

City Administrator Report to Mayor & City Council

December 04, 2015, Edition No. 201

WEEKLY UPDATE:

1. Healthy Living Festival: Please see the attached thank you letter from Joni Axel regarding the festival and the City's role.
2. DAA: Staff met with Ann Meeker who is taking over as President of the DAA from John Beckey. We certainly appreciate all of the work and support John has done in the Downtown and Community as President of the DAA. Several topics were discussed, including downtown cleanliness/attractiveness, housing, empty store front, marketing, and 2nd Street. Ann will be looking to set up a meeting with the downtown business and property owners.
3. Stanley Consulting: Per Karmen Heim, Stanley Consultants - Attached please find the November 2015 West Hill Sewer Separation Project Progress Report. I have been working extensively on Phase 4 planning tasks.
4. MFPRSI: MFPRSI would like to announce that both the actuarial valuation and financial audit reports for fiscal year 2015 are complete and available on our website for your review. In order to view the reports please go to the following address: <http://www.mfprsi.org/about-mfprsi/publications/>.
5. Insurance: HR is finalizing the list of brokers to receive the RFP for insurance services. We are planning on a January 8 deadline for submissions.
6. CVB: Please check out the new blog - <https://madeinmuscatine.wordpress.com>. The CVB is meeting next week to finalize goals for this next year.
7. WPCP: Please see the attached article on nutrient trading and the recent grant awarded the Iowa League. Jon Koch is our committee member dealing with these and related issues at the state level. As the article notes, "Nutrient reduction through conservation practices by agricultural producers can be far more cost effective than technology at the waste water treatment plant...".
8. Police: Please see the attached letter from CALEA on the department's recertification.
9. Golf Course: MMGC will be opening up Monday the 7th through December 13th due to the extended warm weather.

Additional Information:

ICCC Fleet Study Approval and Timeline:

Reminder: Jon Koch applied for the ICCC (Iowa Clean Cities Coalition) for a free fleet analysis that will enable us to better determine what alternative fuels are best suited to our situation. As you all know we have been exploring CNG (Compressed Natural Gas) as a fuel alternative for city vehicles as we can make it on site at the WPCP at very low cost.

Award: Thank you for your application on behalf of the City of Muscatine regarding Fleet Analysis Services through the Iowa Clean Cities Coalition at the Iowa

Economic Development Authority. There were more applications than we have available spots, and your application is one of the few selected to proceed to receive the service. Congratulations! As has been stated in the original description of the service, IEDA's next step is to select a consultant to assist in this process. We will keep you posted on the status of that process and look forward to working with you on this project.

Timeline: Here is the time line for the study. We will be able to present the study next summer to Council.

Task

Timeframe

Selection of local governments

November 20, 2015

Procurement and selection of consultant

January 15, 2016

Introductory meeting (phone or in-person)

February 1, 2016

Data gathering

February 1 – 29, 2016

Decisions on fuel types and vehicles for analysis

March 1 - 15, 2016

Completion of analysis

March 15 – 31, 2016

Drafting fleet analysis report

April 1 – 29, 2016

Review of draft analysis report

May 2 – 31, 2016

Presentation of report and discussion of next steps

June 15, 2016

Zoning:

Andrew Fangman, City Planner: Please see Andrew's timeline for the adoption of the zoning ordinance this winter/spring. I envision this first wave would contain the following sections:

- Parking
- Animals in residential area
- Fence regulations
- Cell towers
- Sight triangles
- Small wind energy systems
- Signs

We should be able to have this done by the start of construction season this spring. I am also attaching an example of a form based zoning scheme that the City of Omaha recently adopted. I saw a presentation on this at the planning conference I went to last month. I think this provides an excellent template for what we would like to do with form based zoning in Muscatine.

Joni Axel
208 West Second Street, No. 300
Muscatine, IA 52761

November 24, 2015

Mr. Gregg Mandsager
Muscatine City Administrator
City Hall
215 Sycamore Street
Muscatine, IA 52761

Dear Gregg:

Muscatine's second Healthy Living Festival on October 3rd, once again, showcased our impressive community parks, spaces, activities, and healthy choices everywhere. The ongoing efforts of you and the City team are really appreciated.

The City's role in the success and magic of this event was amazing. The efforts of Andrew Fangman, Rich Klimes, Randy Hill, law enforcement, the Mayor, and so many more really provided leadership to bring healthy, happy, and safe family fun and discovery to Muscatine! Thank you and City Council for providing such unwavering support.

Sincerely,



Joni Axel



PROJECT STATUS REPORT

Project Name: City of Muscatine - West Hill Sewer Separation **Month:** November 2015
Prepared By: Karmen Heim **Project Number:** 17660.30.02, 17660.40.00

“PHASE” refers to Design Package/Construction Contract

Progress for Last Month (November):

PHASE 3 (Phase 3A, 3B, 3C):

Phase 3A – Construction:

- Occasional site visits
- Attended construction progress meetings
- Miscellaneous construction topics

PHASE 4 Planning:

- Extensive planning tasks included: segmenting the remaining work into smaller \$2M-\$3M segments, summarizing the non-escalated and escalated construction and project costs of the remaining work, preparing a preliminary schedule for the remaining work, preparing sketches and figures displaying the breakdown of remaining work, obtained updated costs to perform survey work.
- Met with Matt Chandler in November to discuss location of Phase 4 and future project break down.

Work Items for Coming Month (December):

PHASE 3 (3A, 3B, 3C) - Construction:

- Attend meetings
- Answer construction questions
- Occasional site visit.

PHASE 4 – Planning:

- Schedule and meet with City Administration to provide update on planning activities
- Tentative Schedule for Planning Phase 4
 - Authorize Phase 4 for Survey – December 2015 – January 2016
 - Survey to be Completed – June 2016
 - Concept Design and Estimate – June through December 2016
 - Final Design 2017
 - Bid and Construction 2018

Key Issues & Information Required

- None

Critical Information

- The Contract substantial completion date of November 20, 2015 has passed and Hagerty has not achieved this Milestone. City Construction Staff has been communicating with Hagerty about the schedule breach and how it will be resolved.



By Dustin Miller | Iowa League of Cities

League receives Conservation Innovation Grant to develop Water Quality Offset Program

It was announced in September that the League will be one of the 2015 recipients of a Conservation Innovation Grant (CIG) that is administered by the Natural Resources Conservation Service (NRCS).

The League received a CIG grant totaling \$715,000 over three years to fund the development of a Water Quality Offset Program in Iowa under the framework outlined in the Iowa Nutrient Reduction Strategy. The CIG program looks for innovative approaches toward increasing usage and effectiveness of conservation practices, and has funded other market-based conservation efforts in the past. The application was a partnership between the two cities, proven experts in the field environmental science, engineering firm Kieser & Associates and law firm Troutman Sanders with the goal of developing innovative, practical solutions that are right for Iowa. Combined these groups have created more than 25 different credit trading systems across the country.

The ultimate goal of a trading or offset program is to generate the same or increased nutrient reduction in the watershed at a reduced cost to municipalities and their ratepayers. Nutrient reduction through conservation practices by agricultural producers can be far more cost effective than technology at the waste water treatment plant, especially if the city is trying to achieve greater numbers than currently in the Iowa Nutrient Reduction Strategy. Many cities have looked at conservation practices outside of the city limits and inside the city for a multitude of potential benefits including increased nutrient reduction, flood mitigation and habitat development.

The ultimate goal of a trading or offset program is to generate the same or increased nutrient reduction in the watershed at a reduced cost to municipalities and their ratepayers.



The grant funds will leverage the ongoing watershed projects in the cities of Dubuque and Storm Lake who have utilized state programs to develop projects upstream from their communities. These cities have collaborated within their watersheds through the State Revolving Fund's Sponsored Project Program and an Urban Water Quality Initiative award from the Iowa Department of Agriculture and Land Stewardship to develop projects with environmental benefits that have value to their citizens. The watershed work in other cities such as Charles City and Cedar Rapids will also inform the process. All of these cities are holistically looking at their environmental impact to understand if this work can have a reduction-of-costs benefit to their citizens.

As part of the grant, the League has created a Technical Advisory Committee that is made up of a diverse group of stakeholders from agriculture, environment, city and industry. Members of the group will meet regularly to tackle questions around this framework development. The League and the point source community hope to utilize this stakeholder input to come up with how a system should be structured in Iowa. These questions will come from both the point source and non-point source perspective but backed against the Clean Water Act and the Iowa Nutrient Reduction Strategy.

The League understands that finding flexibility and understanding environmental regulations is a huge value to our membership, and the Environmental Coordinating Committee pushed the League to look for innovative strategies such as water quality trading to meet these standards. Please feel free to contact League staff for updates on this process and if you have questions about how this potentially impacts your community.

Dustin Miller is the League general counsel and may be reached at (515) 244-7282 or dustinmiller@iowaleague.org.



The League held a workshop during the Iowa League of Cities Annual Conference & Exhibit in September about the Water Quality Offset Program. Several different organizations were in attendance. Joining Dustin Miller from the League on stage was: (top, left to right) Secretary of Agriculture, Bill Northey; Mayor Jon Kruse, Storm Lake; (left) Mayor Ron Corbett, Cedar Rapids; City Manager Michael Van Milligen, Dubuque.





