Formal Meeting | |
| Tuesday, October 15, 2024 | 4:00 PM | Work Session | City Hall, Emma J. Harvat Hall 410 E. Washington Street |
| | 6:00 PM | Formal Meeting | |
| Monday, October 21, 2024 | 4:30 PM | Joint Entities Meeting | TBD |

Hosted by the City of University Heights

| | | | |
|--------------------------|---------|----------------|--------------------------------|
| Monday, November 4, 2024 | 4:00 PM | Work Session | City Hall, Emma J. Harvat Hall |
| | 6:00 PM | Formal Meeting | 410 E. Washington Street |

| | | | |
|----------------------------|---------|----------------|--------------------------------|
| Tuesday, November 19, 2024 | 4:00 PM | Work Session | City Hall, Emma J. Harvat Hall |
| | 6:00 PM | Formal Meeting | 410 E. Washington Street |

| | | | |
|----------------------------|---------|----------------|--------------------------------|
| Tuesday, December 10, 2024 | 4:00 PM | Work Session | City Hall, Emma J. Harvat Hall |
| | 6:00 PM | Formal Meeting | 410 E. Washington Street |



CITY OF IOWA CITY COUNCIL ACTION REPORT

February 29, 2024

Memo from Senior Planner: 2023 Certified Local Government Annual Report

Attachments: [Memo from Senior Planner: 2023 Certified Local Government Annual Report](#)



CITY OF IOWA CITY MEMORANDUM

Date: February 27, 2024
To: Geoff Fruin, City Manager
From: Anne Russett, Senior Planner, Neighborhood & Development Services
Re: 2023 Certified Local Government Annual Report

As a certified local government, the City must submit an annual report to the State Historic Preservation Office (SHPO). This memo pertains to the 2023 Certified Local Government Annual Report [Attachment 1], which will be submitted to SHPO following review by the Historic Preservation Commission on February 8, 2024 and signature by the Mayor.

An amendment to the National Historic Preservation Act in 1980 created the Certified Local Government program. The creation of this program established a formal partnership between federal, state, and local governments and encouraged local governments to undertake historic preservation efforts. The program has four primary purposes:

1. Encourage historic preservation at the local level.
2. Encourage local governments to follow the Secretary of the Interior's Standards & Guidelines for Archaeology and Historic Preservation in the administration of local historic preservation programs.
3. Provide technical assistance through SHPO.
4. Provide funding opportunities for preservation activities.

The annual report is a requirement for maintaining the City's CLG status. The report summarizes the previous year's preservation activities, meetings, and trainings. In addition to being reviewed by the Historic Preservation Commission, SHPO requires that the report be presented to the City Council at a public meeting. The report also requires the Mayor's signature.

At the City Council's work session on February 6, staff presented a summary of the 2023 CLG Annual Report. The highlights of the report are as follows:

- Staff provided technical and design assistance for potential historic review applications.
- Staff processed 85 new applications for historic review.
- One property was designated as local historic landmark:
 - 715 N Dodge Street, the Original Emma Goldman Clinic
- The 40th Annual Awards Presentation was held on September 28, 2023.
- Staff administered the Historic Preservation Fund, which funded 9 projects in 2023.
- Staff attended trainings on design review and cultural places.
- Staff mailed out letters to property owners within the City's local historic districts, conservation districts, and landmark properties explaining the City's historic review process for exterior modifications.

Attachment:

1. 2023 Certified Local Government Annual Report

Bristow, Jessica

42107225120

Iowa Economic Development Authority

SHPO CLG Annual Report for 2023

Jessica Bristow

410 Washington Street

Iowa City, IA 52240, United States

319-356-5243

jessica-bristow@iowa-city.org

Submitted: February 26, 2024

Forms

SHPO Certified Local Government Annual Report

* indicates a required field

Under the CLG Agreement with the State, local governments and their historic preservation commissions are responsible for submitting an annual report documenting the commission's preservation work and that they have met the requirements of the CLG program.

This annual report is also an important tool for your commission to evaluate its own performance and to plan for the coming year.

We look forward to hearing from each CLG this year!

1.

I am aware the submission of this report requires a signature from my community's chief elected official.

The signature form is located here:

yes

2. Name of the city, county, or land use district:

Please choose from the drop down list.

Iowa City Historic Preservation Commission

3.

Did your commission undertake any survey, evaluation, and/or registration/nomination projects?

CLG Standards are in your local government's Certified Local Government (CLG) Agreement and the National Historic Preservation Act:

The CLG shall maintain a system for the survey and inventory of historic and prehistoric properties in a manner consistent with and approved by the STATE.

The CLG will review National Register nominations on any property that lies in the jurisdiction of its historic preservation commission.

No

4.

Were any National Register of Historic Places properties in your jurisdiction altered, moved, or demolished in this calendar year?

Yes

4.1.

Please identify the property or properties and the action (altered, moved, or demolished).

37 NRHP properties are known to have been altered in 2023, based on project approval by the Iowa City Historic Preservation Commission and/or staff. Most of these properties are located within National Register Historic Districts which are also local historic districts. The list does not include small repair projects, interior alterations, or work on non-contributing outbuildings. Any work that occurred in the Melrose Historic District or the Iowa City Downtown Historic District, which are not locally designated historic districts, are not included here unless they are individual local landmarks because they are not under the Commission's purview.

10 Bella Vista Place – Brown Street Historic District (deteriorated historic garage demolition and new garage construction)

430 Brown Street – Brown Street Historic District (skylight installation)

119 East College Street – Iowa City Downtown Historic District and Local Landmark (commercial sign at second floor)

320 East College Street (Trinity Episcopal Church) – NR and Local Landmark (signage replacement)

603 East College Street – College Green Historic District (street-facing door replacement)

811 East College Street – College Green Historic District (mini-split installation)

1031 East College Street – East College Street Historic District (alteration to earlier rear addition,

roof shingle replacement, front step replacement, new rear deck)
325 North Gilbert Street – Gilbert-Linn Street Historic District, locally aka Northside Historic District (roof shingle replacement)
420 North Gilbert Street – Gilbert-Linn Street Historic District, locally aka Northside Historic District (step replacement)
828 North Gilbert Street – Brown Street Historic District (deteriorated garage and exterior stair demolition)
737 Grant Street – Longfellow Historic District (front step replacement)
428 East Jefferson Street – Jefferson Street Historic District (stair replacement)
614 North Johnson Street – Brown Street Historic District (roof shingle replacement, radon mitigation installation, and chimney repair)
821 North Johnson Street – Brown Street Historic District (deteriorated architectural retaining wall demolition and new construction)
109 South Johnson Street – College Green Historic District (deteriorated window replacement)
420 North Linn Street – Gilbert-Linn Street Historic District, locally aka Northside Historic District (front stair and railing replacement)
514 North Linn Street - Gilbert-Linn Street Historic District, locally aka Northside Historic District (deteriorated attic window replacement)
721 North Linn Street – Brown Street Historic District (garage roof shingle replacement)
28 South Linn Street (Old Post Office) – NR and Local Landmark (full exterior rehabilitation, cleaning, repairs, and reconstruction)
320 Melrose (Cannon House) NR and Local Landmark (windows and doors have been boarded up and all surrounding structures in this University-owned area have been demolished- this house's future is unknown)
1324 Muscatine Avenue – Muscatine Avenue Moffitt Cottage Historic District, locally aka Longfellow Historic District (deteriorated window replacement)
1328 Muscatine Avenue – Muscatine Avenue Moffitt Cottage Historic District, locally aka Longfellow Historic District (roof shingle replacement)
607 Oakland Avenue – Longfellow Historic District (roof replacement, shingle to metal)
738 Oakland Avenue – Longfellow Historic District (rear stoop and step construction and basement egress window and window well)
530 Ronalds Street – Brown Street Historic District (deteriorated siding replacement)
724 Ronalds Street – Brown Street Historic District (new primary building construction with lot split in half)
515 Rundell Street – Longfellow Historic District (siding and trim repair and replacement and rear basement window replacement)
707 Rundell Street – Longfellow Historic District (overhead door replacement)
738 Rundell Street – Longfellow Historic District (front window alteration and deteriorated window and door replacement)
304 South Summit Street- Summit Street Historic District (north wall of rear addition rebuilt to match existing)
331 South Summit Street – Summit Street Historic District (rear deck addition and front porch reconstruction)

405 South Summit Street – Summit Street Historic District (roof shingle replacement)

430 South Summit Street – Summit Street Historic District (rear addition)

533 South Summit Street – Summit Street Historic District (roof and column addition for a side porch)

1011 Woodlawn Avenue – Woodlawn Avenue Historic District (repair and reconstruction following fire- work approved but not started)

1025 Woodlawn Avenue – Woodlawn Avenue Historic District (new foundation for barn and chimney repair and reconstruction)

1047 Woodlawn Avenue – Woodlawn Avenue Historic District (new rear deck and repairs to earlier addition)

5. Does your local government designate local landmarks or local districts?

IMPORTANT: Most local governments do not have a program for local designation. If you have questions about whether you have a local designation program or not, please contact the CLG Coordinator at historic.preservation@iowaeda.com before you complete this section.

Yes

5.1.

What properties did your community place on its list of locally designated historic landmarks and/or historic districts?

Please attach a copy of the final designation nomination(s) and ordinance(s) for these properties.

REMINDER: Before local districts are designated by your city council, you must send the local nomination to the SHPO for review and comment. Please allow at least 45 days for review before the nomination is scheduled for city council review. The SHPO review takes place after your commission has approved the local district nomination and BEFORE it is placed on the city council's agenda.

715 North Dodge Street, the Original Emma Goldman Clinic, is located in the Brown Street Historic District and was locally landmarked because of its significance to women's history, social history, and health and medicine at the local level.

5.2.

What properties did your community place on its list of locally designated historic landmarks and/or historic districts? (Duplicate)

Please attach a copy of the final designation nomination(s) and ordinance(s) for these properties.

REMINDER: Before local districts are designated by your city council, you must send the local nomination to the SHPO for review and comment. Please allow at least 45 days for review before the nomination is scheduled for city council review. The SHPO review takes place after your commission has approved the local district nomination and BEFORE it is placed on the city council's agenda.

[715 N Dodge Emma Goldman Local Landmark.pdf](#)

5.3.

Please identify the property or properties and the action (altered, moved, or demolished). (Duplicate)

23 local designated properties are known to have been altered in 2023, based on project approval by the Iowa City Historic Preservation Commission and/or staff. Most of these properties are located within local Conservation Districts but there are also some local landmarks not listed in the National Register. The list does not include repair projects that were issued a Certificate of No Material Effect, interior alterations, or work on non-contributing outbuildings.

1034 Burlington Street – College Hill Conservation District (garage demolition and new construction)

410 Church Street – Goosetown/Horace Mann Conservation District (front step and balustrade replacement)

439 Clark Street – Clark Street Conservation District (synthetic siding removal and wood siding and trim repair, front and rear step construction)

103 South Governor Street – College Hill Conservation District (south porch reconstruction)

112 South Governor Street – College Hill Conservation District (synthetic siding removal and wood siding and trim repair)

511 South Lucas Street - Governor-Lucas Street Conservation District (window replacement)

533 South Lucas Street – Governor-Lucas Street Conservation District (window replacement and egress window well installation)

640 South Lucas Street – Governor-Lucas Street Conservation District (rear porch reconstruction)

1033 East Washington Street – College Hill Conservation District (front step and handrail replacement)

625 South Governor Street – Governor-Lucas Street Conservation District (construction of an 8 foot exterior wall)

804 Iowa Ave – College Hill Conservation District (redesign of balcony railing and replacement of rear stucco)

813 Rundell Street – Dearborn Street Conservation District (reconfiguration of roof on historic screened porch)

521 South Governor St – Governor-Lucas Street Conservation District (vinyl siding removal and historic siding and trim repair, installation of wood shutters)

610 N Johnson Street – Goosetown/Horace Mann Conservation District (porch reconstruction)
 614 Clark St – Clark Street Conservation District (new garage construction)
 515 Clark St – Clark Street Conservation District (step replacement)
 1033 E Washington St – College Hill Conservation District (historic outbuilding foundation repair)
 1030 Burlington St – College Hill Conservation District (mini-split installation and screening)
 1603 Jackson Ave – Dearborn Street Conservation District (window and stucco repair and deteriorated siding and trim replacement)
 930 E College – College Hill Conservation District (5 foot decorative metal fence installation)
 1211 Muscatine Ave – College Hill Conservation District (deteriorated dormer window replacement)
 1211 Burlington St – College Hill Conservation District (garage conversion to studio including new floor and foundation, window addition, new overhead door, and mini-split installation)
 225 North Gilbert Street – Local Landmark (deteriorated attic window replacement)

6.

Has your community passed ordinances that directly or indirectly impact historic preservation during this calendar year?

Yes

6.1. Please provide a copy of the ordinance.

[Ordinances 23-4914 and 23-4917.pdf](#)

7.

Did your city, county, LUD or its historic preservation commission undertake any of the following activities in this calendar year? Please think broadly about this question and include any activity (small or large) that facilitated historic preservation in your community. This is your opportunity to boast about your accomplishments and get credit for the great work you do!

Please check all that apply!

CLG Standards found in CLG Agreement and National Historic Preservation Act:

- 1) The CLG will enforce all appropriate state and local ordinances for designating and protecting historic properties.
- 2) The CLG shall provide for adequate public participation in the local historic preservation programs.

a. Historic preservation planning. Examples include the development or revision of an preservation plan, development of a work plan for your commission, etc. | b. Provided technical assistance on historic preservation issues or projects. Examples include working with individual property owners, business owners, institutions to identify appropriate treatments and find appropriate materials, research advice, etc. | c. Sponsored public educational programming in historic preservation.

Examples include training sessions offered to the public, walking tours, open houses, lectures, Preservation Month activities, etc.

7.1.

Describe your communities historic preservation planning activities in this calendar year.

For the 2023 Calendar year, the work plan was again organized to align the Commission's goals and accomplishments with the Strategic Plan adopted by the City Council. This work plan includes both continued goals and new projects with actions more fully developed so that progress can be achieved. The current, 2024, work plan is reduced to three action items with the hope to make progress on the reduced list. Ongoing work is included with updates as appropriate. Other goals are combined in a long-term goal section.

7.2.

Describe your communities assistance with preservation issues or projects in this calendar year.

Please be specific (address(es) of the property(ies), what was the issue(s), what assistance was provided.

Planning staff provides technical and design assistance to applications for Historic Review. The applicants are encouraged to meet with staff well ahead of time in the project planning process, prior to submitting an application, to discuss their projects.

In 2023 the number of inquires continued at previous high levels despite the continued lack of contractors to complete projects. In 2020 we had 248 inquiries, in 2021 a high of 274 inquiries, 246 in 2022, and in 2023 there were 241 inquires

From these initial inquires, in 2023 staff received and processed 85 applications plus four from the previous years that had been on hold. Seven of these applications were eventually Voided as duplicates or unnecessary, some following initial review. The number of applications is a decrease from the all-time high of 118 for 2021 but equivalent with 2019, the last year prior to the COVID pandemic.

Staff continued to implement the Preservation Fund which was launched July 1, 2017. The Preservation Fund provides funding up to \$5,000 per project as a matching grant or matching no-interest loan to property owners for eligible exterior work on historic properties in Historic or Conservation Districts or on Local Landmarks. The budget was increased by \$2000 for the FY2024 to \$42,000 per year In the 2023 calendar year, 9 projects were approved. To date, we have approved 54 funding projects on 43 properties and have paid out \$165,000 on \$404,000 worth of projects. We are currently under contract to provide \$33,000 in funding toward \$81,000 worth of work.

Staff provided assistance in early process review of an overall exterior rehabilitation project for the Old Post Office, an NR and Local Landmark that serves as our Senior Center. Later, the work was approved by the Commission.

Staff and the Commission provided a preliminary review of a potential project that would not be possible due to some restrictive setback limitations in the Summit Street Historic District. This

preliminary review occurred at a regular public meeting and provided the owner with valuable feedback for the potential project.

Staff worked with the Housing Fellowship to review a new construction project for an infill lot in the Brown Street Historic District that will provide affordable housing. The Commission provided initial guidance at a regular meeting, staff helped navigate the review guidelines and worked with the architect for compliance with the guidelines and so that the new house could be approved by the Commission.

7.3. Please describe your community's public education programs in his calendar year.

Please provide specific details such as date of event, description of the event, how many people participated, whether the commission partnered with other organizations.

The Commission held the 39th Annual Historic Preservation Awards on September 28, 2023. During the presentation we celebrated the 40th Anniversary of both the awards and the Commission through a video produced by our local Channel 4 that interviewed current and former Commissioners and former staff. The Commission and Friends of Historic Preservation partnered with the recently landmarked Highlander Hotel to hold the event in their ball room. We honored residential and commercial projects from painting, to rehabilitation, to additions, and also presented an award honoring the work of a local preservationist. The Johnson County Commission also participated in the event and presented an award. While we did not count, we estimate there were about 100 attendees. The anniversary video is located here:

<https://youtu.be/SeVxP612GAQ>

8.

Were there any issues, challenges or successes your preservation commission encountered or accomplished this year?

One of the biggest challenges the Commission has had during this calendar year is a rash of work completed without permits and the associated historic review. Typically, these projects are reported to staff by the public. Then the Commission must review the work as if it was not already complete. The owner or contractor either did not know they needed a permit and historic review for the work or they knew but proceeded without them anyway. In most cases these projects have resulted in violations and fines and in some cases, the completed work needed to be removed so that it could be redone in compliance with the guidelines and Commission approval.

Several internal processes have changed this year. In order to improve timeliness of reviews, several urban planners have been learning to review projects eligible for staff review. In order to improve communication between staff and contractors/applicants, several response letters have been adopted such as letters indicating whether or not an application is complete and to provide comments on submitted applications. The letter template was adopted in lieu of sending an email to this effect. In order to attempt to reduce the number of projects completed without historic review, staff has worked toward increased communication with the building inspectors.

The property at 1025 Woodlawn in our Woodlawn Avenue Historic District includes a building that may be the last remaining horse barn within the Original Town. The foundation has been deteriorating over time and the floor was broken decades ago. The property recently changed

hands and the new owner is proceeding with a foundation replacement that was approved by the Commission. At the same time, the neighboring property at 1011 Woodlawn suffered a fire in late 2022. While the work to repair it has been approved, the owner has not proceeded and the status of the project is unknown.

The Commission has worked through an appeal to their denial for window replacement at 804 Iowa Avenue (with their denial upheld by the board of adjustment) and several open records requests which have taken valuable time to accomplish.

Some historic signage that was installed as part of a recent Civil Rights grant was vandalized. While multiple members of the public notified staff of the incident and it was reported, it is assumed to be a random act and the sign was repaired.

9. What partnerships did your commission form or continue with other entities?

Examples include local main street office, local school, historical society, library, museum, service club, etc.

If none, enter N/A

Staff worked with a student build group (through their architect and professional contractor) to review a new construction project for an infill lot in the Brown Street Historic District that will provide affordable housing through the new property owner, The Housing Fellowship. Staff helped navigate the review guidelines so that the new house could be approved by the Commission. It has been under construction this past fall.

In May, the City's Climate and Outreach Coordinator addressed the Commission with an update on the City's Climate Action Plan. The Commission provided comments about their concerns with landfill waste, the consideration of embodied energy and some concerns with the appropriateness of some alterations to historic properties such as wall insulation installation.

Iowa City's historic City Park Pool was a subject of the Parks and Recreation Master Plan. At the suggestion of several members of the public, the Commission invited the Parks and Rec Director to a meeting to discuss this element of the plan. The Commission had a goal of retaining the historic pool. While City Council approved a plan that will demolish the historic pool, the Commission has continued the dialogue with the Parks Director to encourage a new pool that is sympathetic to the historic pool.

In April a City Council member attended the Commission meeting to present about Council's strategic plan. Much of the meeting included discussion of the Commission's work plan and how it was aligned with Council's strategic plan.

Staff continued to work with the Senior Center and Facilities staff in the rehab and Master Planning of their building, which is the Old Post Office, both NR listed and a locally designated landmark owned by the city.

10.

Did your historic preservation commission receive any grants (other than CLG or HRDP) this year? If so, please describe. If none, enter N/A.

N/A

11. Does your Historic Preservation Commission have a website?

Yes

11.1. What is the website address?

<https://www.icgov.org/government/departments-and-divisions/neighborhood-and-development-services/development-services/historic-preservation>

12. Does your commission have social media accounts?

Yes

12.1. Please list any accounts your Historic Preservation Commission utilizes.

A Facebook Page

13.

List dates of public commission meetings held (please note these are meetings actually held with a quorum, not just those that were scheduled).

CLG Standards found in CLG Agreement and National Historic Preservation Act: 1) The CLG will organize and maintain a historic preservation commission, which must meet at least three (3) times per year. 2) The commission will be composed of community members with a demonstrated positive interest in historic preservation, or closely related fields, to the extent available in the community. 3) The commission will comply with Iowa Code Chapter 21 (open meetings) in its operations. 4) Commission members will participate in state-sponsored or state-approved historic preservation training activities.

January 12, 2023; February 9, 2023; March 22, 2023; April 13, 2023; May 11, 2023; June 8, 2023; July 13, 2023; August 10, 2023; September 14, 2023; October 12, 2023; November 9, 2023; December 14, 2023

14.

Based on the work plan submitted last year for your commission please provide a self assessment of the progress your commission made on the initiatives and programs that were identified last year.

During 2023 the Commission made very little progress on their work plan. Staff moved forward with a budget request for the Summit Street Monument and some internal process changes but much of the Commission's time was spent in reviews or preparing for the annual awards

presentation. It is hoped that by reducing the work plan to specific action items that progress may be more possible during this year.

15. Where are your official CLG files located?

If your commission also has digital file storage please note how those are being stored.

Neighborhood Development Services Department in City Hall, Iowa City

16.

In this calendar year, what was the dollar amount of the historic preservation commission's annual budget?

We recommend that the local government provide the commission a minimum of \$750 annual budget to pay for training and other commission expense.

1230

17. Additional Budget information

This is an optional question, if there is any additional information you wish to share with the State Historic Preservation Office regarding your community's budget.

The Neighborhood & Development Services Department budgets \$450 for the annual mailing to property owners in local historic and conservation districts. The Department also budgets \$780 for training opportunities. The Historic Preservation Fund of \$42,000 per year for rehabilitation projects is not part of the Commission's budget.

18.

Please list the names of the Historic Preservation Commissioners who served during this calendar year.

Margaret Beck, Kevin Boyd, Carl Brown, Andrew Lewis, Jordan Sellergren, Noah Stork, Deanna Thomann, Nicole Villanueva, Frank Wagner, Christina Welu-Reynolds

19. 2024 Work Plan

Each Commission should develop an annual work plan. Please include the project(s), initiatives and programs your commission plans to begin or complete.

[2024 Historic Preservation Work Plan.pdf](#)

20. Commission Training Table

An important requirement of the Certified Local Government program is annual state-sponsored or state-approved training undertaken by at least one member of the historic preservation commission and/or staff liaison. In this table, please provide information about the commissioners' involvement in historic preservation training, listing the name of the conference, workshop or meeting (including online training opportunities); the sponsoring organization; the location and date when the training occurred. Be sure to provide the names of commissioners, staff, and elected officials who attended.

| Name of Event | Sponsor Organization | Location | Date | Name of Attendees |
|--------------------------------------|----------------------|----------|----------|-------------------|
| Design Review with limited Resources | NAPC | Online | 2/2/2023 | Jessica Bristow |
| Traditional Cultural Places | NPS? | online | 2/9/2023 | Jessica Bristow |

21.

Who of your commission members, staff, and/or elected officials attended the Preserve Iowa Summit? If so, please provide their names.*

Please note this must be completed. If no one attended, enter none.

Now is also a good time to start planning to attend the 2024 Preserve Iowa Summit in Mount Pleasant on June 6-8, 2024. If no one attended please mark N/A.

Jessica Bristow, HPC staff member

22. Suggestions for improvement

The CLG program is here to support the Historic Preservation Commissions across Iowa. Do you have any suggestions for how we can improve our services to your commissions?

More regular communication and updates about what is going on within historic preservation.

23.

What training topic would be most helpful for your Historic Preservation Commission?

We will use this information to help design the CLG Roundtable at the Preserve Iowa Summit and other training opportunities throughout the year.

The shortage of appropriately trained contractors is one of the greatest obstacles for preservation to overcome in our community. This is not a local-only issue. We need to develop solutions to this issue and maybe discussing as a state-wide group would help.

One of the barriers to increasing the activity level of individual commissioners may be the reluctance to commit to participating in projects that take time and resources in short supply. Working through ways to encourage involvement or dividing complex projects into discreet tasks could be helpful.

24. Chief Elected Official

Did your communities Chief Elected Official (Mayor, Chairman of the Board of Supervisors, or President of LUD Trustees) change in 2023?

No

25. Has the contact information for your communities staff liaison changed?

If you have a new staff liaison please select yes.

No

26. Commission Members

Please include all commission members in this table.

If the commissioner represents a locally designated district please provide the district in their role field.

If the commissioner doesn't have an email address please enter a phone number.

For any new commissioners please include the biographical sketch in the following question.

| First and Last Name | Mailing Address | Email Address | Term | Role |
|---------------------|--|-----------------------|-----------------|-----------------------------------|
| Jordan Sellergren | 1729 N Dubuque Rd. Iowa City, IA 52245 | jsellergren@gmail.com | until 6/30/2025 | At-Large Rep and Commission Chair |

| | | | | |
|-------------------|--|-------------------------------|-----------------|----------------------------------|
| Noah Stork | 529 E. College St. Iowa City, IA 52240 | noahstork@gmail.com | until 6/30/2024 | College Green Rep and Vice Chair |
| Margaret Beck | 808 Caroline Ave. Iowa City, IA 52245 | beck@uiowa.edu | until 6/30/2024 | At-Large Rep (archaeology) |
| Carl Brown | 1214 Sheridan Ave. Iowa City, IA 52240 | carlbrown0001@gmail.com | until 6/30/2026 | Longfellow Rep |
| Andrew Lewis | 717 E. Davenport St. Iowa City, IA 52245 | andrew.taylor.lewis@gmail.com | until 6/30/2026 | At-Large Rep |
| Deanna Thomann | 208 Fairchild St. Iowa City, IA 52245 | deanna.thomann@gmail.com | until 6/30/2026 | Northside (Gilbert-Linn) Rep |
| Nicole Villanueva | 431 S. Summit St. Iowa City, IA 52240 | niki.e.villanueva@gmail.com | until 6/30/2025 | Summit St. Rep |
| Frank Wagner | 519 South First Ave. | frankwagnerphd@yahoo.com | until 6/30/2026 | At-Large Rep |

Iowa City,
IA 52240

| | | | | |
|-------------------------|-----------------------------------|---------------------|-----------------|---------------|
| Christine Welu-Reynolds | 619 Brown St. Iowa City, IA 52245 | chriswelu@gmail.com | until 6/30/2025 | Brown St. Rep |
|-------------------------|-----------------------------------|---------------------|-----------------|---------------|

27.

Please attach biographical sketches for commissioners who were newly appointed in last calendar year.

Please be sure newly appointed commissioners sign and date their statement.

[Lewis Andrew - Biographical Sketch - Feb 2024.pdf](#)

28.

Does your commission have any vacancies? If so, how many? If you have no vacancies please enter N/A.

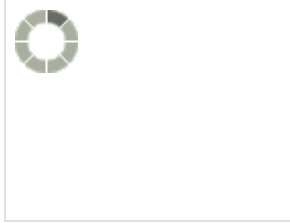
We have three long-term vacancies for representatives of three small districts.

29. Authorized Official Signature

<https://iowa1.sharepoint.com/:w:/s/PublicShares-SHPO2/EcePJQuBK9RCipXr8ZRhe14BH5rcwYDjytXB6YnB3LVGZg?e=oR0Mol>

[Elected Official Signature page.pdf](#)

PORTFOLIO



 **Annual report presentation slides**

Printed February 26, 2024 11:30 CST/CDT

Fee



Doc ID: 032176360003 Type: GEN
Kind: ORDINANCE
Recorded: 10/06/2023 at 10:11:28 AM
Fee Amt: \$17.00 Page 1 of 3
Johnson County Iowa
Kim Painter County Recorder

BK 6520 PG 258-260



STATE OF IOWA)
) SS
JOHNSON COUNTY)

I, Kellie K. Grace, City Clerk of Iowa City, Iowa, do hereby certify that the Ordinance attached hereto is a true and correct copy of Ordinance No. 23-4912 which was passed by the City Council of Iowa City, Iowa, at a regular meeting held on the 3rd day of October 2023 is a true and correct copy, all as the same appears of record in my office.

Dated at Iowa City, Iowa, this 5th day of October 2023.



Kellie K. Grace
Kellie K. Grace
City Clerk

\ord

Prepared by: Melanie Comer, Planning Intern; 410 E. Washington Street, Iowa City, IA 52240; (REZ23-0006)

Ordinance No. 23-4912

Ordinance rezoning property located at 715 N Dodge Street from Medium Density Single-Family Residential Zone with a Historic District Overlay (OHD/RS-8) to OHD/RS-8 in order to designate the property as an Iowa City Historic Landmark. (REZ23-0006)

Whereas, the applicants, the City of Iowa City Historic Preservation Commission and Jennifer Glanville and Benton McCune, have requested a rezoning of property located at 715 N Dodge Street from Medium Density Single-Family Residential Zone with a Historic District Overlay (OHD/RS-8) to OHD/RS-8 in order to designate the property as an Iowa City Historic Landmark; and

Whereas, 715 N Dodge Street is currently a contributing property in the Brown Street Historic District; and

Whereas, this structure was the original home of the Emma Goldman Clinic; and

Whereas, through the landmark rezoning process the story of the significance of the Emma Goldman Clinic's role in our local feminist history and women's healthcare can be shared; and

Whereas, the Comprehensive Plan encourages the preservation of historic buildings; and

Whereas, Goal 1 of the Historic Preservation component of the Comprehensive Plan calls for identification of resources significant to Iowa City's past with the objective of designating individual buildings as landmarks; and

Whereas, the Historic Preservation Commission has reviewed the proposed Historic Landmark designation, has found that it meets the criteria for landmark designation in its significance to Iowa City history, integrity of location and design, association with events that have a significant contribution to the broad patterns of history, and embodies the distinctive characteristics of a type, period, or method of construction; and

Whereas, the Planning and Zoning Commission has reviewed the proposed Historic Landmark designation rezoning and has found that it is consistent with the Comprehensive Plan goals of preserving historic resources.

Now, therefore, be it ordained by the City Council of the City of Iowa City, Iowa:

Section I. Historic Landmark Approval. Property described below is hereby reclassified to Medium Density Single-Family Residential with a Historic District Overlay (OHD/RS-8) zone:

Iowa City Original Town, North 50 feet of Lot 8 in Block 32.

Section II. Zoning Map. The building official is hereby authorized and directed to change the zoning map of the City of Iowa City, Iowa, to conform to this amendment upon the final passage, approval and publication of this ordinance by law.

Section III. Certification And Recording. Upon passage and approval of the Ordinance, the


City Clerk is hereby authorized and directed to certify a copy of this ordinance and to record the same, at the office of the County Recorder of Johnson County, Iowa, at the owner's expense, all as provided by law.

Section IV. Repealer. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance are hereby repealed.

Section V. Severability. If any section, provision or part of the 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 not adjudged invalid or unconstitutional.


Section VI. Effective Date. This Ordinance shall be in effect after its final passage, approval and publication, as provided by law.

Passed and approved this 3rd day of October, 2023.

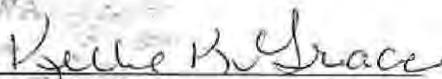


Mayor

Approved by:



City Attorney's Office
(Liz Craig - 09/14/2023)

Attest: 

City Clerk

It was moved by Taylor and seconded by Bergus that the Ordinance as read be adopted, and upon roll call there were:

| AYES: | NAYS: | ABSENT: | |
|----------|-------|----------|---------|
| <u>X</u> | _____ | _____ | Alter |
| <u>X</u> | _____ | _____ | Bergus |
| <u>X</u> | _____ | _____ | Dunn |
| _____ | _____ | <u>X</u> | Harmsen |
| <u>X</u> | _____ | _____ | Taylor |
| <u>X</u> | _____ | _____ | Teague |
| <u>X</u> | _____ | _____ | Thomas |

First Consideration 09/19/2023

Vote for passage: AYES: Bergus, Dunn, Harmsen, Taylor, Teague, Thomas
NAYS: None ABSENT: Alter

Second Consideration _____

Vote for passage:

Date published 10/12/2023

Moved by Taylor, seconded by Dunn, that the rule requiring ordinances to be considered and voted on for passage at two Council meetings prior to the meeting in which it is to be finally passed be suspended, the second consideration and vote be waived, and the ordinance be voted upon for final passage at this time.

AYES: Alter, Bergus, Dunn, Taylor, Teague, Thomas NAYS: None ABSENT: Harmsen



Memorandum

Date: August 2, 2023
To: Historic Preservation Commission
From: Jessica Bristow, Historic Preservation Planner
Re: 715 North Dodge, Original Emma Goldman Clinic

In an effort to tell a more complete history of Iowa City, and in conjunction with the upcoming 50-year anniversary of the forming of the Emma Goldman Clinic, former Commission Chair, Kevin Boyd, and representatives of the Clinic have proposed local landmark designation for the property at 715 North Dodge. Staff contacted the owners of the property, Jennifer Glanville and Benton McCune, who have expressed support for the designation and have provided the attached letter. Staff has submitted the application for rezoning on behalf of the Historic Preservation Commission.

Designation of the property as an Iowa City Historic Landmark will require Commission approval of any significant changes to the exterior of the building. Landmark status will also make the property eligible for special exceptions that would allow the Board of Adjustment to waive or modify certain zoning requirements and for State Tax Credit funding of rehabilitation work as well as funding through our Historic Preservation Fund for eligible rehabilitation projects. Since the property is already classified as a Key Property in the Brown Street Historic District, landmark designation will not change how the property relates to the Iowa City Historic Preservation Ordinance.

As the attached site inventory form describes, this house is a gable-front house with some Craftsman Style detailing built between 1920 and 1926. It is very similar to catalogue houses that were popular at the time, and it may be a representative of this type. The house has a full front porch with a solid balustrade and grouped, battered columns on tall piers. The house has narrow lap siding with corner boards at the first floor. A mid-level band board at the level of the second-floor window sills demarcates a change to shingle siding with mitered corners and a ribbon coursing pattern. On the north side, the house has a single-story, square projecting bay with a shed roof. A full length shed roof dormer punctuates the main gable roof on the north side. The house has five-over-one double hung windows in pairs on the front façade and singles elsewhere. On the rear, an attached garage has a shed roof and connects to an enclosed rear porch to the south.

The attached history of the home details its significance to women's history, social history, and health and medicine at the local level. In 1973, following the landmark ruling in Roe vs Wade, a group of young women formed the Emma Goldman Clinic to provide feminist health care. They formed this clinic in a neighborhood house to provide a new kind of healthcare, one that was welcoming and unlike traditional medical offices. As they expanded, they acquired the home next door and then expanded to the location on North Dubuque Street. The house at 715 North Dodge Street is significant as the founding location for this pioneering organization in women's healthcare.

Landmark Designation

The Commission should determine if the property meets criterion A. and B. and at least one of the criteria C., D., E., or F. for local designation listed below:

- a. Significant to American and/or Iowa City history, architecture, archaeology and culture;
- b. Possesses integrity of location, design, setting, materials and workmanship;
- c. Associated with events that have made a significant contribution to the broad patterns of our history;
- d. Associated with the lives of persons significant in our past;
- e. Embodies the distinctive characteristics of a type, period, or method of construction; or represents the work of a master; or possesses high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction;
- f. Has yielded or may likely yield information important in prehistory or history.

Staff finds that the property is significant for its role in our local feminist history and women's healthcare. As the location of the founding of the Emma Goldman Clinic meets local Criterion A and C. As an intact example of a Craftsman-detailed house from the 1920s, the property meets Criterion B and in Staff's opinion, Criterion E. Staff does not find that there is enough information to consider the property meeting Criterion F at this time.

Based on the information provided, staff finds that the property meets criteria A, B, C, and E, and therefore qualifies as an Iowa City Historic Landmark. Attachments include Site inventory forms for the property, a history of the property as the Clinic, a location map, and photos.

Recommended Motion:

Move to approve the designation of 715 North Dodge Street (Original Emma Goldman Clinic) as an Iowa City Historic Landmark based on the following criteria for local designation: criteria A, B, C, and E.

Enclosures:

Letter of Support from property owners
Iowa Site Inventory form
Emma Goldman Clinic History



715 North Dodge Street – front façade (NE corner)



715 North Dodge Street – front façade (SE corner)



715 North Dodge Street – attached garage (NW corner)

Jessica Bristow, Historic Preservation Planner
Neighborhood and Development Services
Iowa City

July 27, 2023

Dear Ms. Bristow,

As the owners of the house at 715 North Dodge Street, we are writing to request that the city consider designating our house as a local landmark in light of its history as the first location of the Emma Goldman Clinic.

Please let us know if you need any further information.

Sincerely,

Two handwritten signatures in blue ink. The first signature is for Jennifer Glanville and the second is for Benton McCune.

Jennifer Glanville and Benton McCune
715 North Dodge St
Iowa City, IA 52245

Site Inventory Form

State Historical Society of Iowa

10/27/2005 Printed from Database

Inventory #: **52-01404**

Criteria Considerations

A B C D A B C D E F G

Opinion

Source - Year

Contributing in District

Consultant-1981

Listed on NRHP

NPS-2004

Contributing in District

SNRC-2004

Y N Y N N N N N N N

Y N Y N N N N N N N

In District: **52 - 00002** Goosetown Historic District

52 - 00007 Brown Street Historic District

Review & Compliance #:

1. Name of Property

NRHP Listed: **9/29/2004**

Non-Extant: **No**

Non-Extant Year:

historic name: **House**

other names:

2. Location

street & number: **715 N Dodge St**

City: **Iowa City**

Vicinity: **No**

County: **Johnson**

Legal Description: (If Rural)

(If Urban)

Subdivision:

Block: **32**

Lot: **8**

5. Classification

Category of Property:

Number of Resources within Property

Building(s)

Contributing: Non-Contributing:

1

0

Buildings

0

0

Sites

0

0

Structures

0

0

Objects

1

0

Total

Name of related survey or MPS

HADB: **52 - 012** **Jacobsen, James E., 1981 - Goosetown Historic District Nomination**

HADB: **52 - 028** **Svensden, Marlys A., 1992 - Historic Resources of Iowa City, Iowa**

HADB: **52 - 029** **Nash, Jan Olive, 1997 - Survey and Evaluation of a Portion of the Original Town Plat of Iowa City, Iowa: An Intensive Level Historical and Architectural Survey and Amendment to the Multiple Property Documentation Form "Historic Resources of Iowa City, Iowa"**

6. Function or Use

Historic Functions

DOMESTIC/single dwelling

Current Functions

DOMESTIC/single dwelling

7. Description

Architectural Classification

Late 19th & Early 20th Century American Movements: Bungalow/Craftsman

Materials

Foundation:

Walls: **Metal / Aluminum**

Roof: **Asphalt**

Other: **Asphalt**

8. Statement of Significance

Applicable National Register Criteria

Y A: Significant Events

N B: Significant Persons

Y C: Architectural Characteristics

N D: Archaeology

(Y=Yes N=No M=More Research Recommended)

Criteria Considerations

N A: Religious Institution

N B: Moved

N C: Birthplace or Grave

N D: Cemetery

N E: Reconstructed

N F: Commemorative Property

N G: Less than 50 Years of Age

Area of Significance

Architecture

Community Planning and Development

Significant Dates

Construction Year:

1920

Circa

Other Dates:

Significant Person:

Architect:

Builder

10. Geographic Data

UTM References:

Photo/Slide: Roll/Sheet# Frame Slot

Year:

Photo/Slide: Roll/Sheet# Frame Slot

Year:

P **1540** **14** **1981**

IOWA SITE INVENTORY FORM

CFN 259-1357
11/26/90

Survey ID Number 52-96-032
Database ID Number _____
R & C Number _____

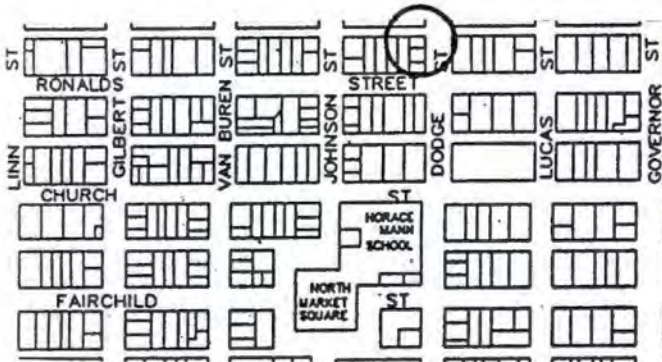
Location and Functional Information

1. Historic Name(s) _____
 2. Common Name(s) _____
 3. Street Address 715 N. Dodge St.
 4. City Iowa City Vicinity [] 5. County Johnson
 6. Subdivision OT 7. Block(s) 32 8. Lot(s) 8
 9. Legal Description: (if rural) _____ Township _____ Range _____ Section _____ Quarter _____ of _____ Quarter _____ of _____
 10. Historic Function(s) Description single family dwelling Code 01A
 11. Current Function(s) Multi-family dwelling 01B
 12. Owner North Side Development Phone # _____
 Address 730 N Van Buren St City/State Iowa City, IA ZIP 52245

BHP Sources: Cty. Resource [] HABS [] Photo [] NR [] Tax Act [] Grants [] DOE [] R&C []

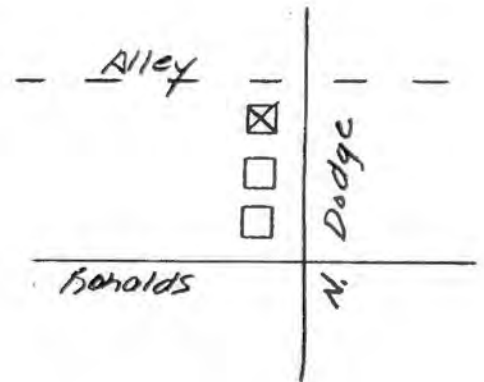
(Plat Map)

^
N



(Sketch Map)

^
N



Source: I.C. Planning & Community Development-1997

INTEGRITY NOTES:

Good integrity.

Roll/Frame 6/0 Photographer: M. Neubauer
 View: facing northwest
 Location of Negatives: State Historical Society of Iowa



EVALUATION SHEET

Address: 715 N. Dodge St., Iowa City, IA

Architectural Significance and Associated Context(s): Orig. Town Plat Survey - Phase 1

Applicable National Register Criteria: A B C D
National Register Eligibility: Individual: Yes x No
District: Contributing Non-Contributing

Reviewed by / Date: Jan Nash / 3/14/97

This vernacular house is heavily influenced by the Craftsman style. The boxy, gable-front shape with its prominent front porch is a house form often given Craftsman details during this time period. Many ready-cut houses available through catalogs such as Davenport's Gordon-Van Tine Co., or Sears Roebuck, offered houses very similar to this one. Craftsman details include the use of many vertical-light windows, exposed rafter ends and purlins, and the combination wood-shingle-over-narrow siding wall cladding.

Continuation Sheet []

Historical Significance and Associated Context(s): _____

Applicable National Register Criteria: A B C D
National Register Eligibility: Individual: Yes No
District: Contributing Non-Contributing

Reviewed by / Date: Jan Nash / 3/14/97

The entire block on which this house sits was originally deeded to John Neinner in 1846. Neinner also purchased other discontiguous lots in the north side area in 1846, but this block was his largest single holding as well as being farthest from the new state capital's downtown area. There were other nearby whole blocks still on the market in 1846 so there is no clear reason for his choice. The lot on which this house was built is not mentioned again in the transfer records until 1913 when John Goss and his wife give a quit claim deed to Leo Goss. The land does not leave the Goss family ownership until Fred A. Goss, et al, deeded it to Fred Racine in 1921. Racine deeded the northern third of the lot on which this house sits to Peter W. Prizler in December, 1925; Prizler promptly deeded it to his wife, Florence A. Prizler, in January of 1926. The Prizlers likely had the present house built at that time and did not sell it until 1944, when ownership was transferred to Anton and Mary H. Piek. Peter Prizler was a truck driver in for Leno and Cilek according to the 1928 city directory.

Continuation Sheet []

Prepared by Randy Carpenter
Address 931 Maiden Lane, Iowa City, IA 52240
Affiliation Tallgrass Historians L.C.

Date Jan. 1997
Telephone 319/354-6277

Property Characteristic Form - RESIDENTIAL

N 259-1402
 11/27/90
 Street Address: 715 N Dodge City Iowa City County Johnson
 Legal Description: (If Rural) _____ Township _____ Range _____ Section _____ Quarter _____ of _____ Quarter _____ of _____

Survey ID Number 52-96-032
 Database ID Number _____

Location Integrity: Original Site (OS) Moved (MV) Moved to Original Site (MO) OS
 Endangered?: or Y If yes, why? _____

Ground Plan: a. Building Shape(s) Irregular b. Width 27 by Depth 50 in feet

Architectural Style/Stylistic Influences vernacular/Craftsman influence Key Stylistic Attributes _____ Code 07E

Materials: Foundation concrete block 10
 Walls thin wood clapboards 02
 Roof asphalt shingle 08

Number of Stories 1½
 Roof Shape Gable
 Builder(s) Unknown Architect(s) Unknown

Original Construction Date _____ Modification/Addition Date: _____

Continuation Sheet []

Significant Interior Components:

Unknown.

Continuation Sheet []

Surveyor Comments:

Well maintained house.

Continuation Sheet []

Sources:

Field inspection 8/27/96.
 City Assessor records.
 Sanborn Map Co. fire insurance maps, 1920 and 1933 (updated to 1944).
 Johnson County Land Transfer Records.
 Abstract of Original Deeds (located at the Johnson County Recorder's Office).
 See also bibliography in project report.

Needs Further Study/Anomaly []
 Surveyor Marie Neubauer

Continuation Sheet []
 Date August 27, 1996



715 N Dodge Street - Original Emma Goldman Clinic

The Emma Goldman Clinic was founded by a group of ten local, college-age, feminist women who decided in the wake of the January 1973 Landmark US Supreme Court Case Roe vs. Wade to provide health care services differently to women. These Founders created a clinic focused on feminist health care - health care for and by women, delivering health care as a

woman would have to receive it. It was a pioneering and radical approach to health care at the time.¹

The Emma Goldman Clinic opened at 715 N. Dodge on September 1, 1973, less than eight months after the Supreme Court decision. It was the first feminist health care clinic in the Midwest and just the fourth in the country - the other three were in California.² The house itself was a symbol of health care done differently - a place that removed the power dynamic of traditional male-dominated health care.³

The Founders knew they needed a place to house the new approach to health care. So they pooled their resources to purchase the property and fund the start-up costs. Roxie Tullis, one of the founders, used the death benefit of her husband, who died in the Vietnam War. Others got small loans from family and friends. One of the parents paid the women to paint their house rather than a loan.⁴

The property at 715 N Dodge was selected out of necessity and opportunity. The Collective needed a property that was zoned commercial, close to campus, and affordable.⁵ The vernacular house, heavily influenced by the Craftsman style, was built around 1920.⁶ By 1973 was being used as a rental property with three furnished apartments - one on each floor and a third in the basement. And it was for sale. The owners also wanted to leave the furniture behind, so not having to furnish the clinic was a selling feature. The basement apartment continued to be rented and provided additional income for the clinic in the early days.⁷

Once the property was acquired, the Founders went to work to prepare for the clinic's opening. They were a collective, so each decision was made collaboratively. All were equal in the decision-making. One of the easier decisions was the namesake, Emma Goldman, a feminist pioneer in women's health care, among other things. FBI Director J Edgar Hoover called her the

¹ Iowa City Press Citizen; 26 Jan 2018; Kubby, Karen; "Emma Goldman Clinic has endured and blossomed through 45 years of changes." and "From One Place to Another: Emma Goldman Clinic Stories;" Produced by LeAnn Erickson; August 1995; Mediaburn.org; <https://mediaburn.org/video/from-one-place-to-another-emma-goldman-clinic-stories/>.

² Iowa City Press-Citizen; 30 Aug 1973; Lentz, Rose Mary; "Clinic for Women To Offer Abortions;" Pages 1A and 2A.