Commission on Accreditation for
Law Enforcement Agencies, Inc.
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Gainesville, Virginia 20155

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November 21, 2015

Mr. Brett Talkington
Chief of Police
Muscatine Police Department
312 E. 5th Street
Muscatine, IA 52761

Dear Chief Talkington:

CALEA® Accreditation serves as the *International Gold Standard for Public Safety Agencies* and this correspondence serves to acknowledge the Muscatine Police Department has been awarded CALEA® Law Enforcement Accreditation effective December 2, 2015 for the sixth time. This award may remain in effect for four years and the agency retains all privileges associated with this status during that period.

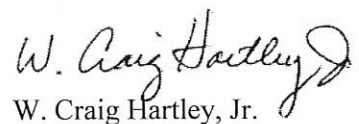
The process of CALEA Accreditation begins with a rigorous self-assessment, requiring a review of policies, practices and processes against internationally accepted public safety standards. This is followed with an assessment by independent assessors with significant public safety experience. Additionally, public feedback is received to promote community trust and engagement, and structured interviews are conducted with select agency personnel and others with knowledge to assess the agency's effectiveness and overall service delivery capacities. The decision to accredit is rendered by a governing body of twenty-one Commissioners following a public hearing and review of all reporting documentation.

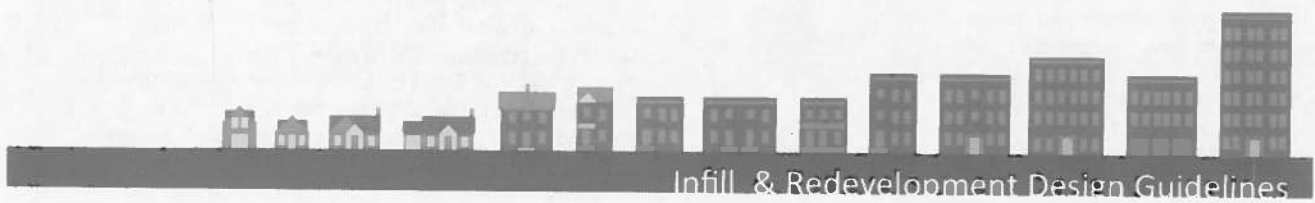
Although the award symbolizes a significant professional accomplishment, it is also a demarcation for the agency to remain in compliance with CALEA standards. To this end, the agency must remit annual status reports to document its progression of continuous organizational improvement. The first three reports are to be submitted on the agency's award date of December 2, and the fourth report should be submitted three months prior to the next assessment period.

CALEA congratulates the Muscatine Police Department for demonstrating a commitment to professional excellence through accreditation. The CALEA Accreditation indices are the *Marks of Professional Excellence* and should be displayed proudly by those that have earned them.

Sincerely,


Richard W. Myers
Chairperson


W. Craig Hartley, Jr.
Executive Director



Infill & Redevelopment Design Guidelines

Omaha Planning
September 2, 2015

Acknowledgements

Omaha Certified Local Government (CLG) projects are administered by the Nebraska State Historic Preservation Office (NeSHPO), a division of the Nebraska State Historical Society (NSHS). These guidelines were funded in part with the assistance of a federal grant from the United States Department of the Interior, National Park Service. The contents and opinions expressed in this publication however do not necessarily reflect the views or policies of the United States Department of the Interior. Regulations strictly prohibit unlawful discrimination on the basis of race, color, national origin, age or handicap. Any person who believes he or she has been discriminated against in any program, activity or facility operated by a recipient of federal assistance should write to: Director, Office of Equal Opportunity, National Park Service, 1849 C Street NW, Washington, D.C. 20240.

This project was a joint effort between the City of Omaha's Planning Department and the consulting preservation staff of Alley Poyner Macchietto Architecture, Inc.

Participants Included:

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(Project Manager)
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Todd Swirczek, City Planner
Ryan McClure, City Planner
Ryan Haas, Traffic Engineer
Jennifer Honebrink, Historic Architect
Caitlin Kolb, Preservation Specialist

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Bob Stubbe, Public Works Director
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Todd Pfitzer, City Engineer
Cheri Rockwell, Current Planning Manager
Chad Weaver, Long Range Planning Manager
Derek Miller, City Transportation Planner
Murthy Koti, City Traffic Engineer
Cassie Paben, Mayor's Office, Deputy Chief of Staff - Economic Development

Stakeholders

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Emily Anderson, DeOld Andersen Architecture
Jamie Berglund, Greater Omaha Chamber of Commerce
Joshua Biggs, Developer, White Lotus Group
Doug Bisson, City Planner, HDR
Gail Braun, Mayor's Office
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Molly Romero, Dundee Merchants Association & Dundee Memorial Park Neighborhood Association
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Gerald Reimer, Urban Village Development
Zach Reinhardt, Citizen
Eddy Santamaria, Architect, Contrivium Design + Urbanism
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Dave Ulferts, Developer

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I Purpose

It is intended that these Guidelines be used in conjunction with the Planned Unit Redevelopment (PUR) zoning overlay (sect. 55-596 OMC) by providing guidance to developers and neighborhoods as a means to achieve compatible residential development. The purpose of the PUR overlay is described in the Omaha Municipal Code (OMC) as follows:

“The planned unit redevelopment (PUR) overlay district is intended to encourage redevelopment of parcels served by existing infrastructure, by providing flexibility in site design in order to permit project innovation while ensuring compatibility with the surrounding neighborhood. It is further intended to enable implementation of master plan goals that promote redevelopment in older areas of the city with complex and often constrained lot conditions. The PUR district may be used in combination with any base district specified in this chapter. The PUR district, which is adopted by the city council, assures specific development standards.”

Furthermore,

“Site development regulations shall be developed individually for each PUR district and comply with minimum or maximum standards established for the base district to the extent feasible. Relief from site development regulations may be allowed to address site constraints, to achieve compatibility with the surrounding neighborhood pursuant to standards for infill development as adopted or amended, or to implement the master plan.”

“The PUR shall also incorporate applicable standards and guidelines included in sections 55-610 through 55-617, regarding areas of civic importance to “the extent reasonable and approved by the planning director regardless of whether the PUR district is located within an area of civic importance.”

The use of the PUR overlay will result in individual assessment of each development proposal that would normally require numerous waivers. Waivers are necessary to resolve difficulties or hardship due to constrained lots or unusual site conditions; however, waivers are unsuitable as a routine development procedure or as a means to achieve innovation or “compatibility”. The open ended and flexible nature of the PUR necessitates the creation of standards to ensure compatible development and to minimize the risk that the PUR would be exploited by the real estate industry, political favoritism, or over-bearing discretionary control. These guidelines will provide a frame of reference to aid in the determination of design compatibility.



II Background

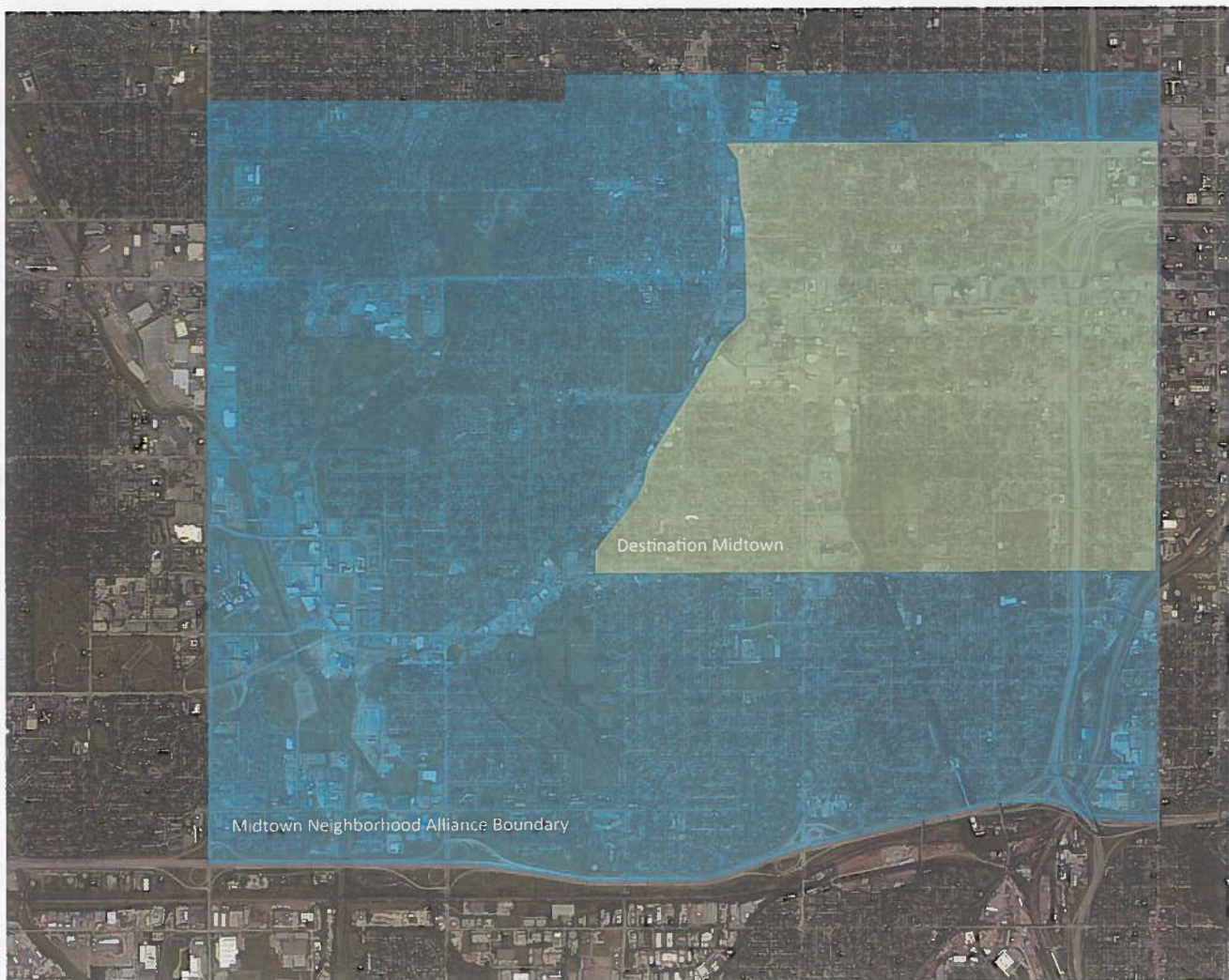
Modern cities are constructed primarily by the real estate and land development industry, and by their action, convey an indelible mark upon the community. The market demand for certain types of real estate, the cost of building and construction, the trends and capacity for public infrastructure and regulations for land use and development all play a role in the ever changing dynamics of urban growth and development.