³ The Des Moines Register; 23 Feb 1975; Hollobaugh, Dix; "Iowa City clinic's goal: improve women's health care;" Page C1.

⁴ "From One Place to Another: Emma Goldman Clinic Stories;" Produced by LeAnn Erickson; 1996; Mediaburn.org; <https://mediaburn.org/video/from-one-place-to-another-emma-goldman-clinic-stories/>.

⁵ "From One Place to Another: Emma Goldman Clinic Stories;" Produced by LeAnn Erickson; August 1995; Mediaburn.org; <https://mediaburn.org/video/from-one-place-to-another-emma-goldman-clinic-stories/>.

⁶ Site inventory form for 715 N Dodge.

⁷ "From One Place to Another: Emma Goldman Clinic Stories;" Produced by LeAnn Erickson; August 1995; Mediaburn.org; <https://mediaburn.org/video/from-one-place-to-another-emma-goldman-clinic-stories/>.

most dangerous woman in America. She spoke to the power dynamics the Founders were trying to change.⁸

By September 1, the clinic opened at 715 N Dodge St. Six women had appointments for the first day.⁹ They built a comprehensive women's clinic, providing abortions, birth control consultation, gynecological care, self-exam clinics, breast screenings, alternative counseling, positive pregnancy groups, well-child clinics, and a 24-hour hotline.¹⁰ All patients had a patient advocate.¹¹

The nature of the property, a home in a neighborhood, was part of the point - to provide an atmosphere that was welcoming, familiar, and removed the power dynamic of a traditional medical office.¹² The house also emphasized that their services were routine health care procedures. One of the founders, Deborah Nye, said in 1973, "We want the women to be in comfortable, cheerful surroundings. Because it's not a serious operation, it's a minor operation."¹³

Press account described the waiting room that could be anyone's living room, highlighting the art, books, thriving plants, throw pillows on chairs, and classical music playing in the background.¹⁴ The kitchen was converted to a laboratory but retained the cabinets and countertops. Upstairs, exams rooms looked like bedrooms they once were, with floral curtains and hardwood floors, and canvas director chairs.¹⁵

The Emma Goldman Clinic was home to protests and even an attempted firebombing in the early morning of June 13, 1978. Three Molotov cocktails made from gasoline-filled wine bottles were thrown at the clinic. One landed on the roof and did minor damage. One rolled off and caused minor fire damage in the yard. A third didn't explode.¹⁶ No one was charged. A month

⁸ "From One Place to Another: Emma Goldman Clinic Stories;" Produced by LeAnn Erickson; August 1995; Mediaburn.org;

<https://mediaburn.org/video/from-one-place-to-another-emma-goldman-clinic-stories/>.

⁹ Iowa City Press-Citizen; 30 Aug 1973; Lentz, Rose Mary; "Clinic for Women To Offer Abortions;" Pages 1A and 2A.

¹⁰ The Des Moines Register; 23 Feb 1975; Hollobaugh, Dix; "Iowa City clinic's goal: improve women's health care;" Page C1. and The Cedar Rapids Gazette; 2 Sep 1973; Clark, Ford; "Clinic Run by and For Women Opens in Iowa City;" Pages 1B and 4B.

¹¹ "From One Place to Another: Emma Goldman Clinic Stories;" Produced by LeAnn Erickson; August 1995; Mediaburn.org;

<https://mediaburn.org/video/from-one-place-to-another-emma-goldman-clinic-stories/>.

¹² The Sunday Dispatch (Moline, IL); 7 Mar 1982; Swanson, Beth; "Women's clinic just like home;" Page 31.

¹³ Sunday Times Democrat (Davenport-Bettendorf, Iowa); 2 Sep 1973; Donovan, Deborah; " 'Homelike' Abortions;" Pages 1A and 2A.

¹⁴ Sioux City Journal; 25 Sep 1974; "Clinic Takes Humanistic Approach to Health Care;" Page A12. and The Des Moines Register; 23 Feb 1975; Hollobaugh, Dix; "Iowa City clinic's goal: improve women's health care;" Page C1.

¹⁵ The Sunday Dispatch (Moline, IL); 7 Mar 1982 Swanson, Beth; "Women's clinic just like home;" Page 31.

¹⁶ The Daily Iowan; 14 Jun 1978; Boshart, Rob and Don Hrabal, "Goldman fire-bombing 'part of U.S. trend';" Page 1.

later, the community held a rally supporting the Clinic.¹⁷ One of the many times the community rallied to support the Emma Goldman Clinic.

As the Original Emma Goldman Clinic expanded, it acquired the home just south of 715 N Dodge St.¹⁸ By 1985 they purchased and moved to a former pediatricians clinic on N Dubuque Street.¹⁹ Originally called the Emma Goldman Clinic for Women, eventually the name changed to just the Emma Goldman Clinic to be more reflective of the comprehensive services it provides.

Eventually, the house at 715 N Dodge was converted back to a single-family home. It looks much like it did in 1973, with some modest changes - commercial railings removed, the front porch opened, and the synesthetic siding removed. The original "Emma Goldman Clinic for Women" signage was moved from 715 N Dodge but is on display at the current Emma Goldman Clinic.

The ten founders include Ginny Blair, Robin Christensen, Melissa Farley, Dianne Greene Lent, Darca Nicholson, Deb Nye, Patty Pressley, Carmen Salas, Roxie Tullis, and Barb Yates.

¹⁷ Iowa City Press-Citizen; 10 Jul 1978; Seifert, Curt; "Clinic supporters hold 'wonderful' rally in park." Page 9A.

¹⁸ The Sunday Dispatch (Moline, IL); 7 Mar 1982, Swanson, Beth; "Women's clinic just like home;" Page 31.

¹⁹ Iowa City Press Citizen; 26 Jan 2018| Kubby, Karen; "Emma Goldman Clinic has endured and blossomed through 45 years of changes."

9.02

Prepared by: Kirk Lehmann, Associate Planner, 410 E Washington St, Iowa City, IA 52240 (REZ23-0001)

Ordinance No. 23-4914

Ordinance amending Title 14, Zoning Code, to improve housing choice, increase housing supply, and encourage housing affordability (REZ23-0001)

Whereas, the City first adopted an Affordable Housing Action Plan in 2016; and

Whereas, the Action Plan recommended considering regulatory changes to the Zoning Code, including waiving parking requirements for affordable housing units, reviewing changes to the multi-family design standards to reduce cost and expedite approvals, increasing allowable bedrooms outside the University Impact Area, and permitting more building types by right; and

Whereas, City Council adopted a Fair Housing Choice Study in 2019 (Resolution 19-225) after disseminating information, soliciting public input, and holding a public meeting on its analysis, identified impediments, and recommendations; and

Whereas, the Study recommended exploring ways to increase the density and types of housing allowed especially in low density, single-family residential zones, to expand the number of bedrooms allowed in attached single-family, duplex, and multi-family dwellings, to adopt a Reasonable Accommodations procedure for the zoning ordinance, and to reclassify community service – long term shelter as a multi-family or mixed use category; and

Whereas, City Council adopted an updated Affordable Housing Action Plan in 2022 after reviewing new data and engaging the community to build off efforts in support of affordable housing; and

Whereas, the 2022 Action Plan recommended increasing number and/or type of dwelling units allowed by right in single-family residential zones, increasing the allowable number of bedrooms in duplex and zero-lot line structures, and allowing multi-family units with more than three bedrooms when required to meet affordable housing funding requirements; and

Whereas, City Council further drew upon previous analysis and community engagement to establish priorities in its FY23-FY28 Strategic Plan (Resolution 22-304), which includes advancing prioritized recommendations from the 2022 Affordable Housing Action Plan; and

Whereas, the Iowa City Comprehensive Plan encourages a mix of housing types within each neighborhood to provide options for households of all types and people of all incomes, encourages development on smaller lots that conserve land and allows for more affordable single-family housing options, and promotes identifying and supporting infill development and redevelopment opportunities in areas where services and infrastructure are already in place; and

Whereas, the City's zoning code implements the vision of the Comprehensive Plan, as well as the adopted policy direction, adopted actions, and recommendations of the Fair Housing Choice Study, Affordable Housing Action Plan, and Iowa City Strategic Plan; and

Whereas, the proposed amendments increase flexibility for a range of housing types and facilitate housing choice, modify design standards to reduce the cost of construction while creating safe and attractive neighborhoods, provide flexibility to enhance the supply of housing, create

regulatory incentives for income-restricted affordable housing, and address fair housing concerns to support a range of living situations and advance the City's equity and inclusion goals; and

Whereas, the Planning and Zoning Commission reviewed the zoning code amendments set forth below and recommended approval by a vote of 5-0 at its meeting on July 5, 2023.

Now, therefore, be it ordained by the City Council of the City of Iowa City, Iowa:

Section I. Amendments. The Code of Ordinances of the City of Iowa City, Iowa is hereby amended as follows:

- A. Amend Table 2A-1: Principal Uses Allowed In Single-Family Residential Zones in Section 14-2A-2: Single-Family Residential Zones, Land Uses Allowed, by adding the following underlined text:

| USE CATEGORIES | SUBGROUPS | RR-1 | RS-5 | RS-8 | RS-12 | RNS-12 |
|-----------------------|-----------------------------------|------|-----------------|------|-----------|--------------|
| Residential Uses | | | | | | |
| Household living uses | Detached single- family dwellings | P | P | P | P | P |
| | Detached zero lot line dwellings | PR | PR | PR | PR | |
| | Attached single- family dwellings | | PR ² | PR | PR | |
| | Two-family uses (duplexes) | | PR ² | PR | PR | PR |
| | Group households | PR | PR | PR | PR | PR |
| | Multi-family uses | | | | <u>PR</u> | ¹ |
| Group living uses | Assisted group living | | | | | |
| | Independent group living | | | | | ¹ |
| | Fraternal group living | | | | | ¹ |

P = Permitted

PR = Provisional

S = Special exception (See [chapter 4, article B](#) of this title for requirements for provisional uses and special exceptions.)

- B. Amend 14-2A-4E: Single-Family Residential Zones, Dimensional Requirements, Minimum Open Space Requirements by adding the following underlined text:

...

2. Minimum Requirements:

- a. On lots that contain multi-family uses or group living uses, usable open space shall be provided on each lot at a ratio of ten (10) square feet per bedroom, but not less than four hundred (400) square feet, located in one or more clearly defined, compact areas, with each area not less than two hundred twenty five (225) square feet with no dimension less than fifteen feet (15'). On lots that contain multi-family uses in the RS-12 zone, a minimum of one hundred fifty (150) square feet of usable open space per unit shall be provided, located in the rear yard with no dimension less than ten feet (10').

- ...
3. Standards:
 - a. For multi-family uses and group living uses, open space shall meet the standards as set forth in subsections [14-2G-7E1](#) through E7 of this chapter, except that multi-family uses in the RS-12 zone shall comply with the standards below.
 - b. For single family uses, ~~and~~ two family uses, and multi-family uses in RS-12 zones, open space shall be located behind the principal dwelling in an area visible and easily accessible from the principal dwelling and shall consist of open planted green space, which may include trees, planters, gardens, and other amenities that support passive recreation or leisure activities. Paved areas shall not be counted toward usable open space. For attached single family uses, rooftop or upper floor open air terraces or rear yard-facing porches, including screened-in porches (non-habitable space only) may count toward the open space requirement.
- C. Amend Table 2A-2: Dimensional Requirements In The Single-Family Residential Zones in Section 14-2A-4: Single-Family Residential Zones, Dimensional Requirements, by adding the following underlined text and deleting the following text with a strikethrough:

| Zone/Use | | Minimum Lot Requirements | | | | Minimum Setbacks | | | Building Bulk | | Maximum Lot Coverage | | Maximum Number Of Bedrooms Per Unit ¹¹ | Minimum Open Space (Sq. Ft.) ¹⁰ |
|----------|---|--|--|----------------------------------|-------------------------------|----------------------------|----------------------|---------------|----------------------|------------------------------|-------------------------|------------------------|---|--|
| | | Lot Size (Sq. Ft.) | Area/ Unit (Sq. Ft.) | Lot Width (Ft.) | Frontage (Ft.) | Front (Ft.) | Side (Ft.) | Rear (Ft.) | Maximum Height (Ft.) | Minimum Building Width (Ft.) | Total Building Coverage | Front Setback Coverage | | |
| RS-5 | Detached single-family, including zero lot line | 6,000 8,000 ^a | 6,000 8,000 ^a | 50 60 ^a | 40-45 ^b | 15 ^c | 5+2 ² | 20 | 35 | 20 ³ | 45% | 50% | n/a | 500 |
| | Duplexes | 10,000 12,000 | 5,000 6,000 | 70-80 70-80 | 70-80 | 15 ^c | 5+2 ² | 20 | 35 | 20 ³ | 45% | 50% | 4 ¹¹ | 300/unit |
| | Attached single-family | 5,000 6,000 | 5,000 6,000 | 35-40 35-40 | 35-40 | 15 ^c | 0 or 10 ⁵ | 20 | 35 | 20 ³ | 45% | 50% | 4 ¹¹ | 150 |
| | Other uses ¹ | 6,000 8,000 | n/a | 50-60 40-45 | 40-45 | 20 | 5+2 ² | 20 | 35 | 20 ³ | 45% | 50% | n/a | n/a |
| RS-8 | Detached single-family, including zero lot line | 5,000 ^b | 5,000 | 45 ^b | 40 ^b | 15 ^c | 5+2 ² | See note 9 | 35 | 20 ³ | 45% | 50% | n/a | 500 |
| | Duplex | 8,000 8,700 | 4,000 4,350 | 60-70 60-70 | 60-70 | 15 ^c | 5+2 ² | See note 9 | 35 | 20 ³ | 45% | 50% | 4 ¹¹ | 300/unit |
| | Attached single-family | 4,000 4,350 | 4,000 4,350 | 30-35 30-35 | 30-35 | 15 ^c | 0 or 10 ⁵ | 20 | 35 | 20 ³ | 45% | 50% | 4 ¹¹ | 150 |
| | Other uses ¹ | 5,000 | n/a | 45 | 40 | 20 | 5+2 ² | 20 | 35 | 20 ³ | 45% | 50% | n/a | n/a |
| RS-12 | Detached single-family, including zero lot line | 5,000 ^b | 5,000 ^a | 45 ^b | 40 ^b | 15 ^c | 5+2 ² | See note 9 | 35 | 20 ³ | 50% | 50% | n/a | 500 |
| | Duplex | 6,000 | 3,000 | 55 | 40 | 15 ^c | 5+2 ² | See note 9 | 35 | 20 ³ | 50% | 50% | 4 ¹¹ | 300/unit |
| | Attached single-family | 3,000 | 3,000 | 20/ 28 ⁷ | 20 | 15 ^c | 0 or 10 ⁵ | 20 | 35 | 18 ³ | 50% | 50% | 4 ¹¹ | 150 |
| | Multi-family uses | 9,000 | 3,000 | 76 | 60 | 15 ^c | 10 | 20 | 35 | 54 ³ | 50 % | 50 % | 4 ¹¹ | 150/unit |
| | Other uses ¹ | 5,000 | n/a | 45 | 40 | 20 | 5+2 ² | 20 | 35 | 20 ³ | 50% | 50% | n/a | n/a |
| RNS-12 | Detached single-family | 5,000 ^a | 5,000 ^a | 45 ^a | 25 ^a | 15 ^c | 5+2 ² | See note 9 | 35 | 20 ³ | 40% | 50% | n/a | 500 |
| | Duplex | 6,000 | 3,000 | 45 | 25 | 15 ^c | 5+2 ² | See note 9 | 35 | 20 ³ | 40% | 50% | 4 ¹¹ | 300/unit |
| | Multi-family uses | 5,000 | Existing ⁴ | 45 | 25 | 15 ^c | 5+2 ² | 20 | 35 | 20 ³ | 40% | 50% | 3 ¹¹ | 10/bedroom, but no less than 400 |
| | Other uses ¹ | 5,000 | n/a | 45 | 25 | 20 | 5+2 ² | 20 | 35 | 20 ³ | 40% | 50% | n/a | n/a |

n/a = not applicable
Notes

11 Outside of the University Impact Area (see map 2B.1 in Section 14-2B-6) the maximum number of bedrooms may be increased by one (1). Any bedroom within a multi-family attached single family or duplex that exceeds 225 square feet in size or has any horizontal dimension greater than 16 feet shall count as 2 or more bedrooms, as determined by the City. The maximum number of bedrooms may be further constrained by the provisions of title 17, chapter 5, "Housing Code" of this Code.

D. Amend 14-2A-7: Single-Family Residential Zones, Special Provisions, by adding the following underlined text and deleting the following text with a strikethrough:

A. Single-Family Density Bonus Options: For detached single- family dwellings and detached zero lot line dwellings, the following density bonuses are allowed in the following zones and under the following conditions:

1. RS-5 zone: If vehicular access to garages and off street parking spaces is restricted to an alley or private rear lane, then the following modifications to dimensional requirements are allowed:

a. The minimum lot width may be reduced to ~~forty-five~~ fifty feet (~~450'~~) and the minimum lot frontage may be reduced to thirty feet (30');

b. The minimum lot size and lot area per unit may be reduced to ~~five six~~ thousand (~~56,000~~) square feet; and

c. The minimum front setback may be reduced to ten feet (10'), if utilities are also located along the alley or private rear lane and the first floor elevation is at least thirty inches (30") above the grade of the adjacent public sidewalk.

2. RS-8 zone: If vehicular access to garages and off street parking spaces is restricted to an alley or private rear lane, then the following modifications to dimensional requirements are allowed:

a. The minimum lot width may be reduced to forty feet (40') and the minimum frontage to twenty five feet (25');

b. The minimum lot size and lot area per unit may be reduced to four thousand (4,000) square feet; and

c. The minimum front setback may be reduced to ten feet (10'), if utilities are also located along the alley or private rear lane and the first floor elevation is at least thirty inches (30") above the grade of the adjacent public sidewalk.

3. RS-12 and RNS-12 zones: If vehicular access to garages and off street parking spaces is restricted to an alley or private rear lane, then the following modifications to dimensional requirements are allowed:

a. The minimum lot width may be reduced to thirty feet (30') and the minimum frontage to twenty feet (20');

b. The minimum lot size and lot area per unit may be reduced to three thousand (3,000) square feet; and

c. The minimum front setback may be reduced to ten feet (10'), if utilities are also located along the alley or private rear lane and the first floor elevation is at least thirty inches (30") above the grade of the adjacent public sidewalk.

...

F. Affordable Housing Bonus. Residential uses are eligible to utilize affordable housing bonuses pursuant to Article 14-4F, "Affordable Housing".

E. Amend Table 2B-1: Principal Uses Allowed In Multi-Family Residential Zones in Section 14-2B-2: Multi-Family Residential Zones, Land Uses Allowed, by adding the following underlined text and deleting the following text with a strikethrough:

| Use Categories | Subgroups | RM-12 | RM-20 | RNS-20 | RM-44 | PRM |
|-----------------------|----------------------------------|-------|-------|--------|-------|-----|
| Residential uses: | | | | | | |
| Household living uses | Detached single-family dwellings | P | P | P | | |

| | | | | | | |
|-------------------|----------------------------------|---------------|----|----|----|----|
| | Detached zero lot line dwellings | PR | PR | PR | | |
| | Attached single-family dwellings | PR | PR | PR | | |
| | Duplexes | PR | PR | PR | | |
| | Group households | PR | PR | PR | PR | PR |
| | Multi-family dwellings | P | P | P | P | P |
| Group living uses | Assisted group living | PR | PR | PR | PR | PR |
| | Independent group living | | PR | | PR | PR |
| | Fraternal group living | | PR | S | PR | PR |

P = Permitted

PR = Provisional

S = Special exception (See [chapter 4, article B](#) of this title for requirements for provisional uses and special exceptions.)

- F. Amend Table 2B-2: Dimensional Requirements For Multi-Family Residential Zones in Section 14-2B-4: Multi-Family Residential Zones, Dimensional Requirements, by adding the following underlined text and deleting the following text with a strikethrough:

| Zone/Use | | Minimum Lot Requirements | | | | Maximum Number Of Bedrooms Per Unit ¹³ |
|----------|--|--------------------------|--|-------------------------------|------------------------|--|
| | | Total Area (Sq. Ft.) | Area/ Unit (Sq. Ft.) | Width (Ft.) | Minimum Frontage (Ft.) | |
| RM-12 | Detached single- family and detached zero lot line | 5,000 ⁷ | 5,000 ⁷ | 45 55 ⁷ | 40 ⁷ | n/a |
| | Duplex | 6,000 | 3,000 | 55 | 40 | 4 ¹³ |
| | Attached single- family | 3,000 | 3,000 | 20/28 ⁶ | 20 | 4 ¹³ |
| | Multi-family | 8,175 | See table 2B-3 of this section | 60 | 40 | 3 ¹³ |
| | Group living | 8,175 | See chapter 4, article 14-4B of this title | 60 | 40 | See chapter 4, article 14-4B of this title |
| | Non-residential ¹ | 5,000 | 5,000 | 60 | 40 | n/a |
| RM-20 | Detached single- family and detached zero lot line | 5,000 ⁷ | 5,000 ⁷ | 45 55 ⁷ | 40 ⁷ | n/a |

| | | | | | | | |
|--------|---|--------------------|---|--------------------|-----------------|-----|---|
| | Duplex | 3,600 | 1,800 | 45 | 35 | ... | 4 ¹³ |
| | Attached single-family | 1,800 | 1,800 | 20/28 ⁶ | 20 | ... | 4 ¹³ |
| | Multi-family | 5,000 | See table 2B-3 of this section | 60 | 40 | ... | 3 ¹³ |
| | Group living | 5,000 | See chapter 4 , article 14-4B of this title | 60 | 40 | ... | See chapter 4 , article 14-4B of this title |
| | Non-residential ¹ | 5,000 | n/a | 60 | 40 | ... | n/a |
| RNS-20 | Detached single-family and detached zero lot line | 5,000 ⁷ | 5,000 ⁷ | 40 ⁷ | 25 ⁷ | ... | n/a |
| | Duplex | 5,000 | 2,500 | 40 | 25 | ... | 4 ¹³ |
| | Attached single-family | 2,500 | 2,500 | 20/28 ⁶ | 20 | ... | 4 ¹³ |
| | Multi-family | 5,000 | See table 2B-3 of this section | 40 | 25 | ... | 3 ¹³ |
| | Group living | 5,000 | See chapter 4 , article 14-4B of this title | 40 | 25 | ... | See chapter 4 , article 14-4B of this title |
| | Non-residential ¹ | 5,000 | n/a | 40 | 25 | ... | n/a |
| RM-44 | Multi-family | 5,000 | See table 2B-3 of this section | None | 35 | ... | 3 ¹³ |
| | Group living | 5,000 | See chapter 4 , article 14-4B of this title | None | 35 | ... | See chapter 4 , article 14-4B of this title |
| | Non-residential ¹ | 5,000 | n/a | None | 35 | ... | n/a |
| PRM | Multi-family | 5,000 | See table 2B-3 of this section | None | 35 | ... | 3 ¹³ |
| | Group living | 5,000 | See chapter 4 , article 14-4B of this title | None | 35 | ... | See chapter 4 , article 14-4B of this title |
| | Non-residential ¹ | 5,000 | n/a | None | 35 | ... | n/a |

n/a = not applicable

Notes:

...

13. [Outside of the University Impact Area \(see map 2B.1 in Section 14-2B-6\), the maximum number of bedrooms may be increased by one \(1\).](#) Any bedroom within a multi-family, attached single family, or duplex that exceeds 225 square feet in size or has any horizontal dimension greater than 16 feet shall count as 2 or more bedrooms, as

determined by the City. The maximum number of bedrooms may be further constrained by the provisions of the title 17, chapter 5, "Housing Code", of this Code.