The forces of development and the outcomes they produce are affected by a public process that conveys development rights and regulations to ensure mutual compatibility – a process facilitated by the Omaha Planning Department. As markets change and the demand for new types of development increases, or development is focused on certain geographical areas, the regulatory framework for development must adapt.

Omaha is experiencing unprecedented demand for redevelopment within older neighborhoods – specifically neighborhoods in and around Midtown.

Trends in housing are changing with the aging population of Americans and an orientation towards an urban lifestyle for young and old alike. Although traditional suburban development will undoubtedly remain in demand, an increasing share of the market is seeking housing closer to the metropolitan center with an emphasis on walkable, compact and traditional neighborhoods.

The current zoning and development regulations, applicable to older neighborhoods, are often not suitable for redevelopment, creating unnecessary uncertainty and risk for the developer. Also, they provide few provisions to ensure compatibility with the existing neighborhood character resulting in ad hoc design controls. As an effort to address this issue, the Planning Department has prepared the following set of infill guidelines that can be used to ensure that new forms of residential development complement and enhance existing neighborhoods while at the same time provide the developer with a clear set of conditions that will improve the approval process.



Objectives

The overarching guidance for the growth and development of the City is borne from the Omaha Master Plan (OMP) and its assorted elements and amendments. The OMP is created through a public process of community engagement and implemented by various city agencies, public boards and commissions. Specific “area plans” are often created with the intended purpose to affect a distinct neighborhood or collections of neighborhoods. In the case of Midtown Omaha, the Destination Midtown Plan has been created and adopted as an amendment to the Master Plan. There is specific language in that plan that will serve as a guide for the objectives for infill development in these and other areas.

A. Master Plan Objectives (Selected Destination Midtown Plan Excerpts):

- a. Develop policies and practices to enhance neighborhood business districts and promote walkability; establish “park once” centers and districts.
- b. Calm traffic on major streets to make them safer and less disruptive; calm traffic on neighborhood streets; encourage non-automobile means of transportation.
- c. Establish guidelines for new construction to maintain and strengthen existing character and diversity; protect and restore historic structures; provide guidelines for contextual/compatible infill.
- d. Ensure a diverse range of housing options; increase home ownership, improve investment opportunities, attract and retain residents.
- e. Restore and maintain housing density in existing parts of Omaha; increase density in proximity to transit corridors by accommodating new forms and types of housing.

B. Neighborhood Objectives:

- a. To increase opportunities for home ownership in an effort to stabilize the neighborhood.
- b. To facilitate the demand for investment and redevelopment in the neighborhood in a manner that complements or enhances the quality of the built environment.
- c. To provide design and development guidelines that result in compatible new development.

In addition to the Master Plan objectives, consideration should also be provided to the interests of the development community.

C. Real Estate Development Objectives:

- a. To provide more certainty regarding the approval process for development proposals and for identifying development opportunities.
- b. To ensure that new and emerging types of housing can be provided to the market demand.
- c. To reduce the risk associated with opposition to development in existing neighborhoods.
- d. To provide flexible regulations that provide for unique or unanticipated circumstances in a timely manner.
- e. To provide a performance based regulatory framework better suited to the context of existing older neighborhoods.

To achieve the mutual objectives of the OMP, Midtown Neighborhoods and the Development Community, the following set of strategies are recommended as subsequent implementation activities upon adoption of the Infill Design Guidelines.

D. Planning Strategies:

- a. Modify the Future Land Use Map (FLUM) to accommodate recent objectives of the Master Plan, the population requirements for transit, housing density and the extent of mixed-use nodes.
- b. Continue to utilize the Planned Unit Redevelopment (PUR) zoning tool to facilitate redevelopment in the Midtown neighborhoods and business districts until a Form Based Code can be funded and implemented.
- c. Provide a means for alternative lot access to encourage innovation in site design and improved land utilization.
- d. Discourage the demolition of existing properties identified as candidates for national register or local landmark status by discouraging the use of Tax Increment Financing (TIF) for such projects.
- e. Require housing projects to incorporate low-income units within projects utilizing TIF.

III Principles for Achieving Compatibility

Compatible development is achieved by first understanding the character and quality of each neighborhood, place or context and then ensuring that new development supports or enhances that specific character. This would include an assessment of the physical attributes of both public and private infrastructure; the separation or mixing of different activities; and the specific geometric and spatial details of the environment. Compatibility should not be confused with architectural style, which lends itself to personal preference.

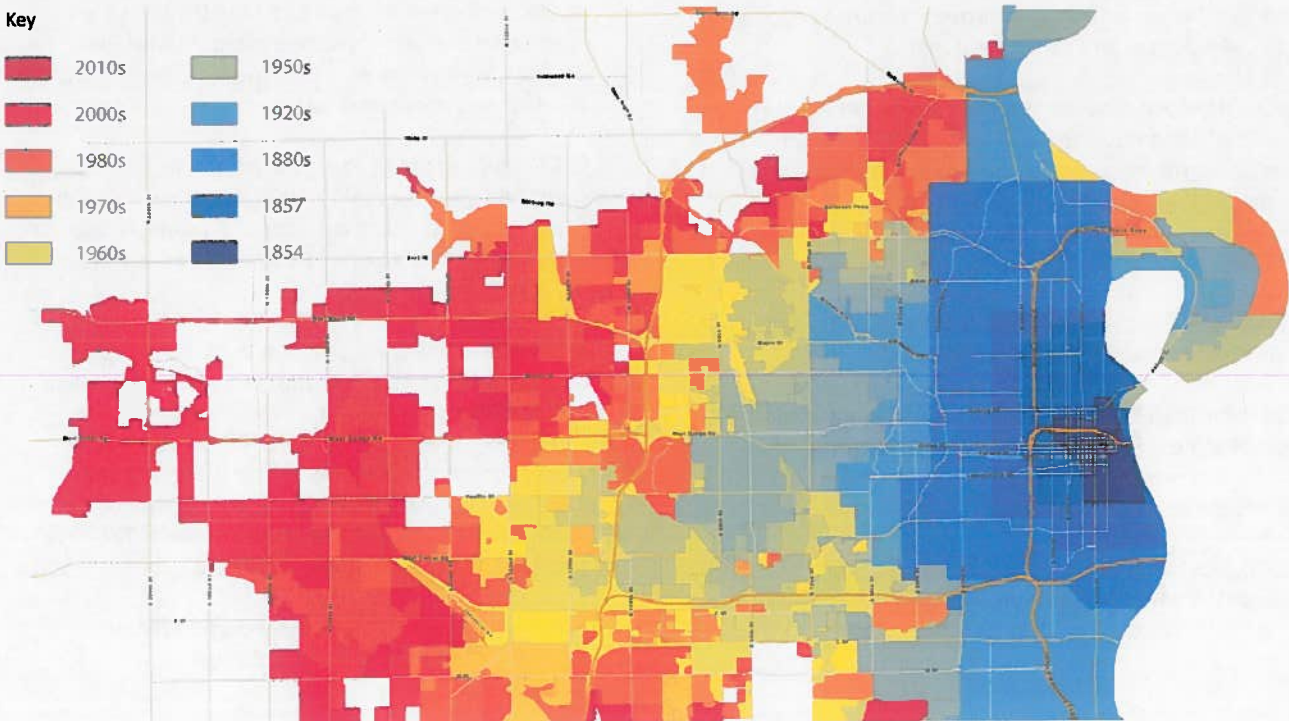
Nor should compatibility be confused with imitation of historic buildings, which generally results in crude mimicry. New infill development should be an expression of the design and construction that is true to its era of development, but with specific emphasis provided for character defining aspects of form and patterns of development. This would include consideration of more generalized aspects of scale, orientation, frontage, parking or public facilities such as sidewalk width and placement, street trees and street design.

A. Patterns of Development

Different neighborhoods exhibit different characteristics depending on the era of their initial development. This is due in large part to the the changing practices of land subdivision, modes of travel and the dominant activity or use of the land. The patterns of growth and development of the City are strongly related to the various periods of the development.

Early settlement in Downtown Omaha followed in the tradition of dividing land into small rectangular lots oriented along the cardinal points into blocks roughly 300 feet square. Horse drawn vehicles, rail, and river were the predominant forms of transportation. As a result, goods and services were closely arranged in compact, dense buildings near river or rail forming a traditional Downtown environment. Housing was mixed throughout or located close to the perimeter of the industrial and commercial areas and walking was a common means of travel. As population increased the City expanded radially outward from the center. The use of streetcars facilitated the creation of the city's first suburban neighborhoods composed primarily of housing and neighborhood commercial nodes. This was the era of walkable neighborhoods and it continued until the rise of the automobile in the 1950s.

Beyond the 1950s, patterns of development changed significantly as the influence of the automobile and urban planning practices were devised. Zoning of land, or the regulation of how land is used and subsequently how uses were separated, became a popular practice. Over time, lot sizes increased dramatically to accommodate surface parking lots, roadways expanded and uses became highly segregated on irregular shaped lots. This is the era of suburban or drivable neighborhoods.



Growth of Omaha 1854-2015 (From Annexation Data)

B. Determining Context

Context in older neighborhoods can vary widely. Having existed for the longest period of time, mature neighborhoods often exhibit a mixture of different character affected by subsequent periods of development. New types of development, changing transportation choices and shifting economics all add to the varied nature of existing historic neighborhoods.

The determination of context should include sorting the good and desirable characteristics from the undesirable. It should not be assumed that all existing physical features are desirable nor that any occurrence of a building type should be the norm. The appeal of older neighborhoods is that they exhibit time tested principles of design in an era of pedestrian-oriented development. Understanding context can be useful to not only preserve desirable characteristics but to enhance or introduce features not present in a neighborhood. In this regard, a determination of context can be applied progressively to move a neighborhood towards desired goals and include features not currently present.

C. What Can Be Built Where – Zoning

Omaha currently uses a conventional set of zoning regulations to manage development in older neighborhoods as well as the entire metropolitan area. These regulations utilize a system that differentiates “uses” (activities within buildings) and prescribes site development minimums for each use. A “use” is defined as one of the numerous categories and types listed in Chapter 55, Article 3 of the OMC and includes Residential, Office, Commercial, Civic Parking, Transportation, Industrial, and Agricultural and Miscellaneous use categories. Within each category of use are numerous sub-types such as Single Family, Duplex, Townhouse and Multi-family Residential Uses. Uses are subsequently arranged to minimize disruption and incompatibility from one another by separation.

Zoning Districts are created as sets of allowed uses with general parameters for building setbacks (from property lines), height, permissible footprint for building(s) and parking quantities. The R6 residential zoning district, for example, not only allows a variety of residential uses but includes civic uses such as schools and churches.

In addition to Zoning Districts, the Omaha Future Land Use Map (FLUM) establishes the policy relative to where zoning districts occur or if a property can be “re-zoned” to change the permissible land uses. The intent and purpose of the FLUM is to reflect the objectives of the Master Plan with respect to such variables as the location and extent of commercial centers and activity, location and proximity of various residential or industrial uses, etc... In this regard, the FLUM is a “living document” and an extension of the changing objectives of the Master Plan.

D. Recommended Land Use Policy for Older Neighborhoods

Neighborhood commercial centers should use a graduated density model similar to the Transect. The Transect can be understood as a gradual procession of ever increasing or decreasing density of compatible activity organized around a core.

The physical characteristics, types of buildings and public spaces change gradually toward or away from an established center or corridor. This assures a logical organization of types of places related to public and private activity, building scale and walkability.

The FLUM should reflect the organizational principles of the transect when considering existing neighborhood commercial centers. This would allow for commercial centers and the associated transit to be surrounded by higher density forms of housing within walking distance and provide a graduated density of activity and a population base to support the commercial activity. "Mixed-use limits" identified in the FLUM could be expanded to establish a center or corridor in relation to existing commercial property and may include the following district types:

1. Low Density Residential (Traditional Residential)

These areas will include more homogeneous forms of single family neighborhoods, however, attached low density forms may be allowed consistent with the requirements of the PUR. Low density residential districts shall generally utilize R3, R4 and R5 zoning.

2. Medium Density Residential (Urban Residential)

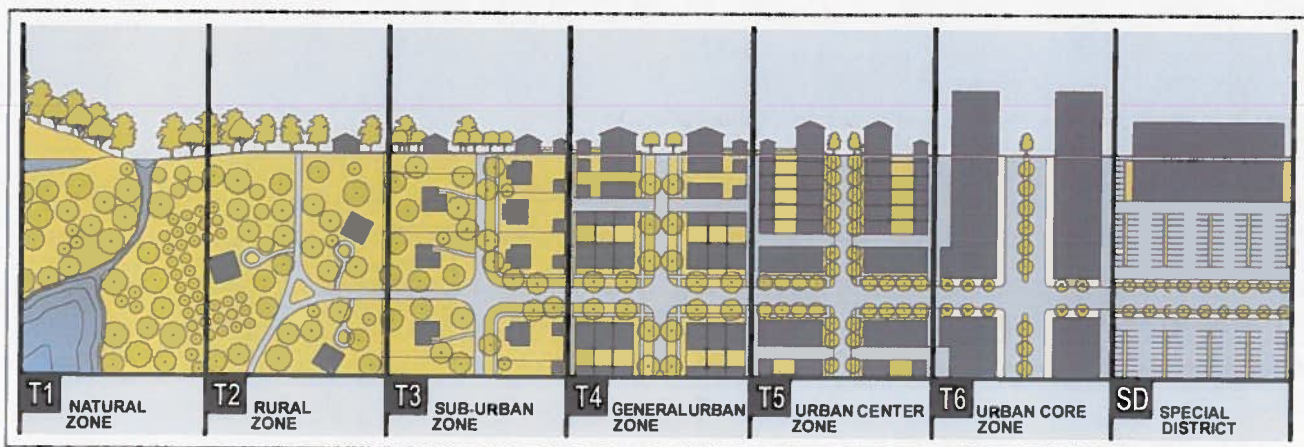
Low density residential should surround and integrate within the mixed use district and the areas allowing higher forms of residential density. Within 1/2 mile of the mixed-use center, middle density residential may include alternate forms of housing such as row homes, townhouses, duplexes or accessory dwelling units. Locations for middle density housing will consider the existing historic patterns of development and precedent for mixed housing types. Medium density residential districts should generally utilize R4, R5 and R6 zoning.

3. Mixed Use Residential (Neighborhood)

Residential and light commercial/office uses within and surrounding the Main Street Core and within 1/4 mile will allow the highest density form of housing provided they conform to the applicable design requirements and objectives of the PUR. Mixed Use Neighborhood Area districts shall generally utilize R6, R7 and R8 zoning.

4. Mixed Use Commercial (Main Street)

The area of mixed use limits should be expanded and include the highest degree of commercial/office activity and the highest forms of housing density organized around prominent intersections or segments of the associated commercial streets. Mixed Use districts may generally utilize NBD zoning.



Transect Illustration, Duany Plater-Zyberk & Company

E. Form vs. Use

Zoning districts and the FLUM use the primary variable of “use” as a differentiating attribute. Although effective in addressing degrees of incompatible uses, the “use” based strategy can be problematic in historic neighborhoods.

While “uses” are important, especially when considering high intensity activity such as heavy industry, many historic neighborhoods evolved in an era before the routine separation of uses and dependency on automobiles. Historic neighborhoods often included small commercial areas within walking distance. They also included a variety of housing types mixed together in a compatible and pleasing manner. Additionally, conventional zoning codes related to “use” classification relied on generalized parameters to address the design of buildings or sites, such as simply, “height” or “set-back”. As a result, the specific physical characteristics of traditional neighborhoods were not considered when new or infill development was proposed or in some cases the traditional types of buildings were considered illegal.

The regulatory method that considers the physical characteristics of a neighborhood is known as a “Form Based Code” (FBC). Form Based Codes are a well-tested alternative to “use” based methods. In application, the type of building and its design play a more important role than the “use” contained within a building. Compatible uses are allowed to “mix” more easily provided they achieve a set of specific design parameters to ensure consistent and compatible design and are physically well suited for traditional neighborhoods. Uses are still considered, but the physical form and outcome of design plays a more prominent role.