- G. Amend Table 2B-3: Maximum Density Standards For Multi-Family Dwellings In Multi-Family Zone in Section 14-2B-4: Multi-Family Residential Zones, Dimensional Requirements, by deleting the following text with a strikethrough:

| | Zone | | | |
|--|--------------|---------------------|--------------|--------------|
| | RM-12 | RM-20 And RNS-20 | RM-44 | PRM |
| Minimum lot area per unit (in square feet): | | | | |
| Efficiency or 1-bedroom unit | 2,725 | 1,800 | 500 | 435 |
| 2-bedroom unit | 2,725 | 1,800 | 1,000 | 875 |
| 3-bedroom unit | 2,725 | 2,700 | 1,500 | 1,315 |
| Maximum number of bedrooms per multi-family dwelling unit | 3 | 3 | 3 | 3 |
| Minimum bedroom size ¹ (square feet) | 100 | 100 | 100 | 100 |

Note:

1. New bedrooms must be a minimum of 100 square feet in size. However, for purposes of the provisions within this table, any existing habitable room that is larger than 70 square feet in size with a horizontal dimension of at least 7 feet, that meets the egress requirements as specified in the Building Code, and is not a typical shared living space, such as a living room, dining area, kitchen, or bathroom will be considered a bedroom. ~~Bedrooms that exceed 225 square feet in size or have any horizontal dimension greater than 16 feet shall count as 2 or more bedrooms, as determined by the City. The maximum number of bedrooms may be further constrained by the provisions of title 17, chapter 5, "Housing Code", of this Code.~~

- H. Amend 14-2B-6B: Multi-Family Residential Zones, Multi-Family Site Development Standards, Applicability, by deleting the following text with a strikethrough:

3. For properties ~~subject to these standards~~ located ~~in the RM-12, RNS-20, RM-20, and RM-44 Zones~~ outside the Central Planning District, the standards in this section will be administered through the site plan review process, as set forth in title 18 of this Code. For properties located in the Central Planning District and the PRM Zone, the regulations of this section will be administered through the design review process as set forth in chapter 8, article B, "Administrative Approval Procedures", of this title.

- I. Amend 14-2B-6E: Multi-Family Residential Zones, Multi-Family Site Development Standards, Building Scale, by adding the following underlined text and deleting the following text with a strikethrough:

1. ~~RM-12, RM-20, RNS-20, RM-44, And PRM Zones~~ Outside the Central Planning District: Street-facing walls that are greater than fifty feet (50') in length must be articulated with bays, projections, or recesses (see [figure 2B.7](#) of this section) according to the following standards:

a. Bays and projections must be at least six feet (6') in width and at least sixteen inches (16") but not more than six feet (6') in depth. Recesses must be at least six feet (6') in width and have a depth of at least sixteen inches (16").

b. The bays, projections, and recesses must have corresponding changes in the roofline or, alternatively, must be distinguished by a corresponding change in some other architectural element(s) of the building, such as a change in exterior wall materials, a change in window pattern, the addition of balconies, variation in the building and/or parapet height; or variation in architectural details, such as decorative banding, reveals, stone or tile accents.

...

- J. Amend 14-2B-6G: Multi-Family Residential Zones, Multi-Family Site Development Standards, Building Materials, by adding the following underlined text and deleting the following text with a strikethrough:

...

~~5. Exterior walls of buildings that are not predominantly masonry or stucco must have a durable base consisting of masonry, stucco, or dressed concrete that extends at least two feet (2') in height above grade. If the base consists of concrete, it must have a decorative face.~~

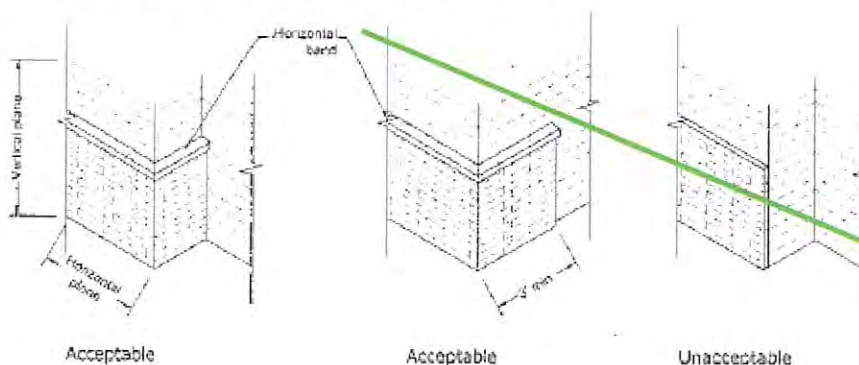
~~6.~~ Exposed, unpainted or unstained lumber may not be used along any facade that faces a street side lot line.

67. Where an exterior wall material changes along the horizontal plane of a building, the change must occur on an inside corner of the building.

~~8.~~ For buildings where the exterior wall material used on the side of a building is a different material than what is used on the street facing wall, the street facing wall material must wrap around the corners to the sides of the building for at least three feet (3').

79. Where an exterior wall material changes along the vertical plane of the building, the materials must be separated by a horizontal band, such as a belt course, soldier course, band board or other trim to provide a transition from one material to the other.

Figure 2B.11 - Changes In Exterior Wall Materials



- K. Amend 14-2B-8: Multi-Family Residential Zones, Special Provisions, by adding the following underlined text:

E. Affordable Housing Bonus. Residential uses are eligible to utilize affordable housing bonuses pursuant to Article 14-4F, "Affordable Housing".

- L. Amend Table 2C-1: Principal Uses Allowed In Commercial Zones in Section 14-2C-2: Commercial Zones, Land Uses Allowed, by adding the following underlined text and deleting the following text with a strikethrough:

| | | |
|----|---|---|
| P | = | Permitted |
| PR | = | Provisional |
| S | = | Special exception (see chapter 4, article B of this title for requirements for provisional uses and special exceptions) |

| Use Categories | Subgroups | CO-1 | CN-1 | CH-1 | CI-1 | CC-2 | CB-2 | CB-5 | CB-10 | MU |
|-------------------------------|--|------------------------|------------------------|------|------------------------|------------------------|------------------------|------------------------|------------------------|----|
| Residential uses: | | | | | | | | | | |
| Group living uses | Assisted group living | PR | <u>PR</u> | | <u>S</u> | <u>PR</u> | <u>PR</u> | <u>PR</u> | <u>PR</u> | PR |
| | Fraternal group living | | | | | | | | | |
| | Independent group living | | | | | | | | | |
| Household living uses | Attached single-family dwellings | | | | | | | | | PR |
| | Detached single-family dwellings | | | | | | | | | P |
| | Detached zero lot line dwellings | | | | | | | | | PR |
| | Duplexes | | | | | | | | | PR |
| | Group households | PR | PR | | | PR | PR | PR | PR | PR |
| | Multi-family dwellings | <u>PR/</u> <u>S</u> | <u>PR/</u> <u>S</u> | | | <u>PR/</u> <u>S</u> | <u>PR/</u> <u>S</u> | <u>PR/</u> <u>S</u> | <u>PR/</u> <u>S</u> | P |
| ... | | | | | | | | | | |
| Institutional and civic uses: | | | | | | | | | | |
| Community service uses | Community service—long term housing | <u>PR/</u> <u>S</u> | - | - | <u>PR/</u> <u>S</u> | <u>PR/</u> <u>S</u> | <u>PR</u> | <u>PR</u> | | |
| | Community service - shelter | S | | | S | S | PR | PR | S | S |
| | General community service | P | S | | S | P | P | P | P | S |

- M. Amend Table 2C-2(a): Dimensional Requirements For All Commercial Zones, Except The MU Zone in Section 14-2C-4: Commercial Zones, Dimensional Requirements, by adding the following underlined text:

| Zone | ... | <u>Maximum Number of Bedrooms Per Unit</u> |
|-------|-----|--|
| CO-1 | ... | <u>3¹⁰</u> |
| CN-1 | ... | <u>3¹⁰</u> |
| CH-1 | ... | <u>n/a</u> |
| CI-1 | ... | <u>n/a</u> |
| CC-2 | ... | <u>3¹⁰</u> |
| CB-2 | ... | <u>3¹⁰</u> |
| CB-5 | ... | <u>3¹⁰</u> |
| CB-10 | ... | <u>3¹⁰</u> |

n/a = Not applicable

Notes:

...

10. Outside of the University Impact Area (see map 2B.1 in Section 14-2B-6), the maximum number of bedrooms may be increased by one (1). Any bedroom within a multi-family, attached single family, or duplex that exceeds 225 square feet in size or has any horizontal dimension greater than 16 feet shall count as 2 or more bedrooms, as determined by the City. The maximum number of bedrooms may be further constrained by the provisions of the title 17, chapter 5, "Housing Code", of this Code.

- N. Amend Table 2C-2(b): Dimensional Requirements For The Mixed Use Zone (MU) in Section 14-2C-4: Commercial Zones, Dimensional Requirements, by adding the following underlined text:

| Zone | Use | ... | <u>Maximum Number Of Bedrooms Per Unit</u> |
|------|---|-----|--|
| MU | Detached single-family and detached zero lot line | ... | <u>n/a</u> |
| | Two-family (duplex) | ... | <u>4⁸</u> |
| | Attached single-family | ... | <u>4⁸</u> |
| | Multi-family | ... | <u>3⁸</u> |
| | Group living | ... | <u>See article 14-4B</u> |
| | Nonresidential ¹ | ... | <u>n/a</u> |

n/a = Not applicable

Notes:

...

8. Outside of the University Impact Area (see map 2B.1 in Section 14-2B-6), the maximum number of bedrooms may be increased by one (1). Any bedroom within a multi-family, attached single family, or duplex that exceeds 225 square feet in size or has any horizontal dimension greater than 16 feet shall count as 2 or more bedrooms, as

determined by the City. The maximum number of bedrooms may be further constrained by the provisions of the title 17, chapter 5, "Housing Code", of this Code.

- O. Amend Table 2C-2(c): Maximum Density Standards For Multi-Family Dwellings In Commercial Zones in Section 14-2C-4: Commercial Zones, Dimensional Requirements, by deleting the following text with a strikethrough:

| Minimum lot area per unit (in square feet): | Zone | | |
|--|-------------------------|--------------|--|
| | CO-1, CC-2, CN-1 And MU | CB-2 | CB-5 And CB-10 |
| Efficiency or 1-bedroom unit | 2,725 | 435 | There is no minimum lot area per unit standard. However, the number of 3- <u>and 4-</u> bedroom units per lot may not exceed 30% of the total number of units on the lot |
| 2-bedroom unit | 2,725 | 875 | |
| 3-bedroom unit | 2,725 | 1,315 | |
| Maximum number of bedrooms per multi-family dwelling unit | 3 | 3 | 3 |
| Minimum bedroom size ¹ (square feet) | 100 | 100 | 100 |

Note:

1. New bedrooms must be a minimum of 100 square feet in size. However, for purposes of the provisions within this table, any existing habitable room that is larger than 70 square feet in size with a horizontal dimension of at least 7 feet, that meets the egress requirements as specified in the Building Code, and is not a typical shared living space, such as a living room, dining area, kitchen, or bathroom will be considered a bedroom. ~~Bedrooms that exceed 225 square feet in size or have any horizontal dimension greater than 16 feet shall count as 2 or more bedrooms, as determined by the City. The maximum number of bedrooms may be further constrained by the provisions of title 17, chapter 5, "Housing Code", of this Code.~~

- P. Amend 14-2C-9I: Commercial Zones, Site Development Standards In MU Zone, Building Materials For Multi-Family, Group Living, Commercial, And Civic/Institutional Buildings, by adding the following underlined text and deleting the following text with a strikethrough:

1. Buildings not constructed of masonry or stucco must have the following trim elements incorporated into the exterior design and construction of the building:

- Window and door trim that is not less than three inches (3") wide.
- Corner boards that are not less than three inches (3") wide, unless wood clapboards are used and mitered at the corners.
- Frieze boards, not less than five inches (5") wide, located below the eaves.

Figure 2C.5 - Building Materials...

2. Any portion of a building that is clearly visible from the street must be constructed using similar materials and design as the front facade.

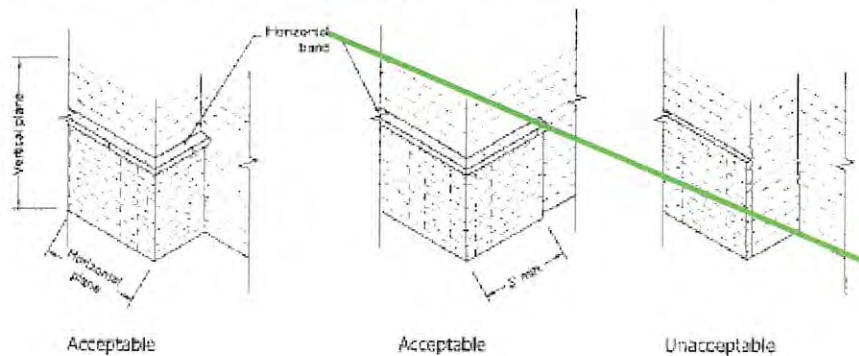
3. ~~Exterior walls of buildings that are not predominantly masonry or stucco must have a durable base consisting of masonry, stucco, or dressed concrete that extends at least two feet (2') in height above grade. If the base consists of concrete, it must have a decorative face.~~

—4— Exposed, unpainted or unstained lumber may not be used along any facade that faces a street-side lot line.

45. Where an exterior wall material changes along the horizontal plane of a building, the change must occur on an inside corner of the building.

—6— ~~For buildings where the exterior wall material used on the side of a building is a different material than what is used on the street-facing wall, the street-facing wall material must wrap around the corners to the sides of the building for at least three feet (3').~~

—7.5— Where an exterior wall material changes along the vertical plane of the building, the materials must be separated by a horizontal band, such as a belt course, soldier course, band board or other trim, to provide a transition from one material to the other.
 Figure 2C.6 - Changes In Exterior Wall Materials



Q. Amend 14-2C-11: Commercial Zones, Special Provisions, by adding the following underlined text:

F. Affordable Housing Bonus. Residential uses are eligible to utilize affordable housing bonuses pursuant to Article 14-4F, "Affordable Housing".

R. Amend 14-2G-8: Riverfront Crossings And Eastside Mixed Use Districts Form Based Development Standards, Affordable Housing Requirement, by deleting the existing provisions and replacing it with the following:

A. Riverfront Crossings Affordable Housing Requirement: Except for developments providing affordable housing pursuant to a development agreement with the City executed prior to June 6, 2016, and except for developments exclusively providing elder apartment housing, residential uses on land zoned a Riverfront Crossings zoning designation are required to provide affordable housing pursuant to Article 14-4F "Affordable Housing."

S. Amend Table 14-2H-3B-1: Uses in Section 14-2H-3: Form-Based Zones and Standards, Use Standards, by deleting the following text with a strikethrough:

| Use Categories | T4NS | T4NS-O | T4NM | T4NM-O | T4MS | Specific Standards |
|------------------------------|---------|--------|------|--------|------|--------------------|
| ... | | | | | | |
| Institutional And Civic Uses | | | | | | |
| Community Uses | Service | | | | | |

| | | | | | | |
|--|----|----|----|----|----------------|-----------------------------|
| Community Service - Long Term Housing | S | S | S | S | S ² | 14-4B-4D-6(CO-1) |
| Community Service - Shelter | S | S | S | S | S ² | <u>14-4B-4D-5(RM-44)</u> |
| General Community Service | S | S | S | S | PR | <u>14-4B-4D-3(CN-1)</u> |
| Day-care Uses | PR | PR | PR | PR | PR | <u>14-4B-4D-7</u> |
| ... | | | | | | |

T. Amend 14-2H-10: Form-Based Zones And Standards, Affordable Housing Incentives, by deleting the existing provisions and replacing it with the following:

A. Affordable Housing Bonus. Residential uses in Form-Based Zones are eligible to utilize affordable housing bonuses pursuant in Article 14-4F "Affordable Housing."

U. Amend 14-3A-4D-1: Planned Development Overlay Zone (OPD), Approval Criteria, by adding the following underlined text:

1. The Ceity will approve a residential density based on the underlying density allowed in the base zone and what is compatible with the natural topography of the site and with surrounding development. The residential density for a planned development may not exceed the value specified in table 3A-1, located at the end of this subsection, except as allowed by subsection 14-3A-4D-3 or Section 14-4F. Actual residential density allowed, however, may be less than the maximum expressed in the table due to the topographical constraints of the property, the scale of the project relative to adjacent development, and the dimensional, site development, and other requirements of this title.

V. Amend 14-4A-3A: Use Categories, Residential Use Categories, Household Living Uses, by adding the following underlined text:

1. Characteristics: The residential occupancy of a dwelling unit by a single household or group household, who are living together as a single housekeeping unit. The principal use of the property is for long term residential living, with each dwelling unit containing its own facilities for living, sleeping, cooking and eating meals, and with all spaces within the unit open to the entire household. The dwelling or dwelling units are designed for residential living and any accessory use shall be secondary to the use of the property as a residence.

2. Examples: Examples include uses from the subgroups listed below. The single family uses are further divided into various dwelling types, because these dwelling types have distinct dimensional and development standards based on the zone in which they are located. Group households, given that they are a type of "household" rather than a type of dwelling, are permitted in any type of dwelling listed in the three (3) other subgroups, as is permanent supportive housing.

....
 3. Accessory Uses: Private recreational uses; storage buildings; parking for residents' vehicles; supportive services that assist permanent supportive housing residents in retaining housing, improving their health status, and maximizing their ability to live and when possible work in the community. Home occupations, accessory dwelling units, childcare homes, mechanical structures such as solar energy systems, and bed and breakfasts are accessory uses that are subject to additional regulations outlined in article

C, "Accessory Uses And Buildings", of this chapter. Any accessory use of the property shall remain secondary to the principal use of the property for residential living.

- W. Amend 14-4A-6C: Use Categories, Institutional And Civic Uses, Community Service Uses, by deleting the following text with a strikethrough:

1. Characteristics: Uses of a public, nonprofit, or charitable nature providing a local service to people of the community. Generally, they provide the service on the site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Included are community centers or facilities that have membership provisions that are open to the general public to join at any time, e.g., a senior center that allows any senior to join. The use may provide shelter or short-term housing when operated by a public or nonprofit agency. ~~The use may provide tenancy for long term housing for persons with disabilities when operated by a public or nonprofit agency.~~ The use may also provide special counseling, education, or training of a public, nonprofit or charitable nature.

2. Examples: Examples include uses from the following three (3) subgroups:

a. General Community Service: Libraries; museums; transit centers; park and ride facilities; senior centers; community centers; neighborhood centers; youth club facilities; some social service facilities; vocational training facilities for the physically or mentally disabled; soup kitchens; surplus food distribution centers; public safety facilities, such as police and fire stations.

b. Community Service - Shelter: Transient housing operated by a public or nonprofit agency.

~~c. Community Service - Long Term Housing: Long term housing for persons with a disability operated by a public or nonprofit agency.~~

....

- X. Amend 14-4B-4A: Specific Approval Criteria For Provisional Uses And Special Exceptions, Residential Uses, by adding the following underlined text and deleting the following text with a strikethrough:

....

2. Attached Single-Family Dwellings ~~In RS-5 And RS-8 Zones:~~

~~a. Number Of Units: Only one principal dwelling unit is permitted per lot. A maximum of two (2) dwelling units may be attached.~~

~~b. Location: One of the attached dwelling units must be located on a corner lot.~~

~~c. Setbacks:~~

~~(1) Interior Lots: On interior lots, the side setback on the side containing the common wall is reduced to zero. The side building setback on the side opposite the common wall must be at least ten feet (10').~~

~~(2) Corner Lots: On corner lots, either the rear setback or nonstreet side setback may be reduced to zero. However, the remaining nonstreet setback must be at least ten feet (10') if it is a side setback and twenty feet (20') if it is a rear setback.~~

~~d. Entrances:~~

~~(1) To give the attached units the overall appearance of separate dwellings, each dwelling unit must have its main entrance oriented towards a different street than the main entrance of the other dwelling unit.~~

~~(2) The main entrance must be visible from and oriented towards the street. To meet this standard, the main entrance must face the street, be at an angle of up to forty five degrees (45°) from the street, or open onto a porch. The main entrance may not face an alley or private rear lane.~~

~~———— (3) Each dwelling must have a paved connection between the main pedestrian entrance and the public sidewalk or the fronting street in cases where a sidewalk is not provided.~~

~~———— e. Garages: The garage entrance for a dwelling unit must be oriented towards the same street as the dwelling unit's main entrance, unless the garage is oriented toward an alley or private rear lane. The length of any garage wall that faces a street-side lot line may not exceed sixty percent (60%) of the total length of the building facade that faces the same street-side lot line.~~

~~———— f. Design Features:~~

~~———— (1) All windows, doors, and roof eaves, including roof eaves on porches, must be demarcated with trim. The city may waive this requirement in cases where the building has an exterior material of stucco or masonry such that trim is impractical or inappropriate to the design of the building.~~

~~———— (2) All roof eaves must project at least twelve inches (12") from the building wall.~~

~~———— (3) Exposed, unpainted or unstained lumber may not be used along any building wall that faces a street-side lot line.~~

~~———— g. Vehicular Access:~~

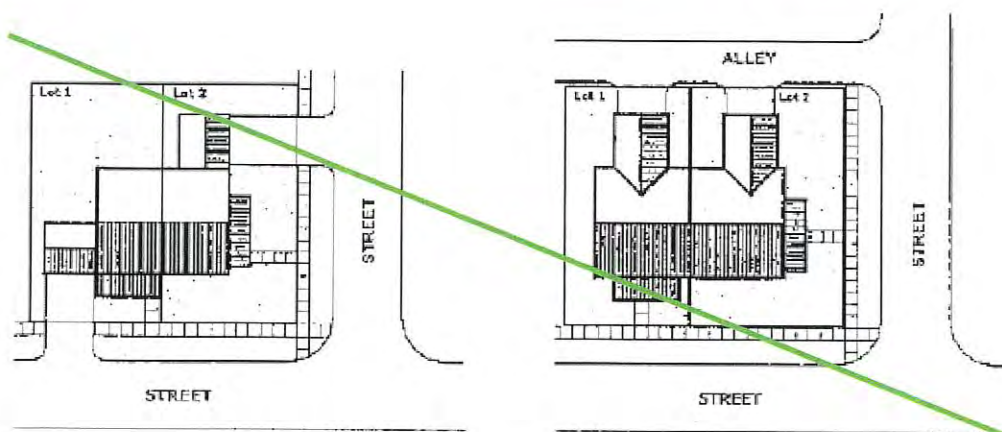
~~———— (1) Access points must comply with the provisions of chapter 5, article C, "Access Management Standards", of this title.~~

~~———— (2) If the lot width is less than forty five feet (45'), vehicular access is restricted to an alley or private rear lane.~~

~~———— h. Utilities: Each dwelling unit must have a separate utility service from the street or rear lot line.~~

~~———— i. Maintenance: A permanent access and maintenance easement must be secured from the owner of the lot that abuts the zero lot line side of the dwelling. The easement must ensure access for maintenance of the exterior portion of the building wall located on the lot line and other common elements, such as drives and aisles. This easement must be recorded as a covenant on the applicable lots. Proof of such recording must be submitted prior to issuance of a building or occupancy permit.~~

~~———— j. Figure 4B.1 – Single Family Attached In The RS-5 And RS-8 Zones:~~



~~14-4B-4A-3. Attached Single-Family Dwellings In RS-12, RM-12, RNS-20, RM-20, And MU Zones:~~

a. Number Of Units:

(1) Only one principal dwelling unit is permitted per lot.

(2) In RS-5 and RS-8 zones: A maximum of two (2) dwelling units may be attached unless approved through a planned development overlay rezoning.

(3) In all other zones: A maximum of six (6) dwellings units may be attached unless approved through a planned development overlay rezoning.

b. Setbacks:

(1) Interior Lots: The side setbacks for the attached dwellings may be reduced to zero along the common wall side of the units. Each end unit in a row of attached single-family dwellings shall have one side setback that is a minimum of ten feet (10'), unless the end unit is on a corner lot.

(2) If an end unit is on a corner lot: Either the rear setback or nonstreet side setback may be reduced to zero feet (0'). The remaining nonstreet setback must be at least ten feet (10') if it is a side setback and twenty feet (20') if it is a rear setback. (See figure 4B.2 below.)

Figure 4B.2 - Setbacks For Attached Single-Family Dwellings

...

c. Entrances:

(1) Each dwelling unit must have a separate main entrance that ~~is visible from and oriented toward the street. To meet this standard, the main entrance must~~ faces the street, ~~is be~~ at an angle of up to forty five degrees (45°) from the street, or opens onto a porch. The main entrance may not face an alley.

...

e. Garages

(1) In the RS-5 and RS-8 zones, there may be no more than one doublewide or two singlewide garage openings facing any street unless the parking is set back at least fifteen feet (15') from the front of the building façade. For the purposes of this section, a porch is considered part of the building façade. Doublewide openings may not exceed twenty feet (20') in width; singlewide openings may not exceed ten (10') in width.

(2) The length of any garage wall that faces a street-side lot line may not exceed sixty percent (60%) of the total length of the building façade that faces the same street-side lot line. On corner lots, only the garage wall(s) containing a garage door must meet this standard.

f. Vehicular Access:

(1) Vehicular access points and garage entrances must comply with the provisions of article 5, article C, "Access Management Standards", of this title and the single-family site development standards as set forth in chapter 2, article A of this title. Attached single-family dwellings located in the MU zone are also subject to the standards of subsection 14-2C-9N, "Single-Family And Two-Family Uses In MU Zone", of this title.

(2) If the lot width is less than forty five feet (45'), vehicular access is restricted to an alley or private rear lane. Corner lots are exempt from this standard if vehicular access faces a lot line that is at least forty five feet (45') in length.

(3) Where a private rear lane or public alley is present, garage entrances/exits must be accessed from said private rear lane or public alley.

gf. Utilities: Each dwelling unit must have a separate utility service from the street or rear lot line.

hg. Maintenance: A permanent access and maintenance easement must be secured from the owner of the lot that abuts the zero lot line side of the dwelling. The

easement must ensure access for maintenance of the exterior portion of the building wall located on the lot line and other common elements, such as drives and aisles. This easement must be recorded as a covenant on the applicable lots. Proof of such recording must be submitted prior to issuance of a building or occupancy permit.

3. Multi-Family Uses In The RS-12 Zone:

a. Number Of Units: No more than six (6) principal dwelling units may be located on a lot in an RS-12 zone unless approved through a planned development overlay rezoning.

b. Principal dwelling units must be arranged as a townhouse-style multi-family building such that each unit has frontage on the same street.

c. Principal dwelling units may not be stacked where one unit is located above or below another.

d. Entrances:

(1) Each principal dwelling unit must have a separate main entrance that faces the street, is at an angle of up to forty five degrees (45°) from the street, or opens onto a porch. The main entrance may not face an alley.

(2) Each principal dwelling must have a paved connection between the main pedestrian entrance and the public sidewalk or the fronting street in cases where a sidewalk is not provided.

(3) A second entrance to the dwelling must be provided within twenty feet (20') of the rear facade of each dwelling on either the rear or side facade of the dwelling.

e. Design Features and vehicular access: The multi-family use must meet all requirements in Section 14-2B-6 "Multi-Family Site Development Standards".

...

5. Two-Family Uses In RS-5, RS-8, RS-12, RNS-12, RM-12, RM-20, RNS-20, And MU Zones:

a. Location Limitation In RS-5 And RS-8 Zones: In the RS-5 and RS-8 zones, two-family uses are only allowed on corner lots.

b. Central Planning District: Two-family uses located in the central planning district must comply with the provisions of subsection 14-2B-6I, "Additional Standards In Central Planning District", of this title, which will be administered through the design review process as set forth in chapter 8, article B, "Administrative Approval Procedures", of this title.

be. Entrances:

(1) In the RS-5 and RS-8 zones, to give the structure the overall appearance of separate dwellings, each dwelling unit must have its main entrance oriented towards a different street than the main entrance of the other dwelling unit.

(2) The main entrance(s) must be visible from and oriented towards the street. To meet this standard, the main entrance must face the street, be at an angle of up to forty five degrees (45°) from the street, or open onto a porch. The main entrance(s) may not face an alley or private rear lane.

(23) The duplex Each dwelling must have a paved connection between the main pedestrian entrance(s) and the public sidewalk or the fronting street in cases where a sidewalk is not provided.

(34) If parking is located at the rear of a dwelling, a second entrance to the dwelling must be provided within twenty feet (20') of the rear facade of the dwelling on either the rear or side facade of the dwelling.

d. Design Features:

(1) All windows, doors, and roof eaves, including roof eaves on porches, must be demarcated with trim. The city may waive this requirement in cases where the

building has an exterior material of stucco or masonry such that trim is impractical or inappropriate to the design of the building.

(2) All roof eaves must project at least twelve inches (12") from the building wall.

(3) Exposed, unpainted or unstained lumber may not be used along any building wall that faces a street-side lot line.

e. Garages:

(1) In the RS-5 and RS-8 zones, ~~the garage entrance there may be no more than one doublewide or two singlewide garage openings facing any street unless the parking is set back at least fifteen feet (15') from the front of the building façade. For the purposes of this section, a porch is considered part of the building façade. Doublewide openings may not exceed twenty feet (20') in width; singlewide openings may not exceed ten (10') in width. for a dwelling unit must be oriented towards the same street as the dwelling unit's main entrance, unless the garage is oriented toward an alley or private rear lane.~~

(2) The length of any garage wall that faces a street-side lot line may not exceed sixty percent (60%) of the total length of the building facade that faces the same street-side lot line. On corner lots, only the garage wall(s) containing a garage door must meet this standard. In the MU zone, garages are exempt from this standard, but are subject to the standards of subsection [14-2C-9N](#), "Single-Family Uses And Two-Family Uses In MU Zone", of this title.

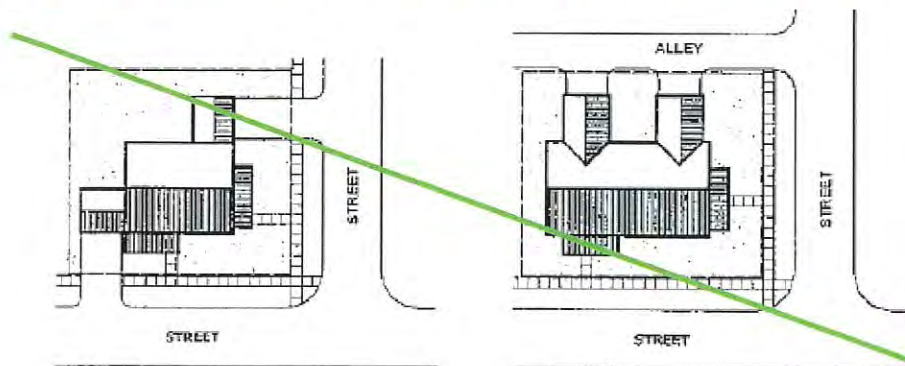
f. Vehicular Access:

(1) Vehicular Access points and garage entrances must comply with the provisions of chapter 5, article C, "Access Management Standards", of this title and the single-family site development standards as set forth in chapter 2, article A of this title. Two-family uses located in the MU zone are also subject to the standards of subsection [14-2C-9N](#), "Single-Family And Two-Family Uses In MU Zone", of this title.

(2) If the lot width is less than eighty feet (80'), vehicular access is restricted to an alley or private rear lane. Corner lots and double frontage lots are exempt from this standard if the vehicular access for one of the dwelling units is located along a different street than the vehicular access of the other dwelling unit, or if vehicular access for both dwelling units is located along a street where the front setback line is at least eighty feet (80') in length. (See definitions of "lot width" and "setback line, front" in section [14-9A-1](#) of this title.)

(3) Where a private rear lane or public alley is present, garage entrances/exits must be accessed from said private rear lane or public alley.

~~g. Figure 4B.5 – Examples Of Two-Family Uses In The RS-5 And RS-8 Zones:~~



7. Multi-Family Uses In ~~Commercial Zones CO-1, CN-1, CC-2, CB-2, CB-5, And CB-10 Zones:~~

a. Location: The proposed dwelling units must be located above the street level floor of a building, except as provided in subsections A7e and A7f of this section.

b. Maximum Density: The residential density standards for multi-family uses in commercial zones are stated in section 14-2C-4, "Dimensional Requirements", table 2C-2(c) of this title.

c. Residential Entrances:

(1) To provide safe access for residents ~~within a mixed use building~~, any building containing a residential use must have at least one door ~~on the exterior of the building~~ that provides pedestrian access to the dwelling units within the building. Said entrance must be located on an exterior building wall that faces a street, public sidewalk, or pedestrian plaza and is visible from and easily accessed from said street, sidewalk, or plaza. Access to dwelling units must not be solely through a parking garage or from an alley.

(2) Access to entrance doors of any individual dwelling units located above the ground level floor of a building must be provided from an enclosed lobby or corridor and stairway. Unenclosed or partially enclosed exterior stairways are prohibited. However, the city may allow exterior fire egress structures on existing buildings that cannot otherwise reasonably meet code requirements, provided the fire egress structure is not located on a wall of a building that faces a street.

(3) To facilitate commercial uses at the street level, the ground level floor height should be no more than one foot (1') above the level of the abutting sidewalk or pedestrian plaza. ~~The City may adjust this requirement for~~ On sloping building sites, for multi-family buildings with no commercial component, and or for existing buildings, ~~the city may adjust this requirement.~~ However, on sloping sites at least a portion of the ground level floor height of any new building must be located no more than one foot (1') above the level of the abutting sidewalk or pedestrian plaza; and the floor height of the ground level floor of the building must be no more than three feet (3') above the level of the abutting public sidewalk or pedestrian plaza at any point along a street-facing building facade.

d. Standards For Ground Level Floor Of Building:

(1) ~~On the ground level floor, t~~The floor to ceiling height must be at least fourteen feet (14'), ~~except it may be reduced for existing buildings or where dwelling units are permitted on the ground level floor of the building.~~

(2) ~~For the ground level floor of the building, e~~Construction must meet the building code specifications for commercial uses, ~~except where dwelling units are permitted on the ground level floor of the building.~~

~~(3) In the CB-10 zone, for the first two (2) floors of a building, construction must meet the building code specifications for commercial uses.~~

e. ~~CB-5 And CB-10 Exception: In the CB-5 and CB-10 zones, except as provided in subsection A7e(4) of this section and except as allowed by subsection A7f of this section, t~~Ground Floor Residential Exception: The board of adjustment may grant a special exception for multi-family dwellings to be located on or below the ground street level floor of a building, provided that the following criteria are met:

(1) ~~Where t~~The proposed dwelling will be located in an existing building in a Historic District Overlay (OHD) zone on a property designated as an Iowa City historic landmark, ~~a~~A rehabilitation plan for the property ~~must be has been~~ reviewed and approved by the Iowa City historic preservation commission. The rehabilitation of the property must be completed according to this plan before an occupancy permit is granted.

(2) The proposed dwellings will not significantly alter the overall commercial character of the subject ~~CB-5 or CB-10~~ zone.

~~(3) There are site conditions or building characteristics that make the street level of the subject building or buildings unsuitable for other uses allowed in the CB-5 or CB-10 zone.~~

(34) If an existing building located in a Historic District Overlay (OHD) zone on a landmark property includes three (3) or more of the following commercial storefront characteristics, dwellings are prohibited on or below the street level floor of that building:

- (A) The main entrance to the building is at or near grade;
- (B) The front facade of the building is located within ten feet (10') of the front property line;
- (C) The front facade of the building contains ground floor storefront or display windows; and
- (D) The street level floor of the building was originally constructed to accommodate sales oriented and personal service oriented retail uses and/or has historically been used for these purposes.

....

8. Assisted Group Living:

a. Maximum Density: Maximum density within an assisted group living use is as follows. For purposes of calculating maximum density, staff and live-in staff of a facility are not considered roomers.

(1) In the RM-12 zone: One roomer per seven hundred fifty (750) square feet of lot area.

(2) In the RM-20, RNS-20, CN-1, CC-2, and MU zones: One roomer per five hundred fifty (550) square feet of lot area.

(3) In the RM-44, PRM, CO-1, CB-2, CB-5, and CB-10 and CI-4 zones: One roomer per three hundred (300) square feet of lot area.

b. Facilities: The group living use must have bath and toilet facilities available for use by roomers in such numbers as specified in title 17, "Building And Housing", of this code. In addition, the occupants may have access to a communal kitchen, dining room, and other common facilities and services.

...

- Y. Amend 14-4A-6D: Use Categories, Institutional And Civic Uses, Community Service Uses, Community Service – Long-Term Housing by deleting the existing provision and replacing it with the following:

...

6. Reserved

...

- Z. Amend Chapter 14-4, Use Regulations, by adding Article F. Affordable Housing as follows:

14-4F-1: Purpose:

The purpose of this Article is to:

- A. Create a more inclusive, just and sustainable Iowa City;
- B. Reduce concentrations of low and moderate income households in Iowa City;
- C. Increase the multi-family housing stock near the university and the City's urban core;

- D. Promote the construction of housing that is affordable to the community's workforce;
- E. Increase opportunities for people of all income levels to work and live near key employment centers;
- F. Promote a balanced community that provides housing for people with diverse income levels;
- G. To reduce the number of housing cost burdened households; and
- H. Promote household stability and reduce the threat of homelessness.

14-4F-2: Definitions:

For purposes of this Article, the following definitions shall apply:

Affordable Housing: The collective reference to "Owner-Occupied Affordable Housing" and/or "Renter-Occupied Affordable Housing", as those terms are defined herein.

HUD: U.S. Department of Housing and Urban Development

Income Eligible Household: Except as set forth herein, a household is an Income Eligible Household for purposes of purchasing an Owner-Occupied Affordable Housing dwelling unit located on land zoned a Riverfront Crossings zoning designation pursuant to 14-2G if that household has an annual income equal to or less than one hundred ten percent (110%) of the area median income (AMI) for Iowa City, as adjusted annually, or if not located on land zoned a Riverfront Crossings zoning designation, if that household has an annual income equal to or less than eighty percent (80%) of the (AMI) for Iowa City, as adjusted annually. Except as set forth herein, a household is an income eligible household for leasing Renter-Occupied Affordable Housing if that household has an annual income equal to or less than sixty percent (60%) of the AMI for Iowa City, as adjusted annually. Households with greater than one hundred thousand dollars (\$100,000) in assets, excluding Retirement Assets, are not income eligible households.

Owner-Occupied Affordable Housing: Housing that is sold at a price no greater than the most current published HUD homeownership sale price limit for existing and new homes to an income eligible household.

Renter-Occupied Affordable Housing: Housing that is rented for no more than the HUD fair market rent for the Iowa City, Iowa, HUD metro FMR area, as adjusted annually, and rented to an income eligible household, or housing that has received Low Income Housing Tax Credits (LIHTC) through the Iowa Finance Authority and rented for no more than the LIHTC rent limits for Johnson County, as adjusted annually, and rented to an Income Eligible Household.

Retirement Assets: Financial assets whose liquidity is limited or penalized until a person reaches retirement age, including, but not limited to 401(k)s, IRAs, pension accounts, IPERS, and TIAA-CREF, not including distribution of or income from the assets.

14-4F-3: Required Affordable Housing:

A. Riverfront Crossings Affordable Housing Requirement. Except for developments providing Affordable Housing pursuant to a development agreement with the City executed prior to June 6, 2016, and except for developments exclusively providing elder apartment housing, any development containing ten (10) or more dwelling units on land zoned a Riverfront Crossings zoning designation is required to provide Affordable Housing dwelling units in an amount equal to or greater than ten percent (10%) of the total number of dwelling units. Should ten percent (10%) of the total number of dwelling units result in a fractional number, this fraction shall be rounded up to the nearest whole number for any fraction over fifty percent (50%) to establish the required number of Affordable Housing dwelling units. Any exempt elder apartment housing developments

shall be subject to periodic inspection to ensure compliance with the zoning code regulations of this title of such use. Affordable Housing shall be regulated pursuant to this Article.

B. Parking Reduction. Affordable Housing dwelling units required on land zoned a Riverfront Crossings zoning designation in accordance with this Article shall be exempt from providing the minimum number of parking spaces otherwise required by the zoning code.

14-4F-4: Incentivized Affordable Housing:

A. Form-Based Zones. Owners of land zoned a Form-Based Zone pursuant to Article 14-2H "Form-Based Zones and Standards" who voluntarily provide Affordable Housing in accordance with this Article may utilize the following incentives:

1. Parking Reduction. Affordable Housing dwelling units shall be exempt from providing the minimum number of parking spaces otherwise required by the zoning code.

2. Density Bonus. For building types that allow four (4) or more dwelling units, the maximum number of dwelling units may be increased by twenty-five percent (25%) if all additional units are Affordable Housing.

3. Minor Adjustments to Certain Zone Standards Set Forth in 14-2H-2 "Zones". Where at least twenty-five percent (25%) of dwelling units within a development are Affordable Housing, one of the following adjustments may be administratively approved on lots that contain Affordable Housing units where the proposed adjustment fits the characteristics of the site and the surrounding neighborhood, and is consistent with the intent of the standard being adjusted and the goals of the Comprehensive and District Plans:

a. Up to a fifteen feet (15') adjustment for the building type design site depth standards. This provision may be combined with reductions for relocation of utility easement or addition of new civic space not shown in the future land use map up to a combined maximum of twenty-five feet (25').

b. Up to a fifteen percent (15%) adjustment for the building type design site width standards.

c. Up to a twenty percent (20%) reduction for minimum amount of facade required within the facade zone.

4. Minor Adjustments to Certain Standards Set Forth in 14-2H-2 "Zones" or 14-2H-6 "Building Type Standards". Where at least twenty-five percent (25%) of the dwelling units within a development are Affordable Housing, one of the following adjustments may be administratively approved for buildings that contain Affordable Housing units where the proposed adjustment fits the characteristics of the site and the surrounding neighborhood, and is consistent with the intent of the standard being adjusted and the goals of the Comprehensive and District Plans:

a. Up to a fifteen percent (15%) adjustment for building main body and wing standards.

b. Up to a 0.5 stories increase to maximum building height. This bonus allows the building height to exceed the maximum standards for primary buildings found in Item 4a (Building Form; Height) of section 14-2H-2 "Zones" by 0.5 stories and by five feet (5').

5. Additional Minor Adjustments. An additional minor adjustment allowed above may be administratively approved where Affordable Housing units are rented or sold to households making fifty percent (50%) or less of the Area Median Income.

B. All Other Zones. Owners of land that are not zoned a Riverfront Crossings zoning designation pursuant to Article 14-2G "Riverfront Crossings and Eastside Mixed Use Districts Form Based Development Standards" or a Form-Based Zone pursuant to

Article 14-2H "Form-Based Zones and Standards" who voluntarily provide Affordable Housing in accordance with this Article may utilize the following incentives:

1. Parking Reduction. Affordable Housing dwelling units shall be exempt from providing the minimum number of parking spaces otherwise required by the zoning code.
2. Density Bonus. Where at least twenty percent (20%) of dwelling units within a development are Affordable Housing, the minimum lot area and minimum lot area per unit may be reduced by twenty percent (20%). Alternatively, where at least twenty percent (20%) of dwelling units within a Planned Development Overlay (OPD) zone are affordable housing, the maximum residential density may be increased by twenty percent (20%).
3. Additional Incentives. Where at least twenty percent (20%) of the dwelling units within a development are Affordable Housing, one of the following adjustments to the standards set forth in 14-2A-4, 14-2B-4, or 14-2C-4 "Dimensional Requirements" may be administratively approved in principle buildings that contain Affordable Housing units where the proposed adjustment fits the characteristics of the site and the surrounding neighborhood, and is consistent with the intent of the standard being adjusted and the goals of the Comprehensive and District Plans:
 - a. Up to a fifteen percent (15%) reduction for any individual front, rear, or side setback.
 - b. Up to a five foot (5') increase to the maximum principle building height.

14-4F-5: General Administrative and Programming Requirements:

A. Methods of Achieving Affordable Housing.

1. Required Affordable Housing may be provided through one or more of the following:

- a. Onsite Owner-Occupied Affordable Housing;
- b. Onsite Renter-Occupied Affordable Housing;
- c. Contribution to an affordable housing fund pursuant to 14-4F-8A;
- d. Offsite Affordable Housing pursuant to 14-4F-8B; and/or
- e. Contribution of land pursuant to 14-4F-8C.

2. Incentivized Affordable Housing may be provided through onsite Owner-Occupied Affordable Housing and/or onsite Renter-Occupied Affordable Housing.

B. Affordable Housing Agreement and Deed Restriction.

1. Agreement. Upon rezoning to a Riverfront Crossings zoning designation pursuant to Article 14-2G, the property owner shall enter into an affordable housing agreement with the City establishing which method(s) it will utilize. Upon application for a building permit to construct any development in which Required or Incentivized Affordable Housing is provided, the property owner shall enter into an agreement with the City detailing which how it will satisfy the obligations of this code, including details of the applicable programming and development requirements. This agreement must be executed prior to issuance of a building permit for the project containing Affordable Housing dwelling units. The City Manager is hereby given the authority to execute such an agreement, which shall be recorded in the Office of the Johnson County Recorder at owner's expense.

2. Deed Restriction. A deed restriction documenting the Required and/or Incentivized Affordable Housing dwelling units, selected method(s) of achieving affordability, term, applicable resale restrictions, and applicable occupancy and rental restrictions shall be placed upon the Owner-Occupied Affordable Housing dwelling unit(s) or, in the case of the Renter-Occupied Affordable Housing, shall be placed upon the land being developed contemporaneously with the issuance of the certificate of

occupancy. This deed restriction shall be recorded with Office of the Johnson County Recorder at owner's expense and referenced in any deed conveying title of any such unit or land during the Term of Affordability. This deed restriction shall automatically expire upon the expiration of the term of affordability. The City Manager is hereby authorized to issue any release of this deed restriction, as may be necessary and appropriate, in a form approved by the City Attorney.

C. Term of Affordability. An Affordable Housing dwelling unit shall remain so for no less than the following number of years from the issuance of the certificate of occupancy for the Affordable Housing dwelling unit:

1. Required Affordable Housing. Ten (10) years
2. Incentivized Affordable Housing. Twenty (20) years

D. Remedy: Failure by the owners to verify income in accordance with the provisions and rules of this Article is a violation of this Article and may result in the immediate suspension of any rental permit issued for a Renter-Occupied Affordable Housing unit.

14-4F-6: Owner-Occupied Affordable Housing

Owner-Occupied Affordable Housing must satisfy the general requirements set forth in Section 14-4F-5 and the following requirements.

A. Development Requirements:

1. Dwelling Unit Types: Affordable Housing dwelling units shall be comprised of the same mix of dwelling unit types in proportion to the market rate dwelling units within the development.

2. Dwelling Unit Size And Quality: The Affordable Housing dwelling unit size shall be at least eighty percent (80%) of the floor area for the market rate dwelling units of the same type, shall have the same number of bedrooms, and shall be of similar quality, or as approved by the City Manager or designee. Housing developments with Incentivized Affordable Housing dwelling units that contain a variety of bedroom counts per dwelling unit shall provide a percentage of Affordable Housing dwelling units with a particular number of bedrooms that is similar to the percentage of non-set-aside dwelling units with the same number of bedrooms.

3. Location: Affordable Housing dwelling units shall be distributed throughout the development to achieve integration and avoid concentration or segregation of the Affordable Housing dwelling units, unless approved by the City Manager or designee.

4. Timing of Construction: Affordable Housing dwelling units shall be constructed and issued a certificate of occupancy concurrently with or prior to the market rate dwelling units in the development.

B. Program Requirements:

1. Occupancy: An Affordable Housing dwelling unit shall, at all times during the Term of Affordability, be occupied by an Income Eligible Household as the household's primary residence.

2. Income Verification: The annual household income shall be determined according to the HUD part 5, section 8 regulations on annual income codified in 24 CFR 5.609, as amended, and verified by the city prior to close of the sale.

3. Rental Restriction: An Owner-Occupied Affordable Housing unit may not be rented, except an owner may rent or lease a bedroom in the unit.

4. Sale Restrictions: The following sales restrictions apply to all Owner-Occupied Affordable Housing, compliance with which shall be verified by the City Manager, or designee, prior to closing on the sale.

a. Approved Purchasers: A seller of an Affordable Dwelling unit must sell the unit only to an Income Eligible Household. Seller shall determine a potential buyer's annual

household income according to the HUD part 5, section 8, regulations on annual income codified in 24 CFR 5.609, as amended.

b. Sale Price: The sale price of any Affordable Housing dwelling unit shall not exceed the purchase price paid by the original Income Eligible Household purchaser or the HUD homeownership sale price limit, whichever is greater, with the following exceptions:

(1) Closing Costs: Customary closing costs and costs of sale.

(2) Real Estate Commissions: Costs of real estate commissions paid by the seller to a licensed real estate agent.

(3) Permanent Capital Improvements: Reasonable value added to the dwelling unit due to permanent capital improvements installed within the unit by the seller pursuant to a properly issued building permit.

(4) Special Fees: The seller shall not levy or charge any additional fees or any finder's fee, nor demand any other monetary consideration other than provided in this Article.