Table 1: Recommended Use Districts and Equivalent Zoning Districts

	R3	R4	R5	R6	R7	R8	NBD
Low Density Residential	•	•	•	○			
Medium Density Residential		•	•	•	○		
Mixed Use Neighborhood			○	•	•	•	
Mixed Use Main Street			○	○	•	•	•
○ Optional							
• Preferred							

IV Building Types

At a more detailed level of analysis the architectural characteristics of a neighborhood can be broken down into specific site and building traits. These architectural characteristics are design variables that can be considered individually or as a group of defining elements. For example, a traditional single family residence typically includes the following group of design characteristics:

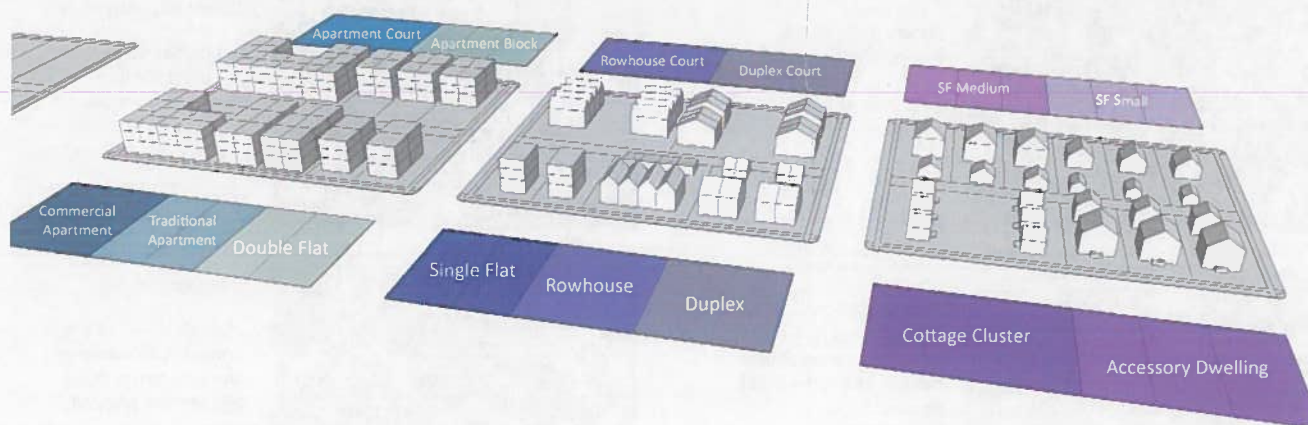
- The scale and orientation of the lot and building foundation is one of a consistent pattern along a block.
- Buildings align in a regular pattern creating a common front yard.
- The front faces toward the street.
- It usually includes a porch, stoop or other entrance element that transitions from public to private.
- It includes a generous amount of windows providing visual connection to the street.
- Vehicle storage is typically behind the house.
- It generally uses a pitched roof design.

Taken as a whole, these characteristics define a type of building and development. Neighborhood character is expressed as a collection of building types. Some contexts include numerous and varied building types while others are limited to just a few.

In most cases the uses within buildings are directly correlated to the type of building. As the City evolves toward the use of a Form Based Zoning Code the definition of building types will become a more prevalent regulatory method. As we begin to analyze building types we will also be implicitly analyzing unit density, lot coverage, height and other common site development variables in addition to the design variables.

Residential building types vary along a spectrum of increased intensity and building scale. Neighborhood contexts are created or maintained by allowing an appropriate set of building types that are compatible with the existing housing types or goals and objectives for that neighborhood.

A building typology for residential structures has been prepared as a reference for these guidelines. New development should be classified as one or more of the building types in the following pages. The building types include many of the Design Standards in Section V and can serve to illustrate how universal principles of urban form apply to numerous building types.



The Continuum of Residential Building Types

A. Historic Residential Building Types

Single Family

**Small Urban**

Large irregular lot shapes and sizes, deep set-back, attached garage, short front-of-lot driveway, 1 story ranch to 2 story center-hall house, many rooms.

**Medium Urban**

Small rectangular urban lot, shallow set-back, detached garage, long side-of-lot driveway, 1.5 to 2 story with side hall, many rooms.

**Cottage
(Worker's Cottage)**

Small rectangular urban lot, shallow set-back or court front, 1 to 1.5 story, 3 or 4 rooms, limited parking.

**Detached Accessory Dwelling (Coach House, Carriage House)**

Small scale building on same lot as single family house, often replacing or built over detached garage.)

Row

**Rowhouse Standard**

Attached, 2+ stories, aligned along street or court, configured side by side or front to back (tandem).

**Rowhouse Court**

Attached, 2+ stories, configured in an L-court or U-court, often at corner lots or quarter-block lots.

Duplex

**Attached Accessory Dwelling**

Attached to a single family house, either in attic, basement or rear apartment on the same lot. Separate unit with few rooms and individual entrance.

**Standard**

2 unit row house. Each unit has one shared wall.

**Flat**

2 unit flat house with over-under configuration.

Flat

**Single (Walk-up)**

3+ unit flat house with one unit per floor. Single entrance stair serving all units.

**Double
(Quadplex, Multiplex)**

4+ unit flat house with two units per floor. Single entrance stair serving all units.

**Courtyard / Multiple
(Garden Apt)**

Multiple attached single or double flats arranged around a court. Buildings are just one unit deep.

B. Contemporary Residential Development

Apartment



Block (Quadplex, Multiplex)

8+ units arranged 2 units deep and 2 units wide, minimum 2 stories high.



Traditional

12+ units arranged 3+ units deep and 2 units wide, minimum 2 stories high. The short end is often at the front of the lot with shared entrance.



Courtyard

12+ units arranged 3+ units deep and 2 units wide, minimum 2 stories high. Building is configured in an L-shape or U-shape around a courtyard.



Commercial

2+ units above commercial space on the first floor.



Mid Rise

4-7 stories of apartments using a shared entrance, elevators and central corridors.



Apartment - High Rise

8+ stories of apartments using a shared entrance, elevators and central corridors.

Subdivided Lots



Rowhouse

Row houses and attached units on larger lots subdivided into smaller lots.

On-Site Parking



Vehicle Courts

Multi-unit buildings organized around a vehicular court.



Integrated Parking

Multi-unit buildings with integrated structured parking above or below grade.

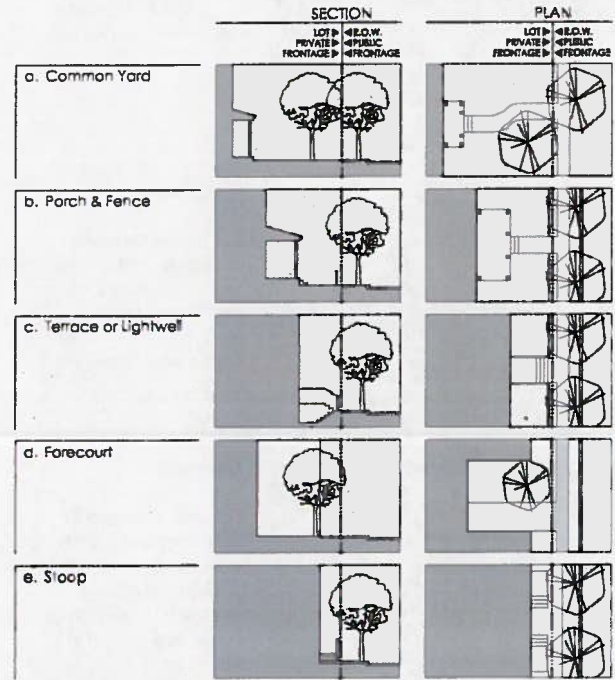
V Design Standards

The design Standards in this document are intended to augment the conventional use based zoning districts with form-based controls to achieve a higher degree of compatibility with existing historic neighborhoods. It is recommended that a form-based code replaces the routine use of the PUR.

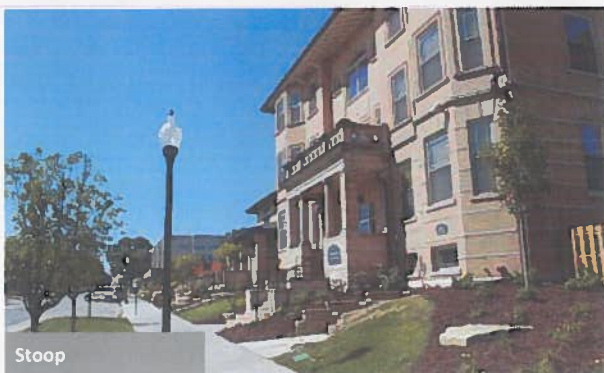
A. Frontage and Orientation

Neighborhoods are composed of both public and private spaces. The shared public space of the street and the public facing aspects of development define the extent of how neighborhoods are experienced. The most important character defining features reside within this public/private space. As a result, a form based approach places serious consideration on these elements of design. Street design, traffic management practices, sidewalks, landscaping and utilities all contribute to the physical quality of a place, particularly when experienced as a pedestrian in a walkable neighborhood.

The importance of these design features is diminished for vehicular based environments as speed and enclosure isolate us from these details. Frontage is the term used to define the type and character of the public facing aspects of development. Building frontage generally includes the primary building entrance and the consideration for the transition from public space of the street and sidewalk to the private spaces within buildings.