14-4F-7: Renter-Occupied Affordable Housing

Renter-Occupied Affordable Housing must satisfy the general requirements set forth in Section 14-4F-5 and the following requirements:

1. Development Requirements: Renter-Occupied Affordable Housing shall be provided in accordance with the development requirements for Owner-Occupied Affordable Housing set forth in Section 14-4F-6A.

2. Program Requirements:

a. Rental Rate: The monthly rental rate shall be either:

(1) no more than the fair market rents as published by HUD for the Iowa City, Iowa, HUD metro FMR area, as adjusted annually; or

(2) for projects that have been awarded LIHTC through the Iowa Finance Authority, no more than the LIHTC rent limits for Johnson County, as adjusted annually.

b. Occupancy: Renter-Occupied Affordable Housing units must be rented to Income Eligible Households. If a tenant initially deemed an Income Eligible Household for purposes of occupying an Affordable Housing dwelling unit pursuant to this Article, but is subsequently deemed no longer income eligible upon annual examination of household income, that tenant's unit shall not be considered an Affordable Housing dwelling unit and the rent can be adjusted to market rate. To maintain compliance with the Affordable Housing requirement, the next available rental unit in the project of comparable size or larger must be rented to an Income Eligible Household. To that end, the Renter-Occupied Affordable Housing units need not be specifically designated in a fixed location, but may be floating throughout the development.

c. Income Verification: The property owner shall annually verify that the Renter-Occupied Affordable Housing dwelling units are occupied by Income Eligible Households. Prior to the commencement of a lease, the owner shall determine a potential tenant's annual household income according to the HUD part 5, section 8, regulations on annual income codified in 24 CFR 5.609, as amended. Upon extension or renewal of a lease, the owner may determine a tenant's annual household income based upon federal income tax returns for all adults in the household.

d. Owner Verification of Compliance: The owner must annually verify to the City that it is in compliance with these program requirements, and provide any documentation as deemed necessary by the City to determine compliance, which may include examination of the documents used to verify tenant income. Any violation of this requirement may result in immediate suspension of any rental permit issued for the applicable unit.

14-4F-8: Alternative Methods to Provide Required Affordable Housing.

For Required Affordable Housing, the owner may use one or more of the following methods to meet the Affordable Housing Requirement. If the owner desires to provide offsite Affordable Housing and/or a contribution of land, the owner must establish that onsite Affordable Housing or a fee in lieu contribution to an affordable housing fund cannot feasibly be satisfied, as reasonably determined by the City.

A. Fee In Lieu Contribution: In lieu of providing Affordable Housing dwelling units, an owner of land zoned a Riverfront Crossings zoning designation pursuant to 14-2G may contribute a fee to a Riverfront Crossings District affordable housing fund to be established by the City. The contribution per dwelling unit shall be determined biennially by resolution of the City Council based upon a formula that analyzes the difference between renting a market rate unit for the Term of Affordability and renting a dwelling unit affordably to an Income Eligible Household. The fund shall be utilized solely for affordable housing purposes, which may include administration costs, in the Riverfront Crossings District.

B. Transfer Of Affordable Housing Dwelling Units Off Site: Upon the owner establishing that the affordable housing requirement cannot be satisfied onsite, as reasonably determined by the City, it may be satisfied by designating offsite existing or newly constructed dwelling units in the Riverfront Crossings District as Affordable Housing dwelling units. Any transferred Affordable Housing units shall in no way waive or reduce any obligation to provide Affordable Housing units within the development to which the obligation is transferred. In addition to satisfying the general requirements set forth in Section 14-4F-5, these units must satisfy the following requirements:

1. Development Requirements:

a. Provision Of Units: Offsite Affordable Housing dwelling units, whether they are owner- or renter-occupied, shall be provided in accordance with the development requirements for Owner-Occupied Affordable Housing set forth in Section 14-4F-6. The City reserves the right to deny a request to transfer Affordable Housing units to a particular development if it would result in an undue concentration of Affordable Housing units within that development.

b. Timing: Where the affordable housing requirement is to be met through the provision of newly constructed dwelling units, such units shall be constructed and pass final inspection no later than the date the occupancy permit is issued for the development creating the need for the Affordable Housing, unless otherwise agreed upon by the City Manager, or designee. Where the affordable housing requirement is to be met through the provision of existing offsite dwelling units, they shall be established as Affordable Housing dwelling units prior to issuance of any occupancy permit for the development creating the need for the affordable housing. The marketing of the Affordable Housing dwelling units should occur no later than one (1) year after the first market rate dwelling unit in the site that generated the requirement passes final inspection, unless otherwise agreed upon by the City Manager. The affordable housing agreement pursuant to Subsection 14-4F-5B-1 shall be recorded prior to issuance of a building permit for the development creating the need for the Affordable Housing.

2. Programming Requirements:

a. Where the offsite Affordable Housing dwelling units are to be Owner-Occupied Affordable Housing, those units shall comply with the programming requirements for Owner-Occupied Affordable Housing set forth in Section 14-4F-6.

b. Where the offsite Affordable Housing dwelling units are to be Renter-Occupied Affordable Housing, they shall comply with the programming requirements for Renter-Occupied Affordable Housing set forth in Section 14-4F-7.

C. Land Dedication: Upon the owner establishing that the affordable housing requirements cannot be satisfied onsite, as reasonably determined by the City, it may be satisfied by the dedication of land to the City of Iowa City or an entity designated by the City of Iowa City for construction of Affordable Housing dwelling units in accordance with the provisions of this section, upon consideration of the following factors:

1. Location. The land shall be located in the Riverfront Crossings District, in an area appropriate for residential redevelopment, as determined by the City;

2. Number Of Affordable Housing Units. The total Affordable Housing dwelling units possible on the land shall be equal to or greater than the number of required Affordable Housing dwelling units;

3. Dwelling Type. The land shall allow for the provision of Affordable Housing units of equivalent type (single-family, multi-family, townhome, etc.), floor area, and number of bedrooms to that which would have been otherwise required;

4. Land Value. The value of land to be dedicated shall be determined, at the cost of the developer, by an independent appraiser, who shall be selected from a list of certified appraisers provided by the City, or by such alternative means of valuation to which a developer and the City agree; and

5. Right To Refuse. The City reserves the right to refuse dedication of land in satisfaction of the affordable housing requirement if it determines, in its sole discretion, that such a dedication is not in the best interests of the public for any reason, including a determination that the City is not likely to construct or administer an Affordable Housing development project in a timely manner due to the unavailability of funds or other resources. Additionally, where the value of the land proposed to be dedicated is less than the value of the fee in lieu contribution established in accordance with the provisions above, the City reserves the right to require an owner to contribute a fee making up this difference in values.

14-4F-9: Administrative Rules

The City Manager or designee is hereby authorized to establish administrative rules deemed necessary to assure that the purposes of this section are accomplished. A copy of the rules shall be on file with the City Clerk and available on the City website.

AA. Amend Table 5A-1: Minimum Parking Requirements In The CB-5 And CB-10 Zones, Except As Otherwise Set Forth In Subsection 14-5A-4B2 Of This Section, in Section 14-5A-4: Off Street Parking And Loading Standards, Minimum Parking Requirements, by adding the following underlined text:

| Use Categories | Subgroups | | Parking Requirements |
|-----------------------|---|------------|--|
| Household living uses | Multi-family dwellings | CB-5 Zone | Efficiency, 1 bedroom units: 0.5 space per dwelling unit. |
| | | | 2 bedroom units: 1 space per dwelling unit. |
| | | | 3 bedroom units: 2.5 spaces per dwelling unit. |
| | | | Units with more than 3 bedrooms: 3 spaces per dwelling unit. |
| | Elder apartments: 1 space for every 2 dwelling units. | | |
| | | CB-10 Zone | For buildings built on or before December 31, 2008: |

| | | |
|--|--|---|
| | | Bedrooms 1-10: No parking required. |
| | | All additional bedrooms: 0.5 space per bedroom. |
| | | (For purposes of this standard an efficiency apartment will be counted as 1 bedroom.) |
| | | For buildings built on or after January 1, 2009: |
| | | Efficiency and 1 bedroom units: 0.5 space per dwelling unit. |
| | | 2 bedroom unit: 1 space per dwelling unit. |
| | | 3 bedroom unit: 2.5 spaces per dwelling unit. |
| | | <u>Units with more than 3 bedrooms: 3 spaces per dwelling unit.</u> |
| | | Elder apartments: 1 space for every 2 dwelling units. |

BB. Amend Table 5A-2: Minimum Parking Requirements For All Zones, Except The CB-5, CB-10, Riverfront Crossings Zones And Eastside Mixed Use District in Section 14-5A-4: Off Street Parking And Loading Standards, Minimum Parking Requirements, by adding the following underlined text and deleting the following text with a strikethrough:

| Use Categories | Subgroups | Parking Requirement |
|------------------|-----------------------------------|--|
| Household living | Single family and two family uses | For 1-bedroom and 2-bedroom units: 1 parking space, plus 1 additional parking space for each adult occupant beyond 3. For units with 3 or more bedrooms: 2 parking spaces plus 1 additional parking space for each adult occupant beyond 3. |
| | Multi-family uses | All zones, except PRM and CB-2 Efficiency and 1 bedroom units: 1 space per dwelling unit. 2 bedroom units: 2 spaces per dwelling unit. 3 bedroom units: 2 spaces per dwelling unit. 4 bedroom units: 3 spaces per dwelling unit. 5 bedroom units: 4 spaces per dwelling unit. University impact area: 1 space per bedroom (see section <u>14-2B-6</u> , map 2B.1 of this title). |
| | | <u>PRM & CB-2 Zone</u> Efficiency and 1 bedroom units: 0.75 space per dwelling unit. 2 bedroom units: 1.5 spaces per dwelling unit. 3 bedroom units: 2.5 spaces per dwelling unit. Units with more than 3 bedrooms: 3 spaces per dwelling unit. University impact area <u>in the PRM zone</u> : 1 space per bedroom (see section <u>14-2B-6</u> , map 2B.1 of this title). |

| | | | |
|--|--|------------------|--|
| | | CB-2 Zone | Efficiency and 1 bedroom units: 0.75 space per unit. 2 bedroom units: 1.5 spaces per unit. 3 bedroom units: 2.5 spaces per unit. |
| | | Elder apartments | 1 space per dwelling unit for independent living units and 1 space for every 2 dwelling units for assisted living units, except in the PRM and CB-2 Zones. In the PRM and CB-2 Zones, 1 space for every 2 dwelling units. |

| Use Categories | Subgroups | Parking Requirement | Bicycle Parking |
|-------------------|--|---|-----------------------|
| Community service | General community service | 1 space per 300 square feet of floor area. | 10 percent |
| | Community service - shelter | 0.1 space per temporary resident based on the maximum number of temporary residents staying at the shelter at any 1 time, plus 1 space per employee based on the maximum number of employees at the site at any 1 time. | 25 percent |
| | Community service - long term housing | 1 space per 3 units, or 3 beds, whichever is greater. | 25 percent |

CC. Amend 14-5A-4F-4: Off Street Parking And Loading Standards, Minimum Parking Requirements, by adding the following underlined text and deleting the following text with a strikethrough:

4. Minor Modification For Affordable Housing Parking Reduction ~~In The Central Business Zones: Affordable Housing dwelling units allowed and regulated pursuant to Article 14-4F shall be exempt from providing the minimum number of parking spaces otherwise required by the zoning code. In the CB-5 and CB-10 Zones, a minor modification may be granted as specified in section 14-4B-1 of this title exempting up to thirty percent (30%) of the total number of dwelling units contained in a building from the minimum parking requirements, provided that those dwelling units are committed to the City's assisted housing program or any other affordable housing program approved by the City.~~

DD. Amend 14-5A-5F-1b: Off Street Parking And Loading Standards, Construction And Design Standards, Standards For Structured Parking In Multi-Family, Commercial Zones, The Eastside Mixed Use District, And The Riverfront Crossings Zones, Parking Within Building, by adding the following underlined text and deleting the following text with a strikethrough:

b. In Multi-Family Zones, structured parking is not permitted on the ground level floor of the building for the first fifteen feet (15') of building depth as measured from the street-facing building wall. On lots with more than one street frontage this parking setback must be met along each street frontage, unless reduced or waived by minor modification.

The Building Official may also waive this requirement where a townhome-style multi-family unit has parking along a side street. When considering a minor modification request, the City will consider factors such as street classification, building orientation, location of primary entrance(s) to the building, and unique site constraints such as locations where the residential building space must be elevated above the floodplain.

EE. Amend Article 14-8B: Administrative Approval Procedures by adding Section 14-8B-11: Reasonable Accommodations Request, as follows:

A. Applicability: A request for reasonable accommodation may be made by any individual with a disability, his or her representative, or a developer or provider of housing for individuals with disabilities, when the application of a regulation, policy, practice, or procedure in Title 14 acts as a barrier to fair housing opportunities.

B. Submittal Requirements:

1. The applicant must file a written application for a reasonable accommodations request with the Department of Neighborhood and Development services on application forms provided by the City.

2. Supporting materials must be submitted as specified on the application form or as requested by staff to allow a full review of the request.

3. If an individual needs assistance in making the request for reasonable accommodation, the City will assist to ensure that the process is accessible. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection unless otherwise required by law.

C. Approval Procedure:

1. Upon receipt of a complete application, staff will review said application for compliance with the following approval criteria:

a. The housing, which is the subject of the request for reasonable accommodation, will be used by an individual with disabilities protected under fair housing laws;

b. The requested accommodation is necessary to make housing available for the use and enjoyment of an individual with disabilities protected under the fair housing laws;

c. The requested accommodation would not impose an undue financial or administrative burden on the jurisdiction; and

d. The requested accommodation would not require a fundamental alteration in the nature of the City's zoning program.

2. Within thirty (30) working days of the date a complete application is submitted to the City, the Director of Neighborhood and Development Services will approve, approve with modifications agreed to by the applicant, or disapprove the application consistent with fair housing laws.

3. If the Director does not act within thirty (30) working days and the applicant does not agree to an extension of time, the application will be deemed approved.

4. The Director's findings on each application shall be set forth in a written decision, which will be filed in the respective property file in the Department of Neighborhood and Development services. A copy of said decision will be sent to the applicant at the time of filing. All written decisions shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeals process as set forth below.

D. Appeals:

1. Within thirty (30) days of the date of the reviewing authority's written decision, an applicant may appeal an adverse decision to the Board of Adjustment. Appeals from the adverse decision shall be made in writing pursuant to the procedures in Section 14-8C-3, "Appeals".

2. If an individual needs assistance in filing an appeal on an adverse decision, the City will assist to ensure that the appeals process is accessible. Any information identified

by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection unless otherwise required by law.

3. In deciding such appeal, the Board of Adjustment shall consider the approval criteria in Section 14-8B-11C-1.

4. In exercising the above mentioned powers, the Board of Adjustment may, in conformity with the provisions of this article or ordinances adopted pursuant thereto, affirm, or upon finding error, reverse or modify, wholly or partly, the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end, shall have all the powers of the Director.

5. Nothing in this procedure shall preclude an aggrieved individual from seeking any other state or federal remedy available.

FF. Amend 14-9A-1: General Definitions, Definitions, by adding the following underlined text and deleting the following text with a strikethrough:

DISABILITY/HANDICAP: With respect to an individual person, ~~someone who has a verifiable~~ physical or mental impairment that ~~substantially~~ limits one or more of such person's major life activities; ~~anyone who is regarded as having such impairment; or anyone with a record of such impairment, and is expected to be long continued and of indefinite duration.~~

PERMANENT SUPPORTIVE HOUSING: ~~Housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. The target population is defined as persons with low incomes who have one or more disabilities, including mental illness, substance abuse, or chronic health conditions, and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.~~

REASONABLE ACCOMMODATION: ~~With respect to land use and zoning, it means providing individuals with disabilities or developers of housing for people with disabilities, flexibility in the application of land use and zoning and building regulations, policies, practices and procedures, or waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities.~~

Section II. Repealer. All ordinances and parts of ordinances in conflict with the provision of this Ordinance are hereby repealed.

Section III. Severability. If any section, provision or part of the 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 IV. Effective Date. This Ordinance shall be in effect after its final passage, approval, and publication, as provided by law.

Passed and approved this 6th day of November, 2023.

J. Teague
Mayor

Approved by

[Signature]
City Attorney's Office - 09/14/2023

Attest: *Heidi K. Grace*
City Clerk

It was moved by Harmsen and seconded by Bergus that the Ordinance as read be adopted, and upon roll call there were:

| AYES: | NAYS: | ABSENT: | |
|----------|----------|---------|---------|
| <u>X</u> | _____ | _____ | Alter |
| <u>X</u> | _____ | _____ | Bergus |
| <u>X</u> | _____ | _____ | Dunn |
| <u>X</u> | _____ | _____ | Harmsen |
| _____ | <u>X</u> | _____ | Taylor |
| <u>X</u> | _____ | _____ | Teague |
| _____ | <u>X</u> | _____ | Thomas |

First Consideration 09/19/2023

Vote for passage: AYES: Bergus, Dunn, Harmsen, Taylor, Teague
NAYS: Thomas, ABSENT: Alter

Second Consideration 10/17/2023

Vote for passage: AYES: Alter, Bergus, Dunn, Harmsen, Teague
NAYS: Taylor, Thomas ABSENT: None

Date published 11/16/2023

Prepared by: Kirk Lehmann, Associate Planner, 410 E Washington St, Iowa City, IA 52240 (REZ23-0001)

Ordinance No. 23-4917

Ordinance amending Title 14, Zoning Code, to improve housing choice, increase housing supply, and encourage housing affordability by adjusting standards for Accessory Apartments. (REZ23-0001)

Whereas, the City first adopted an Affordable Housing Action Plan in 2016; and

Whereas, the Action Plan recommended considering regulatory changes to the Zoning Code, including permitting more building types by right; and

Whereas, City Council adopted a Fair Housing Choice Study in 2019 (Resolution 19-225) after disseminating information, soliciting public input, and holding a public meeting on its analysis, identified impediments, and recommendations; and

Whereas, the Study recommended exploring ways to increase the density and types of housing allowed especially in low density, single-family residential zones; and

Whereas, City Council adopted an updated Affordable Housing Action Plan in 2022 after reviewing new data and engaging the community to build off efforts in support of affordable housing; and

Whereas, the 2022 Action Plan recommended increasing the number and/or type of dwelling units allowed by right in single-family residential zones, including Accessory Dwelling Units; and

Whereas, City Council further drew upon previous analysis and community engagement to establish priorities in its FY23-FY28 Strategic Plan (Resolution 22-304), which includes advancing prioritized recommendations from the 2022 Affordable Housing Action Plan; and

Whereas, the Iowa City Comprehensive Plan encourages a mix of housing types within each neighborhood to provide options for households of all types and people of all incomes and promotes identifying and supporting infill development opportunities in areas where services and infrastructure are already in place; and

Whereas, the City's zoning code implements the vision of the Comprehensive Plan, as well as the adopted policy direction, adopted actions, and recommendations of the Fair Housing Choice Study, Affordable Housing Action Plan, and Iowa City Strategic Plan; and

Whereas, the proposed amendments provide flexibility to Accessory Dwelling Unit standards to enhance the supply of housing; and

Whereas, the Planning and Zoning Commission reviewed the zoning code amendments set forth below and recommended approval by a vote of 4-3 at its meeting on October 4, 2023.

Now, therefore, be it ordained by the City Council of the City of Iowa City, Iowa:

Section I. Amendments. The Code of Ordinances of the City of Iowa City, Iowa is hereby amended as follows:

- A. Amend Table 14-2H-3B-2: Accessory Uses in Section 14-2H-3: Form-based Zones and Standards, Use Standards, by adding the following underlined text and deleting the following text with a strikethrough:

| Table 14-2H-3B-2: Accessory Uses | | | | | | | | | |
|--|------|------|--------|-----------|-----------|-----------|-----------|-----------|--------------------|
| Use Categories | T3NE | T3NG | T3NG-O | T4NS | T4NS-O | T4NM | T4NM-O | T4MS | Specific Standards |
| Accessory Dwelling Units (ADUs) Apartments ¹ | PR | PR | PR | <u>PR</u> | <u>PR</u> | <u>PR</u> | <u>PR</u> | <u>PR</u> | |
| ... | | | | | | | | | |
| ¹ <u>ADUs Accessory apartments</u> attached to the primary building must comply with sub-section <u>14-4C-2A</u> . ADUs Accessory apartments that are detached from the primary building units must comply with the carriage house requirements, see sub-section <u>14-2H-6C</u> . | | | | | | | | | |

- B. Amend 14-2H-6C: Form-based Zones and Standards, Building Type Standards, Carriage House, by adding the following underlined text and deleting the following text with a strikethrough:

1. Description:
 - a. An accessory structure located at the rear of a design site, above the garage, that provides a small residential unit (accessory dwelling unit apartment), home office space, or other small commercial or service use, as allowed by the zone. The carriage house is an accessory building type, not a primary building type.
- ...
3. Building Size And Massing:
 - c. Standards:
 - (2) Carriage house must comply with the ownership and occupancy standards of sub-section 14-4C-2A (Accessory Dwelling Units (ADUs) Apartments).

- C. Amend 14-4A-3A-4: Residential Use Categories, Household Living Uses, Exceptions, by adding the following underlined text and deleting the following text with a strikethrough:

- c. Single family uses that contain accessory dwelling units apartments are not considered a two family use.

- D. Amend 14-4C-2: Accessory Uses and Buildings, Specific Approval Criteria, by adding the following underlined text and deleting the following text with a strikethrough:

A. Accessory Dwelling Units (ADUs) Apartments: ~~ADUs Accessory apartments~~ are permitted ~~in the RS-5, RS-8, RS-12, RM-12, RM-20, and RNS-20 Zones in owner occupied detached single-family dwellings and detached zero lot line dwellings and in buildings accessory to these same dwelling types~~, provided the following conditions are met:

1. Applicability: The ADU shall be located in a zone that allows household living uses and shall be accessory to a principal use that consists of no more than two (2) dwelling units on a lot. Permit Required: Prior to the establishment of any accessory apartment, the owner of the principal dwelling unit must obtain a rental permit from the Department of

~~Housing and Inspection Services according to the applicable procedures set forth in chapter 8, "Review And Approval Procedures", of this title.~~

2. ~~Ownership And Occupancy:~~

a. ~~The owner of the property on which an ADU accessory apartment is located must occupy at least one of the dwelling units on the premises as the permanent legal resident.~~

b. ~~The ADU accessory apartment and the principal dwelling use must be under the same ownership.~~

~~c. The total number of individuals that reside in the accessory apartment may not exceed two (2).~~

3. ~~Site Requirements:~~

a. ~~Only one ADU accessory apartment may be established per single-family lot.~~

b. ~~In addition to the parking required for the principal dwelling unit, one off street parking space is required for the accessory apartment.~~

~~c. The minimum lot size and area per unit requirements of the underlying base zone must be met, but does not apply to an accessory apartment, i.e., no additional lot area is required beyond that which is required for the principal dwelling unit use.~~

4. ~~Design Requirements:~~

a. ~~The accessory apartment may be located within the principal dwelling or within an accessory building.~~

~~b. The ADU accessory apartment must be a complete, separate dwelling unit that functions independently from the principal single-family dwelling unit use. It must contain its own kitchen and bathroom facilities, in addition to a separate entrance from the exterior.~~

c. ~~When located within a building with an existing the principal use dwelling, the ADU accessory apartment must be designed so that the appearance of the building remains that of an allowed use within that zone, and any single-family residence. Any new entrances, should face the side or rear yard of the building, and any addition for an accessory apartment may not increase the floor area of the original dwelling by more than ten percent (10%). Exterior finish materials, trim, windows, and eaves must visually match the principal use dwelling unit.~~

5. ~~Apartment Size: The accessory apartment must be clearly subordinate in area to the principal dwelling unit or to the accessory building in which it is located. Accordingly, it must comply with the following standards:~~

~~a. For an accessory apartment located within a principal dwelling unit, the floor area of the ADU accessory unit may not exceed fifty percent (50%) of the total floor area of the principal use dwelling, excluding the area of an attached garage, or one thousand six hundred fifty (1,650) square feet, whichever is less.~~

~~b. For an accessory apartment located within an accessory building, the floor area of the accessory apartment may not exceed fifty percent (50%) of the total floor area of the accessory building or six hundred fifty (650) square feet, whichever is less.~~

~~c. The accessory apartment may contain no more than one bedroom.~~

E. Amend 14-8B-1: Administrative Approval Procedures, by adding the following underlined text and deleting the following text with a strikethrough:

14-8B-1: Reserved Accessory Apartment Rental Permit

~~A. Permit Required:~~

~~1. Prior to the establishment of any accessory apartment, the owner of the principal dwelling unit must obtain a rental permit from the department of housing and inspection services. The permit will be effective for two (2) years. At the end of every two (2) years, renewal of the accessory apartment rental permit will be granted after completion of a routine housing inspection verifying that the property remains the principal residence of the owner and that all of the conditions of this section and approval criteria for accessory~~

~~apartments set forth in chapter 4, article C, "Accessory Uses And Buildings", of this title have been met.~~

~~— 2. — No rental permit for an accessory apartment will be issued unless all the requirements and standards for accessory apartments set forth in chapter 4, article C of this title have been met.~~

~~—B. Submittal Requirements:~~

~~— 1. — The owner shall file an application for a rental permit with the department of housing and inspection services on application forms provided by said department.~~

~~— 2. — Prior to issuance or renewal of an accessory apartment rental permit, the owner must submit a notarized affidavit to the city, verifying owner occupancy.~~

~~— 3. — Prior to the issuance of an accessory apartment rental permit, the owner shall file, in the office of the county recorder, a declaration of covenants stating that the right to maintain an accessory apartment ceases upon transfer of title, and that the right to maintain an accessory apartment in no way constitutes approval of the dwelling as a duplex. The owner shall provide a copy of the declaration to the department of housing and inspection services, or its successor, prior to the issuance of the accessory apartment permit.~~

~~—C. — Approval Procedure: When all provisions of this section and approval criteria applicable to accessory apartments set forth in chapter 4, article C of this title, and all applicable provisions of title 17, "Building And Housing", of this code, are met, the department of housing and inspection services will issue an accessory apartment rental permit upon payment of all permit and inspection fees.~~

- F. Amend 14-9A-1: General Definitions, Definitions, by adding the following underlined text and deleting the following text with a strikethrough:

ACCESSORY DWELLING UNIT (ADU) APARTMENTS: An temporary accessory dwelling unit located within an owner occupied, single-family or duplex use home or in an accessory building and meeting the requirements of this title.