Common Frontage Types



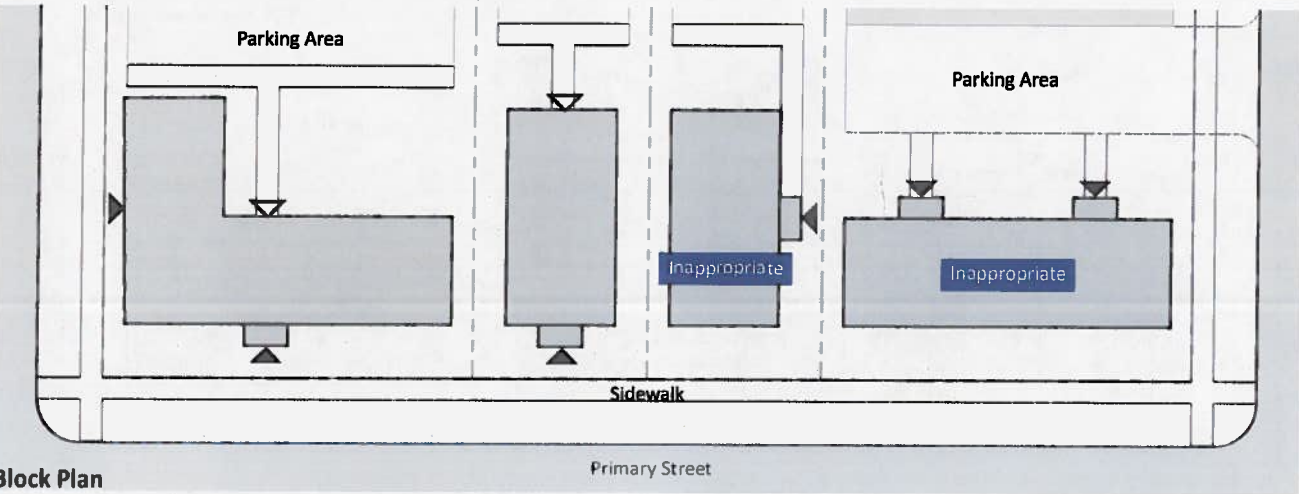
Local Examples of Different Frontage Types

A. Frontage and Orientation

1. Orientation

Buildings should be oriented to face the public realm of the street. The face of a building is defined by a clearly articulated pedestrian entrance to the building. An entrance element leading to a shared courtyard space can also satisfy this requirement. Alternate entrances can be provided on other facades, and blank walls facing the street should be discouraged.

- ▼ Primary Entrance
- ▼ Secondary Entrance



Appropriate



Clearly defined shared entrance facing the street

Inappropriate



Blank wall with no entrance facing the street



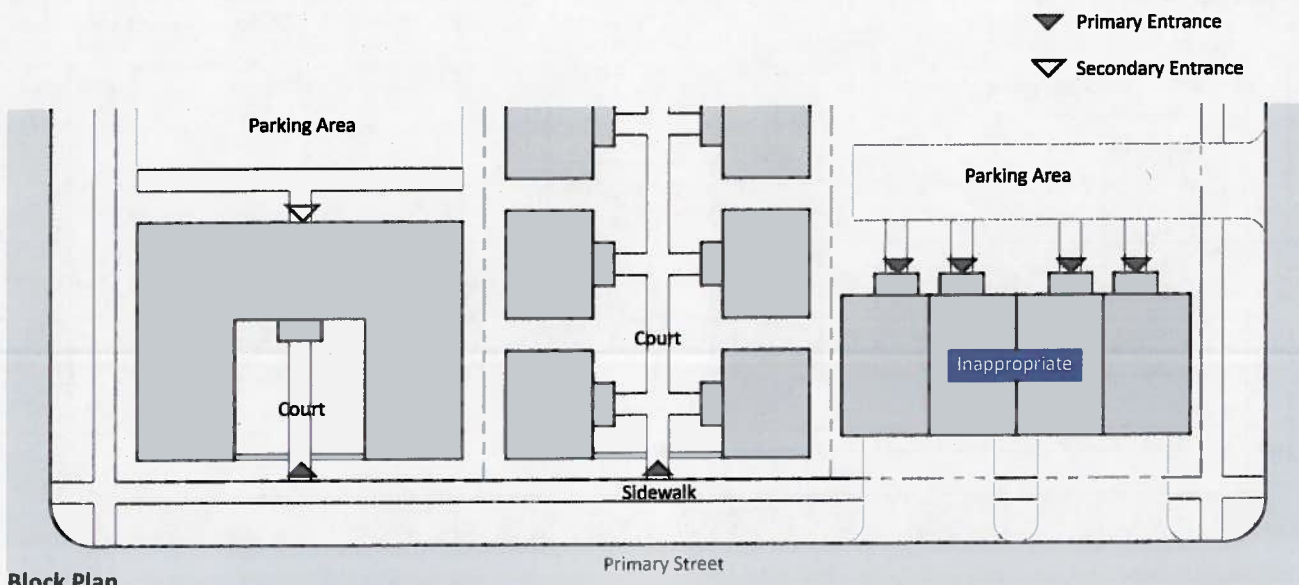
Clearly defined individual entrances facing the street



No entrance element facing the street

A. Frontage and Orientation

1. Orientation - Continued



Appropriate

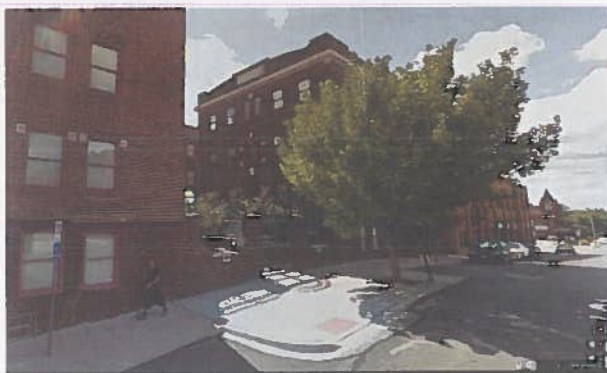


Clearly defined shared courtyard entrance facing the street

Inappropriate



Garages with no pedestrian entrance facing the street



Clearly defined shared courtyard entrance facing the street

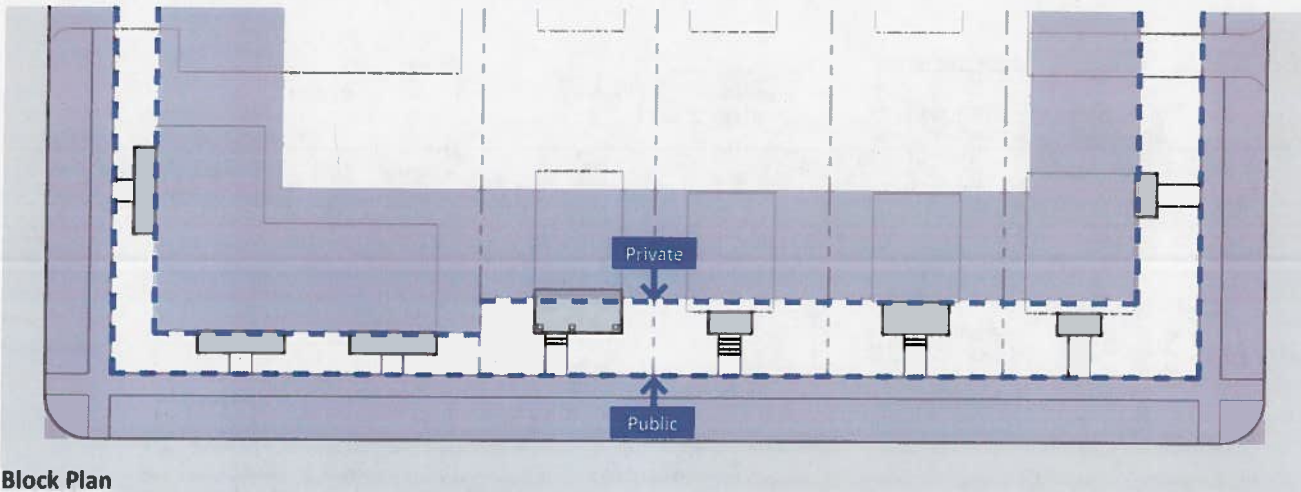


No entrance element facing the street

A. Frontage and Orientation

2. Public to Private Transition

Entrances should be designed to provide a transitional element either by means of a porch, elevated stoop, forecourt or other such device occurring within the district. Such design elements should be proportional to the building scale and be accessible to the building occupants.



Block Plan

Appropriate



Elevated stoop and canopy at building entrances

Inappropriate



No transitional element at building entrance



Elevated stoop and canopy at building entrance



No transitional element at building entrance

A. Frontage and Orientation

3. Visual Connection and Transparency

Primary building facades should incorporate a window design that provides visual connection to public areas of the street and sidewalk, and should strive to meet the following minimums:

a. Residential uses should provide no less than 15% window area for front-facing facades.

b. Windows should generally exhibit a vertical proportion and orientation.



Appropriate



Windows provide visual connection to public areas

Inappropriate



No visual connection to public areas



Windows provide visual connection to public areas

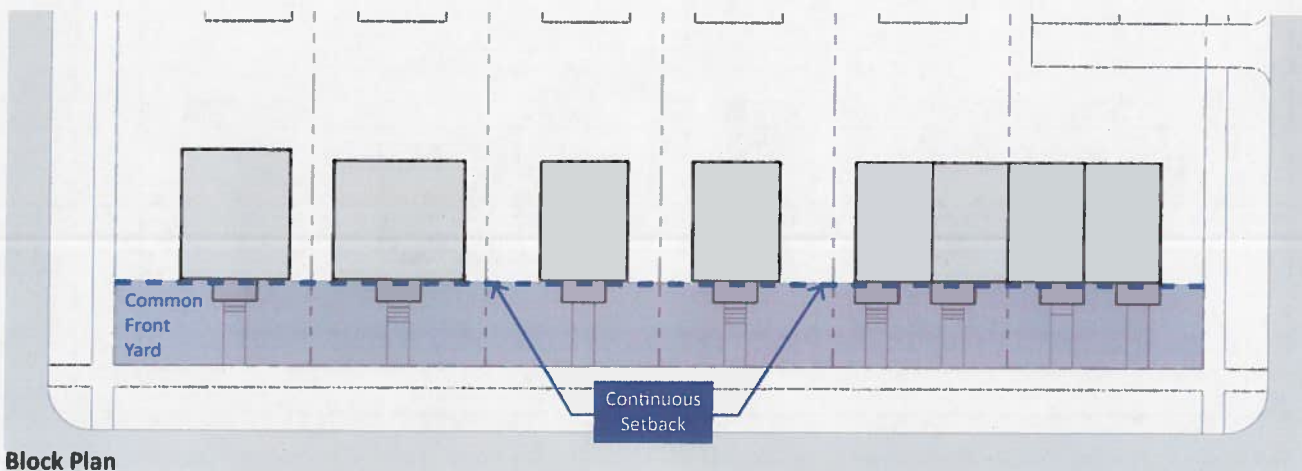


Very little visual connection to public areas

A. Frontage and Orientation

4. Front Yard Setback

Continuity of setbacks should be maintained along block faces if a dominant pattern exists. If wide variety of setbacks exist along a block-face then a minimum set-back may be used. Set-back continuity is most important in single family contexts where common front yards occur.



Block Plan

Appropriate



Dominant pattern of continuous set-backs

Inappropriate



Multiple set-backs along block face



Dominant pattern of continuous set-backs

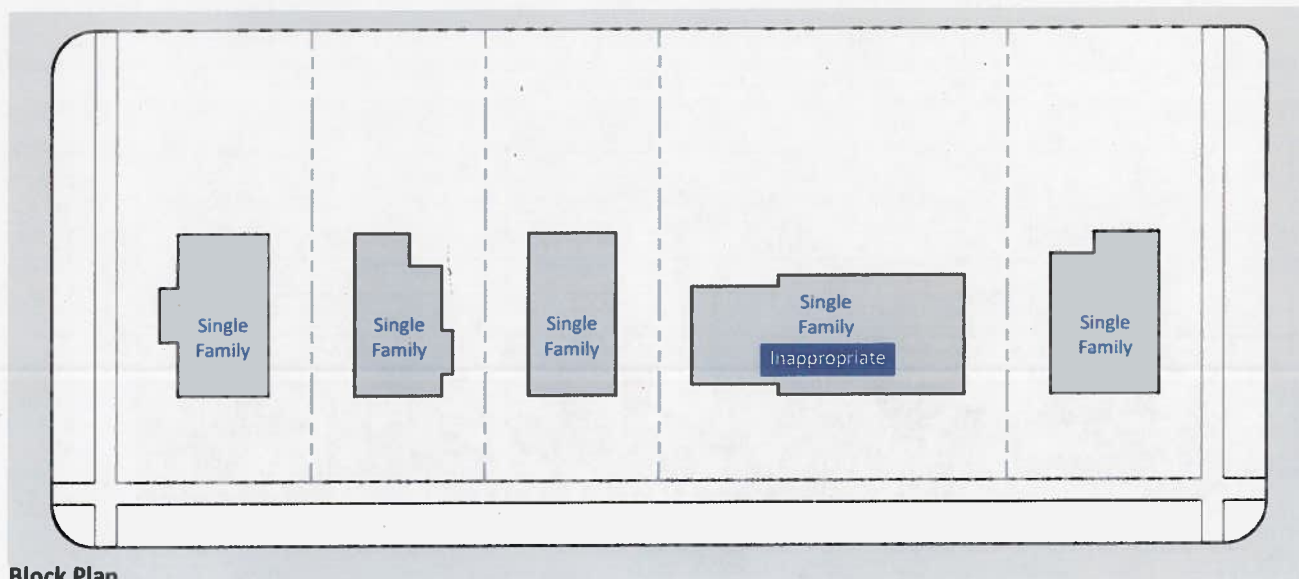


Multiple set-backs along block face

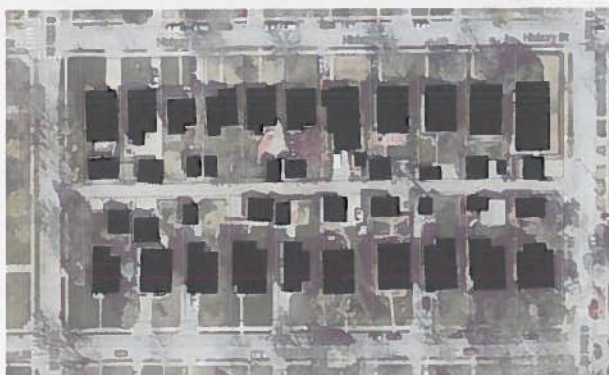
A. Frontage and Orientation

5. Foundation Size and Orientation - Historic Districts Only

Consistency of foundation size and orientation should be considered for detached single family developments in Historic Districts. Where a clearly expressed pattern of foundation orientation and scale exists, new development should maintain a similar scale and orientation.



Appropriate

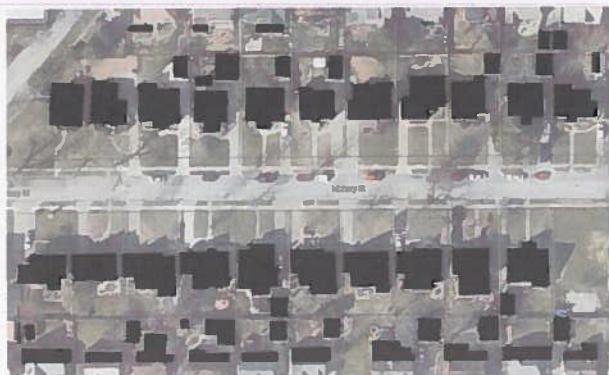


Consistent foundation size and orientation

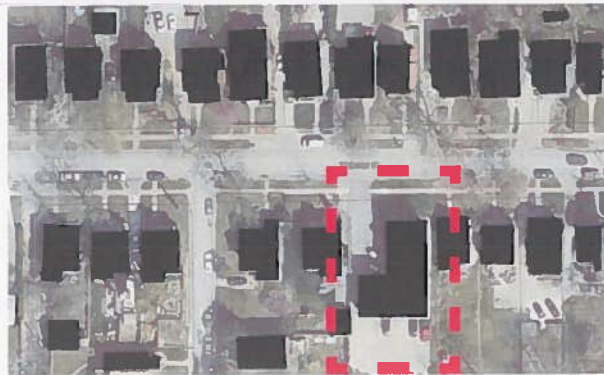
Inappropriate



Inconsistent foundation size and orientation



Consistent foundation size and orientation

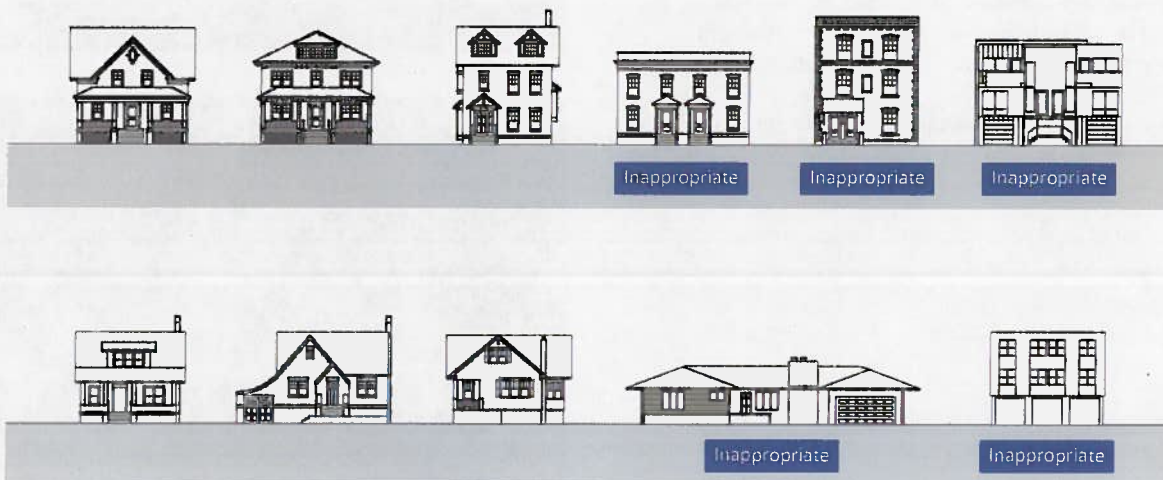


Inconsistent foundation size and orientation

A. Frontage and Orientation

6. Roof Forms - Historic Districts Only

Predominant roof forms along a block face should be considered. Other features such as character of overhangs, dormers and bay windows should also be considered. New development in Historic Districts should provide a roof form and associated details that relate to the existing context.



Appropriate



Continuous pattern of similar roof forms

Inappropriate



Incompatible roof forms



Roof forms compatible to adjacent single family context



Incompatible roof forms

B. Parking

On-site aggregated parking in the form of a surface lot provides the highest form of incompatibility for historic and traditional neighborhoods.

Historic, higher density residential neighborhoods did not typically provide surface parking lots due to the use of public transit or the proximity of walkable destinations for daily needs.

Conventional parking requirements can result in up to 65% of the site area provided for surface parking lots. Care should be taken to provide only the essential and necessary area for parking and storage of vehicles.