- G. Amend 17-5-3: Housing Code, Definitions, by adding the following underlined text and deleting the following text with a strikethrough:

ACCESSORY DWELLING UNIT (ADU): A temporary dwelling unit that is accessory to an owner-occupied single-family or duplex use dwelling.

- H. Amend 17-5-18: Housing Code, Minimum Structure Standards for All Rental Housing, by adding the following underlined text and deleting the following text with a strikethrough:

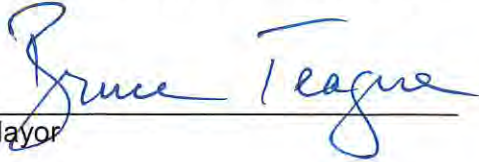
L. Bedrooms; Maximum Allowed: Bedrooms cannot exceed thirty five percent (35%) of the finished floor area of a single-family dwelling, or duplex unit, or accessory dwelling unit, not including floor area of a recreation room in the basement. Any existing single family or duplex unit that contained lawful bedroom space that exceeded this percentage cap prior to January 1, 2018 may continue to be used as bedroom space. However, additional bedroom space may not be added unless the unit is brought into full compliance with this standard. This dimensional standard is subject to administrative review.

Section II. Repealer. All ordinances and parts of ordinances in conflict with the provision of this Ordinance are hereby repealed.

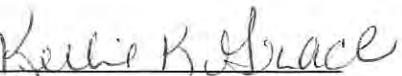
Section III. Severability. If any section, provision or part of the Ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the Ordinance as a whole or any section, provision or part thereof no adjudged invalid or unconstitutional.

Section IV. Effective Date. This Ordinance shall be in effect after its final passage, approval, and publication, as provided by law.


Passed and approved this 21st day of November, 2023.



Mayor

Attest: 

City Clerk

Approved by 

City Attorney's Office
(Sara Hektoen – 11/02/2023)

Ordinance No. 23-4917

Page 6

It was moved by Alter and seconded by Thomas that the Ordinance as read be adopted, and upon roll call there were:

| AYES: | NAYS: | ABSENT: | |
|----------|---------------|---------------|---------|
| <u>X</u> | <u> </u> | <u> </u> | Alter |
| <u>X</u> | <u> </u> | <u> </u> | Bergus |
| <u>X</u> | <u> </u> | <u> </u> | Salih |
| <u>X</u> | <u> </u> | <u> </u> | Harmsen |
| <u>X</u> | <u> </u> | <u> </u> | Taylor |
| <u>X</u> | <u> </u> | <u> </u> | Teague |
| <u>X</u> | <u> </u> | <u> </u> | Thomas |

First Consideration 11/06/2023
 Vote for Passage: AYES: Alter, Bergus, Dunn, Harmsen, Taylor, Teague, Thomas
 NAYS: None ABSENT: None

Second Consideration -----

Date Published: 11/30/2023
 Moved by Taylor, seconded by Salih, that the rule requiring ordinances to be considered and voted on for passage at two Council meetings prior to the meeting at which it is to be finally passed be suspended, the second consideration and vote be waived, and the ordinance be voted upon for final passage at this time.
 AYES: Alter, Bergus, Harmsen, Salih, Taylor, Teague, Thomas NAYS: None
 ABSENT: None



Iowa City

Historic Preservation Commission

City Hall, 410 E Washington Street, Iowa City, IA. 52240

2024 Historic Preservation Work Plan

Goals and Objectives for the Historic Preservation Plan (2007)

The 1992 Historic Preservation Plan for the City adopted goals and objectives to guide the work of the Commission. The 2007 Plan update continued with the 10 original goals, though refocused to align with new opportunities and to acknowledge completed goals. The Historic Preservation Commission annually updates its work plan. The plan for 2024 identifies priorities in relationship to Preservation Plan goals.

Goal 1: Identify historic resources significant to Iowa City's past.

Goal 2: Continue municipal policy of protection of historic resources and implement this policy through effective and efficient legislation and regulatory measures.

Goal 3: Establish economic incentives to encourage the preservation of historic buildings and neighborhoods.

Goal 4: Provide the technical assistance necessary to preserve and improve historic properties.

Goal 5: Heighten public awareness of historic preservation in the community and improve preservation education efforts for various audiences.

Goal 6: Maintain and strengthen preservation partnerships between municipal government, state government, and federal agencies.

Goal 7: Establish and implement historic preservation objectives for the University of Iowa campus and surrounding neighborhoods.

Goal 8: Establish and support heritage tourism efforts appropriate to Iowa City's historic resources and community needs.

Goal 9: Conduct regular review and evaluation of historic preservation initiatives by the historic preservation community.

Goal 10: Adopt strategies to preserve historic neighborhoods which reflect their organic development, historical roles and traditions, modern needs, and economic health and stability.

Commission Priorities

Oak Grove Park (Goal 1, Goal 5, Goal 10)

Partner with Parks and Recreation Commission, Public Art Commission, Lucas Farms Neighborhood, and other community organizations to make Oak Grove Park a public space that honors the site's heritage.

The park, originally owned by the railroad, was home to many Mexican immigrants who lived in company-owned housing, old boxcars. Many of those immigrants moved into the surrounding neighborhood. When the City sold Elm Grove Park, near the Johnson County Administration Building, it bought the land where Oak Grove Park now sits. The park is currently scheduled for major renovation in



Iowa City

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2026 or 2027 which provides plenty of time for us to investigate outside funding sources and develop a community plan that makes it a public space both for the neighborhood but also the City. While the majority of the work for this park will occur in future years, the Commission has determined that it is a priority to begin investigation and research into the history of the area now.

Landmark/District Subcommittee (Goal 1, Goal 2, Goal 3, Goal 7, Goal 9, Goal 10)

In 1996 the HPC designated the first local landmarks and immediately began a list of the next priorities for designation. In 2015 they revisited the topic and eventually moved forward with a small group of landmarks in 2017. In 2001 the first downtown study resulted in two potential National Register districts. The Commission immediately began work toward a local downtown district. None of these districts moved forward. In 2016 the HPC hired a consultant to update the downtown study that has resulted in a National Register listed historic district. While a few local landmarks have been designated the area, no further local designation has happened. Work between the HPC and the IC Downtown District to develop incentives for preservation were not continued by City Council. There are other large areas of town with historic properties that have never been surveyed such as the Lucas Farms-Kirkwood Avenue area and the Morningside neighborhood. The Commission will form a landmark and district subcommittee to begin to address potential landmarks and potential districts.

Engage with the Public and City Council (Goal 2, Goal 3, Goal 4, Goal 5, Goal 9)

Recent work plans have included projects that involved the HPC working with the Downtown District and the Parks and Recreation Commission to develop proposals that were taken to City Council but were not picked up by Council for future work or discussion. As the HPC begins to work through landmark and district designations, engaging with both the public and Council will be instrumental to the success of the work. The Commission will continue to foster relationships between organizations and attend meetings and other public forums where they can address historic preservation issues as they arise and propose solutions to incentivize historic preservation.

[Ongoing work](#)

Annual Historic Preservation Awards (Goal 5, Goal 9)

The annual awards program highlights successful preservation work within the community and the expertise of contractors and consultants. As one of the Commission's main forms of community outreach, the awards are a high priority every year and attract an audience of about 100 people. We will continue to partner with Johnson County Historic Preservation Commission.

Historic Preservation Fund (Goal 3, Goal 4)

With the implementation of the fund in FY 2018, the Fund has approved 28 grants or loans improving 25 properties. This is a popular program which has helped property owners maintain the historic character of their properties and has helped keep valuable material out of the landfill. Recently the annual budget was increased from \$40,000 to \$42,000.



Iowa City

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Summit Street Monument (Goal 1, Goal 5, Goal 8)

In 2019 the consultant, Atlas Preservation, completed the “Summit Street Monument Assessment and Conservation Options Plan” that was financed in part through a Certified Local Government Grant. Relocating the monument inside and putting a replica in its place was determined to be the best course of action to preserve this important piece of Iowa City History. Staff has requested funding for the 2025 Fiscal Year to complete this funding. Finding a permanent home for the monument is one part of the process without a current solution.

Long-Term Goals

Landfill diversion through salvage and reduced demolition

One of the fundamental principles of historic preservation is to preserve, reuse, and adapt rather than demolish and create waste. Our work and previous commission’s work has kept immeasurable tons out of landfills. The Commission shall continue to advocate that embodied energy is worth valuing and continue with education efforts that energy efficiency, repair, and maintenance of older homes looks different than modern structures. Homes built before WWII were designed to be naturally efficient. Repair over replacement was prioritized.

Identifying opportunities to highlight Iowa City’s history as a leader in the struggle for social justice, racial equity and human rights and preserve the stories and structures.

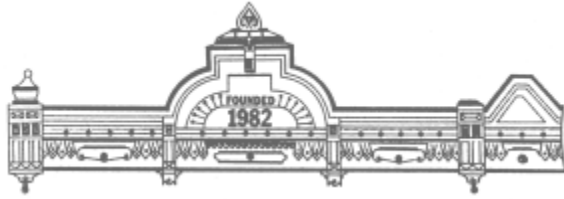
Iowa City’s history is rich with the long fight for these values. We should identify those stories and preserve structures that represent those efforts. Particularly as structures from the 1960s and 1970s become historic.

Update of the College Green Historic District

In 2016, the Commission approved the relocation of the Houser-Metzger House from 422 Iowa Avenue to 623 College Street where the contributing structure had been damaged beyond repair by fire and water. In order for the relocated house to be considered contributing to the Historic District, an amendment to the National Register-listed district is required as a first step. This amendment will be reviewed by the Commission following revision by staff and the District representative.

Update of the Iowa City Preservation Handbook Maps

The most recent version of the handbook was updated in 2010 and does not include several recent changes and needs to be reviewed for accuracy. Since many properties have changed status (for example, a non-contributing property has become contributing because of siding removal and porch rehabilitation) in the past ten years, the maps, which are the basis for review-type, application of exceptions, and in some cases eligibility of the Historic Preservation Fund, are outdated. The full Commission would review and approve updated maps. A plan was outlined with City staff but with limited staff time this has not moved forward.



Iowa City

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Develop a disaster preparedness guide for preservation.

As the effects of climate change manifest themselves in more natural disasters, we need to be prepared. The 2020 derecho followed the 2008 floods and the 2006 tornado. The City earned national awards for its work around the 2006 tornado by helping the community to retain and repair its historic structures. The commission and city staff should develop a playbook for when a disaster hits (because one will again). The goal would be to provide support to those dealing with a disaster, provide advice on temporary repairs and help property owners proceed through the permitting and historic review processes quickly for permanent repairs.

**BIOGRAPHICAL SKETCH
APPLICANT FOR HISTORIC PRESERVATION COMMISSION**

NAME: Andrew Lewis

HOME: 717 E Davenport St., Iowa City, IA 52245

PHONE NUMBERS: 314-323-0889 (mobile)

EMAIL ADDRESS: andrew.taylor.lewis@gmail.com

INTEREST IN HISTORIC PRESERVATION (Describe education, employment, memberships, publications, and/or other activities which indicate your interest in and commitment to historic preservation; or provide a statement detailing your interest in local history and commitment to historic preservation; use the back and/or extra sheets if necessary)

EDUCATION: no relevant formal education in historical preservation

EMPLOYMENT: no relevant employment in historical preservation

INTEREST: I have always been interested in history and how the history of location is reflected in contemporary culture, trends, and decision-making. As I have lived in Iowa City for the majority of my adult life, I have come to have an interest in the history of this city and in making sure that that history is preserved. While we unfortunately live in a society that is highly individualistic, it is nice to see that the Historical Preservation Commission exists to show that we do owe each other the acknowledgment and safeguarding of the history of this place. When I bought a house in a conservation district, I started to acquaint myself with the guidelines of the Historical Preservation Commission as knowing them will be important in the maintenance of the property. When a position opened up, I pursued it as a culmination of my time in Iowa City.

While serving on the **Iowa City Historic Preservation Commission**, I have read and will work to insure that the Commission enforces the Historic Preservation Resolution; upholds the CLG Agreement with the State of Iowa, and works in compliance with the [Secretary of the Interior's Standards for Archaeology and Historic Preservation](#).

Andrew Lewis

Signature

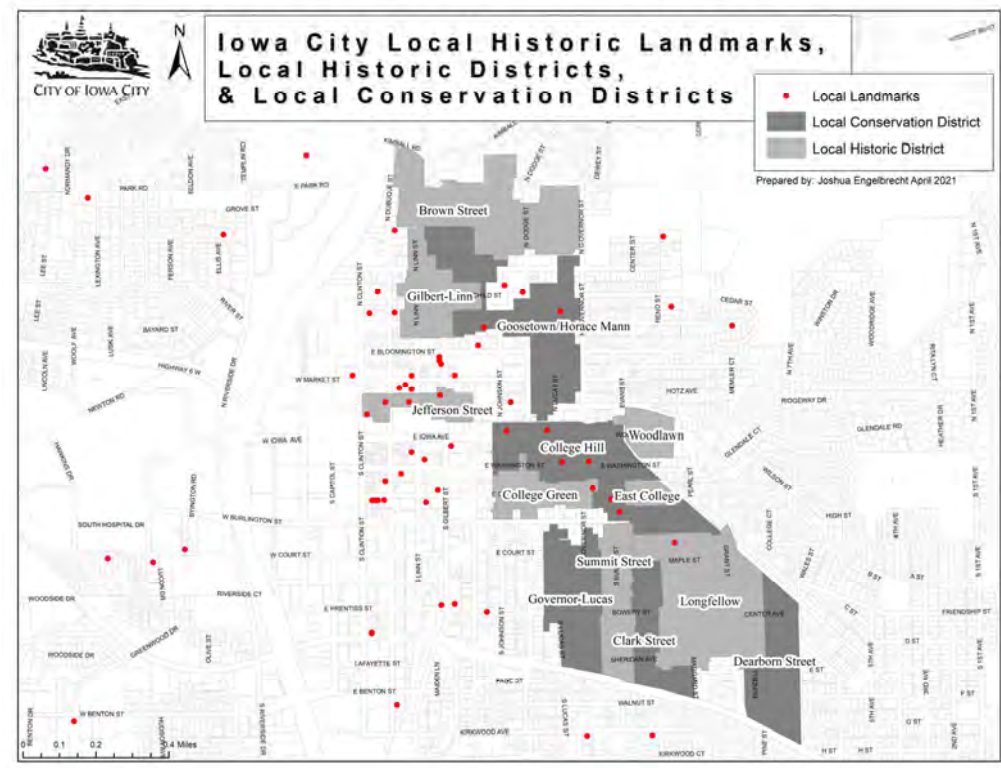
2/21/2024

Date

2023 Annual Report

2023 General Information

- Commission consists of twelve seats, three of which are open now
- 12 Historic Preservation Commission meetings
- Budget:
- NDS budget includes:
 - \$450 for annual mailing to owners
 - \$750 for training and other expense
 - Historic Preservation Fund: \$42,000 (increase of \$2,000 for this year)



NR listed properties that were altered

All project reviews on NR-listed landmarks or buildings in NR-listed historic districts

37 properties were altered

Does not include our Certificate of No Material Effect



430 South Summit-
rear addition



Local designated properties that were altered

All project reviews on local designated landmarks or conservation districts
23 properties were altered
Does not include our Certificate of No Material Effect



103 South Governor Street
South porch reconstruction



New Local Landmarks



Original Emma Goldman Clinic, 1920-26, 1973
715 North Dodge Street

Assistance provided on preservation projects

- Technical and Design assistance from staff
- 241 inquiries in 2023 resulted in 85 applications
- Work with other areas of the City in preserving their buildings



Senior Center/ Old Post Office
Comprehensive exterior rehabilitation

Assistance provided on preservation projects

Historic Preservation Fund

\$5,000 matching grants or no-interest loans to property owners

To date: 54 funding projects on 43 properties

\$165,000 of grants and loans provided on \$404,000 worth of projects



Before



After

332 East Davenport Street- Emma J. Harvat and Mary E. Stach House
(masonry repair of all brick)

Public Education and Outreach

40th ANNUAL

Historic Preservation Awards



Hosted by

Iowa City Historic Preservation
Commission

Friends of Historic Preservation

Johnson County Historic Preservation
Commission

426 Church Street

Residential Rehabilitation

Owner: Kari Kozak

Contractors: Daniel Davis & David Murray



Provided by Owner

Issues, Challenges and/or Successes

Work without permits

Open positions on the Commission

Lack of available contractors and drafters for applicants

Historic Barn will get a new foundation



1025 Woodlawn Avenue
Historic horse barn
foundation replacement



1011 Woodlawn Avenue
Fire damage

Partnerships formed or continued

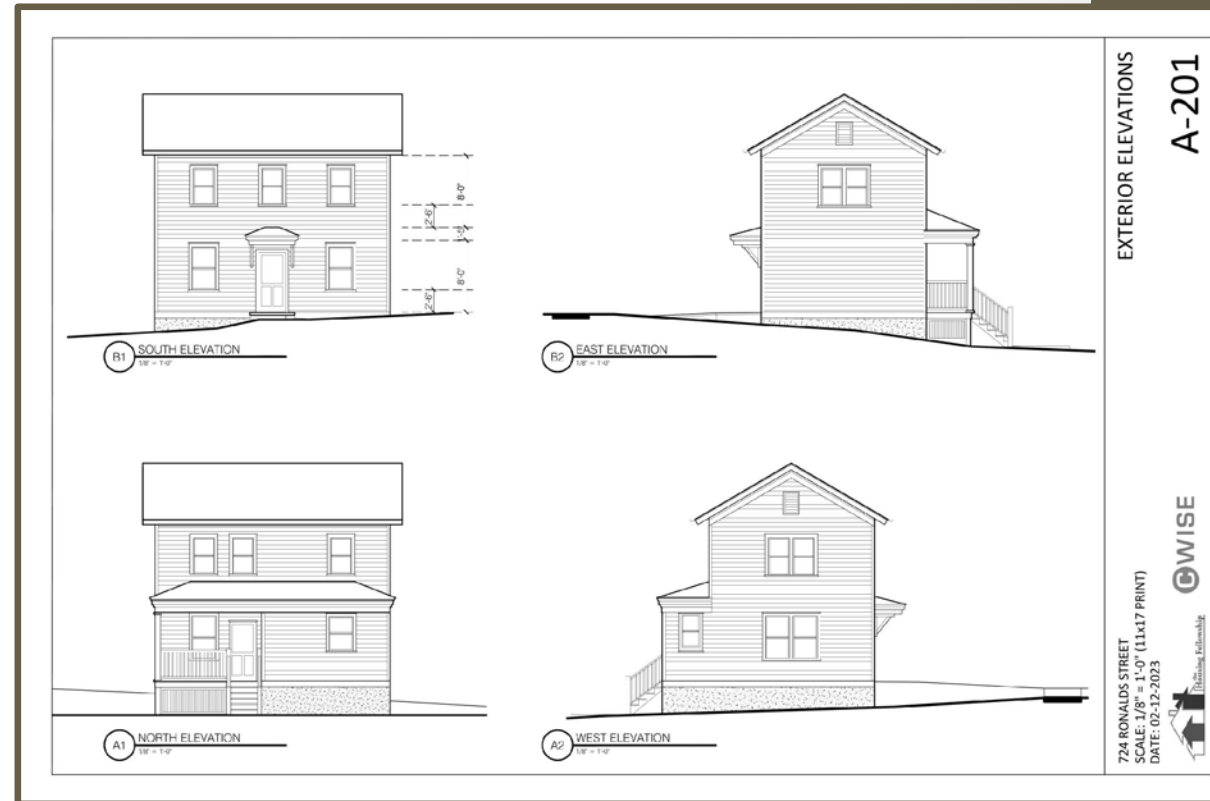
Staff worked with the Housing Fellowship, the student build group and their architect on 724 Ronalds Street

Climate Outreach Coordinator presented to the Commission

Parks and Recreation Director met with the Commission about City Park pool

Work with the Senior Center staff on the preservation of the building

City Channel 4



724 Ronalds Street
New construction- student build

Certified Local Government Annual Report

Name of Certified Local Government: Iowa City Historic Preservation Commission

Signature of person who completed this report:

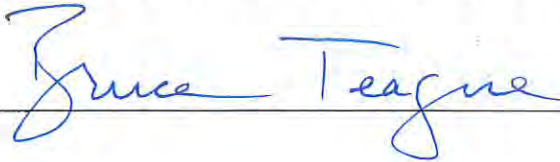


Date: 2/22/2024

I certify that a representative of the historic preservation commission has attended a public meeting and presented the details of this report to the city council (city CLG) or the Board of Supervisors (county CLG).

Date of public meeting: February 20, 2024

Signature of Mayor or Chairman of the Board of Supervisors Date Printed:



Please upload this completed form with your annual report on SlideRoom. Thank you.



CITY OF IOWA CITY COUNCIL ACTION REPORT

February 29, 2024

Memo from Associate Planner: Annual Progress Report

Attachments: [Memo from Associate Planner: Annual Progress Report](#)



CITY OF IOWA CITY MEMORANDUM

TO: City Council
FROM: Madison Conley, Development Services, Associate Planner
DATE: February 28, 2024
RE: Annual Progress Report

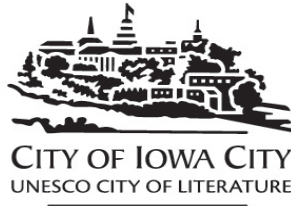
The City of Iowa City participates in the Community Rating System which is a voluntary incentive program that recognizes and encourages community floodplain management practices that exceed the minimum requirements of the National Flood Insurance Program (NFIP). Participation in the program results in an automatic 20% discount on flood insurance premiums for structures in the 1% annual-chance flood hazard area. CRS floodplain management activities enhance public safety, reduce damage to property and public infrastructure, and avoid economic disruption and loss by exceeding the minimum NFIP requirements.

As a CRS community, we are responsible for floodplain management planning. Iowa City does this through participation in the development of the regional plan, the Johnson County Multi-Jurisdictional Hazard Mitigation Plan (2014-2019). Currently, the City of Iowa City is working alongside Johnson County and other local jurisdictions to develop a new Hazard Mitigation Plan that is set to replace the existing one.

Included with this memo is the Annual Progress Report regarding Iowa City's progress towards fulfilling the floodplain mitigation actions and projects identified in the Johnson County Multi-Jurisdictional Hazard Mitigation Plan. The Annual Progress Report is a credited activity under the Community Rating System.

In 2023 the Annual Progress Report was updated to reflect activities and projects completed from the 2022-2023 Capital Improvement Program. The Annual Progress Report has been submitted to City Council through the City Council Information Packet published by the City Clerk. This packet is available to the public on the City's website and the Annual Progress Report has been shared with the local media.

Should you have any questions, please feel free to contact me at (319) 356-5132 or mconley@iowa-city.org.



Activity 510
Floodplain Management Planning
Progress Report on Implementation of Credited Plan
(Section 4 pages 145-156, Appendix F – pages 200-206)

3. Provide a description of the implementation of each recommendation or action item in the action plan or area analysis report, including a statement on how the project was implemented or not implemented during the previous year.

MITIGATION ACTIONS & PROJECTS **Backup Generators**

Description: Provide critical facilities with electricity in the event the electrical transmission grid is damaged or overloaded.

Implementation:

North Liberty: installation in community center complete
Solon: installation in water treatment plant complete
Swisher: installation in City Hall and public works underway

A. **Buyout Vulnerable Structures**

Description: Remove vulnerable structures in hazard areas to eliminate risk

Implementation:

Johnson County: repetitive loss properties, railroad bridge abutments complete
Solon: railroad bridge abutments complete

B. **Levee Construction**

Description: regulate water levels and direction of flow

Implementation:

Coralville levee complete
Iowa City West Side Levee complete

C. **Raise Transportation Infrastructure**

Description: allows continued access in a disaster, protects neighboring lower elevation areas; can prevent the buildup of debris during floods and prevent water buildup

Implementation:

Coralville raised bridges complete
Iowa City raise N. Dubuque St. complete
Iowa City Park Road Bridge raised complete
University of Iowa Riverbank sidewalks raised complete

D. **Relocate Vulnerable Structures**

Description: remove structures from floodplains to eliminate flood risk

Implementation:

Iowa City North Wastewater Plant relocated complete
Solon relocate structures at Randall Park complete
University of Iowa relocate vulnerable structures complete

E. **Storm Shelter/FEMA Code 361 Safe Rooms**

Description: structure capable of withstanding wind speeds greater than 200 miles per hour, also protect against hail, lightning, high and strong winds

Johnson County AME Building completed

F. **Storm Siren Network Expansion**

Description: allow citizens to better protect themselves in the event of an impending or potentially impending hazard

Implementation:

Solon completed

G. Stormwater Drainage Upgrade

Description: allow floodwaters to drain quicker and prevent excess accumulation

Implementation:

Coralville complete

Solon complete

Solon Community School District complete

H. Stormwater Pump Stations

Description: protect areas by pumping away large volumes of water and preventing or decreasing the level of a flood

Implementation:

Coralville completed

Iowa City completed

North Liberty completed

University of Iowa completed

I. Waterproofing

Description: none given

Implementation: University of Iowa steam tunnels completed

4. Discuss why any objectives were not reached or why implementation is behind schedule
Fiscal capability is limited. Hills, Lone Tree, and Oxford are without a comprehensive land plan.

5. What are the recommendations for new projects or revised recommendations?

Johnson County and its participating jurisdictions should seek out FEMA grant funding from the Pre-Disaster Mitigation Grant Program, Hazard Mitigation Grant Program, and the Flood Mitigation Assistance Grant Program. Municipal governments should have access to the United States Department of Housing and Urban Development's Community Development Block Grant Program. Plan participants should engage Johnson County Emergency Management Agency (JCEMA) and the University of Iowa for assistance in becoming StormReady Communities and increasing the number of trained spotters. JCEMA can continue to educate and train staff through federal and state emergency management programs and federal weather programs. Communities without comprehensive land use plans could partner with the county government to develop one.



CITY OF IOWA CITY COUNCIL ACTION REPORT

February 29, 2024

Ad Hoc Truth & Reconciliation Commission: February 15

Attachments: [Ad Hoc Truth & Reconciliation Commission: February 15](#)

February 15, 2024

Draft Ad Hoc Truth and Reconciliation Commission (TRC) Minutes

Emma J. Harvat Hall, City Hall

Commissioners present: Lauren Merritt, Marie Krebs, Louis Tassinary, Chad Simmons, Wangui Gathua, Cliff Johnson, Chastity Dillard.

Commissioners on Zoom: None.

Commissioners not present: Sikowis Nobiss.

Staff present: Redmond Jones, Stefanie Bowers.

Recommendation to City Council: No.

Meeting called to order: 7:02 PM.

Reading of Land Acknowledgement: Merritt read the Land Acknowledgement.

Approval of the meeting minutes from January 25 and February 1: Tassinary moved, and Gathua seconded. Motion passed 8-0.

Public comment of items not on the agenda: Annie Tucker spoke to the commission about the potential of hiring a third party to help with event planning and execution of their mission.

Correspondence: Marie Krebs announced her resignation from the Truth and Reconciliation Commission due to her inability to serve as what she would consider a “good” member of the commission.

As the newest commissioner of the TRC, Amos Kiche was welcomed to the team and introduced himself.

Discussion on racial preference with City Attorney: The discussion started with questions on any guidelines that commission should be using when expressing their feelings and/ or thoughts as it relates to race. Attorney Goers suggested avoiding hardline exclusions of protected groups or people. A few questions related to the commission communicating with any litigants suing the city. Goers reminded commissioners of the potential of putting oneself in a position of being a witness against the City, avoiding specific names, and avoiding interpreting and concluding any information or evidence.

Goers discussed keeping an open discussion in meetings that allows individuals to come forward and speak while the commission listens but avoids drawing conclusions or making decisions on behalf of the commission or individual speaking. Goers also noted to not be exclusionary based on gender in times of sensitive discussions with the commission where an individual coming forward may request a particular audience.

Legislative Update by Deputy City Manager: Redmond Jones discussed the mission of the commission and what it looks like alongside legislative priorities. Starting with City Council priorities of values and impacts:

Values:

1. Racial Equity, Social Justice, and Human Rights.
 - Protecting rights of manufactured home residents.
 - Continued use of federal funding supporting residents and business for Covid recovery.
 - Support reform measures to reduce racial disparity in criminal justice system and address systemic racism.
 - Employer outreach.
 - Law enforcement to address hate-related acts.
 - Reinstate voter approved public library levies.
 - Protect and support the freedom of movement of people using public transit.

2. Climate Action

- Flexibility in international energy codes.
- Support legislative change.

3. Partnerships and Engagement

- Working with University students to help with their rent protection proposal.
- Support and continue excellence in primary and secondary and higher education institutions and advocate for additional education funding.
- Allow communities to have more say on what happens in their community.

Impacts:

1. Neighborhoods & Affordable Housing.
2. Mobility.
3. Safety and Wellbeing.
4. Economy.

Updates on Fact-Finding: Dr. Larry Schooler shared a fact-finding document with the commission to confirm nothing is missing.

Discussion on Concept Note: Leo Hylton of Think Peace shared a document that acts as a comprehensive walkthrough of community encounters to use as a touchpoint moving forward. Prioritizing 3 main aspects:

1. Safety.
2. Economic development.
3. Education.

The commission discussed priority and approach for a communication plan.

Final notes include, meeting needs of truth tellers, community connections and communication, and criteria of truth tellers.

Other Updates Phase 2: The commission went over who to reach out to for fact-finding and how to go about that before the next meeting in three weeks. Possible advertisement include TV ads, social media posts, and notice on the TRC website. Locations for the March events are being researched currently.

The meeting wrapped up with a discussion on the intention and execution of the upcoming truth-telling events.

Announcement of Commissioners: Johnson will be participating in a Masters Boxing Division in Las Vegas.

The meeting adjourned at 11:03 PM. To view the recording or listen to the audio of this meeting, visit this [link](#).

**AD HOC TRUTH & RECONCILIATION COMMISSION
ATTENDANCE RECORD
YEAR 2024**

(Meeting Date)

| NAME | TERM EXP. | 1/4 | 1/25 | 2/1 | 2/15 | 3/7 | 3/21 | 4/4 | 4/18 | 5/2 | 5/16 | 6/6 | 6/20 | 7/18 |
|-----------|-----------|-----|------|-----|------|-----|------|-----|------|-----|------|-----|------|------|
| Dillard | 12/31/24 | Z | P | P | P | | | | | | | | | |
| Gathua | 12/31/24 | P | P | P | P | | | | | | | | | |
| Kiche | 12/31/24 | - | - | - | P | | | | | | | | | |
| Johnson | 12/31/24 | A | P | P | P | | | | | | | | | |
| Krebs | 12/31/24 | P | P | P | P | | | | | | | | | |
| Merritt | 12/31/24 | P | Z | P | P | | | | | | | | | |
| Nobiss | 12/31/24 | Z | Z | Z | A | | | | | | | | | |
| Simmons | 12/31/24 | P | P | P | P | | | | | | | | | |
| Tassinary | 12/31/24 | P | A | P | P | | | | | | | | | |
| | | | | | | | | | | | | | | |

P = Present in person
A = Absent
Z = Zoom



CITY OF IOWA CITY COUNCIL ACTION REPORT

February 29, 2024

Community Police Review Board: February 13

Attachments: [Community Police Review Board: February 13](#)

**COMMUNITY POLICE REVIEW BOARD
MINUTES – FEBRUARY 13, 2024**

CALL TO ORDER Chairperson Melissa Jensen called the meeting to order at 5:34 p.m.

MEMBERS PRESENT: Ricky Downing, Jessica Hobart, Melissa Jensen, Jerri MacConnell, Saul Mekies, Amanda Remington

MEMBERS ABSENT: Orville Townsend

STAFF PRESENT: Staff Tammy Neumann, Legal Counsel Patrick Ford

OTHERS PRESENT: ICPD Chief Dustin Liston

RECOMMENDATIONS TO COUNCIL

(1) Accept CPRB 23-12 Public Report

CONSENT CALENDAR

Motion by Remington, seconded by Downing, to adopt the consent calendar as presented.

- Minutes of the meeting on January 11, 2024

Motion carried 6/0. Townsend absent.

NEW BUSINESS

Community Forum Discussion: Jensen reminded the Board that at the October 10, 2023 meeting, Townsend expressed his desire to hold one, rather than two, Community Forums per year due to low attendance. Jensen noted the board is required to have at least one per year. Remington expressed her desire to continue holding two per year stating the forums offer an opportunity for the public to have a back-and-forth discussion with board members, which is not offered at a regular meeting. Jensen expressed concerns about the cost of advertising the forums as well as the staff time necessary to coordinate a forum. It was determined the Board will schedule one per year with the understanding a second forum can be scheduled should the board agree it is necessary. The next Community Forum will be scheduled in October 2024.

ICPD Policy and Iowa Code Section re: Choke Holds – Mekies requested this item be placed on the agenda. Police Chief Liston provided a copy of the City and State choke hold policies to include in the board packet for tonight's meeting. He later provided a revised copy of the City choke hold policy which was emailed to the board members on February 13 as well as passed out at the meeting on this same date. Chief Liston explained there were some formatting adjustments made making the document easier to read. Mekies asked for an explanation of the State and the City choke hold policies. He also asked if a choke hold has ever been used and if so, how many times it has been used by the Iowa City Police Department. Chief Liston explained the City policy is based on the State policy. He pointed out the important part to note is both the State and City policy explain a choke hold as being an intentional and prolonged application of force to the throat or windpipe. He said there has never been a choke hold used by the department since he started in his position as Chief. He noted that anytime an officer puts

their hands close to a person's neck, the incident is closely reviewed. These incidents, and all use of force incidents, are included in the monthly reports provided to the Board by the Police Department. Chief Liston reported that out of the approximately 65,000 service calls in a year, approximately 240 of those require use of force. Remington asked if the lateral neck restraint is the same as applying carotid pressure. Chief Liston confirmed it is the same. He further noted this includes pressure on both sides of the neck and is very intentional and is considered a choke hold.

Recognition of the Iowa City Police Department – This item was requested by Townsend who was absent. Therefore, this item was deferred to the March 2024 meeting agenda.

Emergency Vehicle Siren Definitions – MacConnell noted at the January 11, 2024 meeting that she has heard various sirens used by police vehicles and wondered if the siren type used is determined by the type of call they are responding to. Chief Liston said they are not specific to the calls and have more to do with the model of the vehicle. He did point out, however, that there is a slower lower sounding siren that is used as an officer approaches an intersection. He stated it is rare that police officers will respond with both lights and sirens and that more information can be found in the Police Departments Emergency Response Policy. Remington said there is a perception by the public when officers turn on the lights to cross an intersection, they are doing so to avoid sitting at a red light. Chief Liston said he is aware of this perception, but he assured the Board they are responding to something in these instances. He shared that all emergency responses are scrutinized closely.

OLD BUSINESS

None

PUBLIC COMMENT OF ITEMS NOT ON THE AGENDA

No public comment.

BOARD INFORMATION

None

STAFF INFORMATION

Neumann reminded the board that one of the board members requested to revisit the offering of the meetings via Zoom and livestreaming after a period of six months. She noted it has been more than six months, therefore, asked the Board members how they would like to proceed. Remington expressed that just because there haven't been any participants to date, it doesn't mean there won't be in the future. She further stated this is a public meeting and it is important the public have an opportunity to attend if they want to. Jensen reported there has been no participation of the public via these avenues to date. It was suggested perhaps a statement be added to the website and agendas explaining that while the CPRB meetings will not be offered via Zoom or livestreamed, if there's a member of the public who would like to make a request to participate in a particular meeting and is not able to attend in person, efforts would be made to make a meeting available for remote participation. Neumann will discuss this option with the City Clerk. She will ask for participant statistics from the Communications staff and share at the March meeting. Remington noted she thinks it is most important to at least offer the Zoom option.

TENTATIVE MEETING SCHEDULE and FUTURE AGENDAS (subject to change)

- April 9, 2024, 5:30 PM, Helling Conference Room
- May 14, 2024, 5:30 PM, Helling Conference Room
- June 11, 2024, 5:30 PM., Helling Conference Room
- July 9, 2024, 5:30 PM, Helling Conference Room

The Board agreed no changes are necessary to the existing meeting schedule.

EXECUTIVE SESSION

Motion by Remington, seconded by MacConnell, to adjourn into Executive Session based on Section 21.5(1)(a) of the Code of Iowa to review or discuss records which are required or authorized by state or federal law to be kept confidential or to be kept confidential as a condition for that government body's possession or continued receipt of federal funds, and 22.7(11) personal information in confidential personnel records of public bodies including but not limited to cities, boards of supervisors and school districts, and 22-7(5) police officer investigative reports, except where disclosure is authorized elsewhere in the Code; and 22.7(18) Communications not required by law, rule or procedure that are made to a government body or to any of its employees by identified persons outside of government, to the extent that the government body receiving those communications from such persons outside of government could reasonably believe that those persons would be discouraged from making them to that government body if they were available for general public examination.

Motion carried 6/0. Townsend absent. Open session adjourned 6:05 p.m.

REGULAR SESSION

Returned to open session at 6:11 p.m.

Motion by Remington, second by Hobart, to accept the Public Report for CPRB Complaint 23-12 as written and forward to City Council.

Motion carried 6/0. Townsend absent.

ADJOURNMENT

Motion by Remington, seconded by Downing to adjourn.

Motion carried 6/0. Townsend absent.

Meeting adjourned at 6:13 p.m.

**COMMUNITY POLICE REVIEW BOARD
ATTENDANCE RECORD
YEAR 2023-2024**

(Meeting Date)

| NAME | TERM EXPIRES | 03/14/23 | 04/11/23 | 04/20/23 Forum | 05/09/23 | 6/13/23 | 7/11/23 | 8/8/23 | 9/12/23 | 10/3/23 Forum | 10/10/23 | 11/14/23 | 12/12/23 | 01/11/24 | 02/13/24 |
|---------------------|--------------|----------|----------|-------------------|----------|---------|---------|--------|---------|------------------|----------|----------|----------|----------|----------|
| Ricky Downing | 6/30/26 | X | X | X | O/E | X | X | X | X | X | X | X | X | X | X |
| Jessica Hobart | 6/30/26 | --- | --- | --- | --- | --- | --- | --- | X | X | X | X | X | X | X |
| Melissa Jensen | 6/30/25 | X | X | X | X | X | X | X | X | O/E | X | X | X | O/E | X |
| Jerri MacConnell | 6/30/27 | X | X | X | X | X | X | O/E | X | X | X | X | X | X | X |
| Saul Mekies | 6/30/25 | X | X | X | X | X | X | O/E | X | X | X | X | X | O/E | X |
| Amanda Remington | 6/30/24 | X | X | X | X | X | X | X | X | X | O/E | X | X | O/E | X |
| Orville Townsend | 6/30/24 | X | X | X | X | X | X | X | X | X | X | X | X | X | 0/3 |
| Stuart Vander Vegte | 6/30/24 | X | X | X | O/E | O | --- | --- | --- | --- | --- | --- | --- | --- | --- |

KEY: X = Present
O = Absent
O/E = Absent/Excused
NM = No meeting
--- = Not a Member

COMMUNITY POLICE REVIEW BOARD

A Board of the City of Iowa City
410 East Washington Street
Iowa City, IA 52240-1826
(319) 356-5041

FILED

FEB 13 2024

City Clerk
Iowa City, Iowa

February 13, 2024

To: City Council
Complainant
City Manager
Chief of Police
Officer(s) involved in complaint

From: Community Police Review Board

Re: Investigation of CPRB Complaint #23-12

This is the Report of the Community Police Review Board's (the "Board") review of the investigation of Complaint CPRB #23-12 (the "Complaint").

BOARD'S RESPONSIBILITY:

Under the City Code of the City of Iowa City, the Board's responsibilities are as follows:

1. The Board forwards all complaints to the Police Chief, who completes an investigation. (Iowa City Code Section 8-8-7(A).)
2. When the Board receives the Police Chief's report, the Board *must* select one or more of the following levels of review, in accordance with Iowa City Code Section 8-8-7(B)(1):
 - a. On the record with no additional investigation.
 - b. Interview /meet with complainant.
 - c. Interview /meet with named officer(s) and other officers.
 - d. Request additional investigation by the police chief, or request police assistance in the board's own investigation.
 - e. Perform its own investigation with the authority to subpoena witnesses.
 - f. Hire independent investigators.
3. In reviewing the Police Chief's report, the Board *must* apply a "reasonable basis" standard of review. This means that the Board must give deference to the Police Chief's report, because of the Police Chief's professional expertise. (Iowa City Code Section 8-8-7(B)(2)).
4. According to Iowa City Code Section 8-8-7(B)(2), the Board can recommend that the Police Chief reverse or modify the Chief's findings *only* if:
 - a. The findings are not supported by substantial evidence; or
 - b. The findings are unreasonable, arbitrary, or capricious; or
 - c. The findings are contrary to a police department policy or practice, or any federal, state, or local law.

5. When the Board has completed its review of the Police Chief's report, the Board issues a public report to the city council. The public report must include: (1) detailed findings of fact; and (2) a clearly articulated conclusion explaining why and the extent to which the complaint is either "sustained" or "not sustained ". (Iowa City Code Section 8-8-7(B)(3).)
6. Even if the Board finds that the complaint is sustained, the Board has no authority to discipline the officer involved.

BOARD'S PROCEDURE:

The Complaint was initiated by the Complainant on August 13, 2023. As required by Section 8-8-5(B) of the City Code, the Complaint was referred to the Chief of Police for investigation.

The Chief's Report was filed with the City Clerk on November 6, 2023. As per Section 8-8-6(D) of the City Code, the Complainant was given the opportunity to respond to the Chief's report.

The Board voted on December 12, 2023 to apply the following Level of Review to the Chief's Report: On the record with no additional investigation, pursuant to Iowa City Code Section 8-8-7 (B)(1)(a).

The Board met to consider the Report on December 12, 2023 and January 11, 2024.

Prior to the December 12, 2023 meeting, the Board had the opportunity to review the complaint, the Police Chief's report, and to watch and listen to body worn camera and/or in-car camera footage showing the interaction between the officers and the complainant.

FINDINGS OF FACT:

The complainant filed a confidential Community Police Review Board complaint form 65 days after the alleged incident he describes took place. The complainant reported that while as a witness for a trial, an ICPD officer reportedly had prior communication with the complainant in regard to a harassment claim. During the trial, the ICPD officer reported that he alerted the complainant to no longer engage in communication with the individual who filed the original charges against him. The complainant reports that the officer provided false statements during the trial and denies having ever been told to stop communication with the individual who filed the charges. The complainant states that the officer did not provide accurate information to the court and thus he is requesting a jury to review the case.

The complaint form then describes an arrest made on April 28, 2023 in which the complainant was arrested as related to the above charges, specifically a warrant on harassment. During this arrest, the complainant remained silent in the back seat of a police vehicle for roughly fifteen minutes until he spoke to the officer to ask that he explain the process of what occurs when he arrives at the jail, the officer then explained this process. During a phone discussion with the officer prior to the above arrest, the complainant described being upset with the mother of his son and expressed his concern regarding a medical-related decision that he felt he was not included in. The complainant directly reported to the officer that he planned to continue to send the mother of his son news articles regarding the medical-related item and the officer provided an explanation regarding how this will be considered continued harassment. The officer later spoke with the mother of the complainant's son who reports threats have been made against herself and her family and reports feelings that the behavior is aggressive in nature. As a result of the above items, the arrest occurred and was followed by a trial later.

FILED
FEB 13 2024
City Clerk
Iowa City, Iowa

COMPLAINANT'S ALLEGATION #1 – Violation of ICPD Policy 320.5.8, Performance

(a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report, or form, or during the course of any work-related investigation.

(b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper, or document.

Chief's conclusion: Not sustained

Board's conclusion: Not sustained

Basis for the Board's conclusion:

After viewing the video, the Board determined there was no officer misconduct that required follow-up pursuant to ICPD Policy 320.5.8. Within the video, the officer provides a clear explanation of what harassment entails and does directly alert the complainant to stop communication with his son's mother. Additionally, when the complainant alerts the officer that he plans to continue to send the son's mother news articles regarding the medical-related item, the officer alerts the complainant that this would still be considered harassment. The complaint is not sustained.

COMPLAINANT'S ALLEGATION #2 – Violation of General Order 99-11, Arrests

Arrest With and Without a Warrant:

Authorization to arrest is contained in section 804.7 of the Code of Iowa. A Peace Officer is authorized to make an arrest in obedience to a warrant delivered to the peace officer, and without a warrant under the following conditions:

A. For a public offense committed or attempted in the peace officer's presence.

B. Where a public offense has in fact been committed, and the peace officer has reasonable grounds for believing that the person to be arrested has committed it.

C. Where the peace officer has reasonable grounds for believing that an indictable public offense has been committed and has reasonable grounds for believing that the person to be arrested has committed it.

D. Where the peace officer has received from the department of public safety, or from any other peace officer of this state or any other state or the United States an official communication by bulletin, radio, telegraph, telephone, or otherwise, informing the peace officer that a warrant has been issued and is being held for the arrest of the person to be arrested on a designated charge.

E. If the peace officer has reasonable grounds for believing that domestic abuse, as defined in section 236.2, has occurred, and has reasonable grounds for believing that the person to be arrested has committed it.

F. As required by section 236.12, subsection 2. (Domestic Abuse Assault Provisions)

The peace officer making an arrest must inform the person to be arrested of the intention to arrest the person, the reason for arrest, and require the person being arrested to submit to the officer's custody, except when the person to be arrested is actually engaged in the commission of or attempt to commit an offense, or escapes, so that there is no time or opportunity to do so. (See 804.14(1) of the Iowa Code)

Chief's conclusion: Not sustained

Board's conclusion: Not sustained

Basis for the Board's conclusion:

After viewing the video, the Board determined that no violation of General Order 99-11 occurred as the officer did have a warrant to arrest the individual on charges of alleged harassment. The officer did inform the complainant of the intention to arrest him, the reason, and allowed the complainant to submit to the officer's custody - all while being respectful of the complainant. Additionally, the officer responded to any questions asked by the complainant and fully explained the process of what would occur when the complaint arrived at the jail. The complaint is not sustained.

COMMENTS:

None

FILED

FEB 13 2024

City Clerk
Iowa City, Iowa