The following are guidelines relating to the facilities and relating to vehicle parking:



Abundance of Surface Parking



Little to no surface parking

1. Parking Quantities

A minimum of one stall per unit of on-site parking should be allowed for residential projects. Credit should be provided for on-street parking immediately adjacent to the perimeter of the development site.



Garages at rear providing one stall per unit



On-street parking directly adjacent to development

B. Parking

2. Parking Location

On-site surface parking lots shall be minimized to the extent feasible. The preferred methods for on-site parking shall be in the following order of priority:

a. Structured parking integral to the architecture below grade or as a stand-alone facility.



Structured parking below grade

b. Structured parking integral to the architecture at grade. Care should be taken to minimize first floor parking along primary facades facing streets resulting in long blank walls.



Structured parking integrated into first floor

c. Garages, integral or detached behind the primary front facing façade. Garage doors can face internal to the site, to the side or forward but are not part of the primary façade.



Garages at rear facing internal street

d. Rear surface parking lots with access from existing alleys or vehicle courts or driveways.



Surface parking lot off alley

e. Front facing garages accessed from the street. For this condition see Guideline 3.

B. Parking

3. Garage Doors

Front facing parking access (garages, driveways and vehicle courts) shall be designed to minimize the disruption of the pedestrian sidewalk and downplay the prominence of the vehicle utilizing the following strategies:

a. Recessed garage doors.



Recessed garage doors

b. Use other prominent building elements such as porches, trellises or landscaping to de-emphasize garage doors.



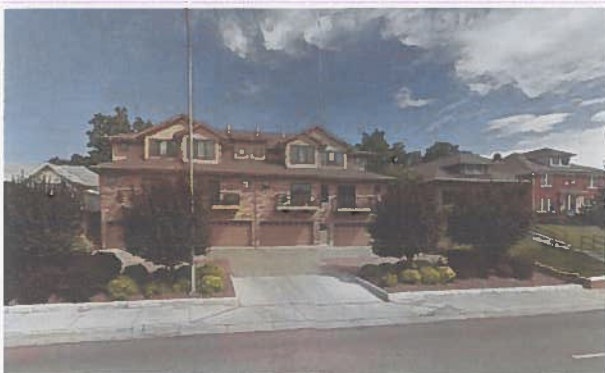
Balconies and landscaping help de-emphasize garage doors

c. Excavate into the grade and diminish the presence of garage doors.



Garage entries are carved into and surrounded by landscaping

d. Combine and narrow driveways as they cross the sidewalks.



One driveway for four garage entries

B. Parking

3. Garage Doors - Continued

e. Garage doors shall utilize materials and design features that complement the principal architecture. Use dark or subdued colors to mask or incorporate windows into garage doors.



Garage doors designed to compliment principal architecture

f. Minimize driveways by incorporating greenery such as "grass-crete" or "tread paving".



Driveway with tread paving

g. Design driveways as shared pedestrian spaces.



Shared vehicular and pedestrian access

h. Garage structures shall not be in front of the primary façade of the building.



Garage structure at rear

C. Effect on the Perimeter

Conventional zoning considers “buffering” as a strategy to provide separation and privacy between buildings or uses. As a result there is a much higher percentages of underutilized open space or “landscaping”, typically turf, in suburban neighborhoods than would be found in traditional neighborhoods.

Lot sizes are typically smaller and more compact in traditional neighborhoods making buffering and separation impractical. Many examples of good quality historic architecture do not meet conventional buffering and separation requirements. The need for buffering decreases as the overall form of design is managed.

There are numerous strategies in the management of compact development to consider the effect on surrounding properties. With proper care and attention to detail, infill development can provide a complementary design in a compact form. The following are guidelines relating to the effects on adjacent properties and efficient use of outdoor space:

1. Minimize Scale Contrasts

The following design strategies should be considered to minimize the negative effect of scale contrasts:

a. Accommodate upper level living spaces within dormers.



Dormers at upper level minimize scale

b. Use an excavated basement to minimize the height of the building.



Excavated basement of townhouses

c. Step upper stories back from the lower facades.



Upper stories stepped back

C. Effect on the Perimeter

1. Minimize Scale Contrasts - Continued

d. Break up large buildings into smaller forms suitable to the context.



Large building with smaller forms

e. Use design elements that emphasize horizontal forms.



Horizontal elements emphasize form

f. Use a change in materials or colors to de-emphasize upper levels.



Change in material at upper level

g. On large buildings, provide a transition in scale to adjacent smaller structures. This is often referred to as "stepping down" the building scale.



Large building transitions to smaller single family houses

C. Effect on the Perimeter

2. Privacy

The following design strategies should be considered to minimize the impacts on privacy:

a. Reduce large windows and balconies to minimize overlook impacts on adjacent yards and residential interiors.



Minimize overlook impacts on adjacent properties

b. Avoid having large windows and balconies directly align with windows and balconies of neighboring residences.



Separate balconies and outdoor space

c. Raise living spaces above grade when adjacent to public areas. For those provided at grade and adjacent to public spaces or sidewalks, provide landscaping screening.



Raised living space above public areas

d. Provide design element that aids in the transition from the public space of the street to private space of the residence, such as a patio, porch or portico.



Outdoor amenity transitions from public to private space

C. Effect on the Perimeter

3. Usable Outdoor Spaces

Projects should provide usable outdoor space of 15% minimum per unit area using the following strategies:

a. Provide centrally located, shared courtyards with convenient access.



Shared court

b. Provide mutual shared yard easements. Create multi-use outdoor spaces. Driveways and other vehicle areas can be designed to accommodate other uses. Differentiate driveways by using paving and landscape materials integral to the design.



Shared easement combined with multi-use outdoor space

c. Combine environmental features and outdoor spaces into a central unifying design element.



Environment feature as unifying design element

d. Make use of roof tops and alternative outdoor spaces.



Large building transitions to smaller single family houses

D. Design Quality

Historic architecture, originating from the first half of the 20th century, usually exhibits the fine detail of hand-built structures. Traditional detailing exhibited by the door and window trim, masonry detail, scale proportion of siding, and most importantly, eave and roof overhang details provide a distinctive character for older neighborhoods.

While the objective of imitating historic architecture or historic “mimicry” is generally discouraged as a preservation objective, achieving a similar degree of detail results in a complementary form of architecture.

Architectural mimicry can devalue the uniqueness of the original design. A contemporary design of a similar quality and attention to detail can begin enhance and reinforce the historic context through contrasting and elevating the artisan value of the original.

The following are guidelines relating to the general quality of design for buildings:

1. Design Detail

New architecture should exhibit a high quality of craftsmanship and detail contemporaneous to its period of construction. Priority should be placed on prominent front facing facades and those in close proximity to public sidewalks.



Separate balconies and outdoor space

2. Exterior Materials

The use and application of exterior materials should conform to the urban design standards of the OMC. Exterior materials should be used in a restrained manner and typically one material should be dominant. Multiple materials may be used provided they complement and support the application of the dominant material and/or the multiple material use is an established precedent.



Raised living space above public areas

4. Continuity of Exterior Materials

When there is a discernible pattern or dominant use of one class of material (brick, lap siding, stone, etc...) along a block length, new infill projects should maintain the continuity of such material.



Outdoor amenity transitions from public to private space

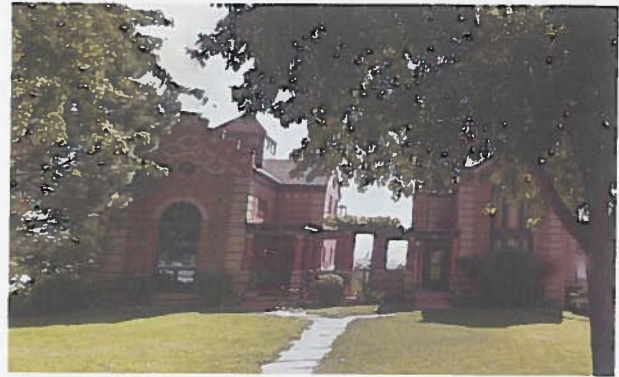
D. Design Quality

V

Design Standards

5. Texture and Detail - Historic Districts Only

Architectural elements within Historic Districts should be high quality and finely detailed and express the artesian craftsmanship exhibited by historic homes.



Separate balconies and outdoor space

E. Supplemental Conditions

The following are guidelines relating to supplemental conditions:

1. Sidewalks

Position, width and treatment of sidewalks should be consistent along each block length. Repositioning the sidewalk to provide for street trees should occur where feasible and when a significant length of sidewalk can be affected.



Separate balconies and outdoor space

2. Mature Trees

Mature trees found on site should be maintained as much as is feasible with specific priority given to street trees. New street trees should be provided if not present.



Raised living space above public areas

Omaha Planning

Infill & Redevelopment Design Guidelines

This policy is intended to provide a means to achieve alternate lot access for projects proposing innovative development scenarios within existing older neighborhoods. It will assist in accomplishing goals specific to Omaha Master Plan and is in keeping with the City's effort to encourage infill development. The policy will detail the requirements to be met when proposed redevelopments, falling within certain criteria, require an alternative means of lot access not contained in the subdivision ordinances in Omaha Municipal Code (OMC). The alternative access will be evaluated for practicality, safety and function until a final judgment can be provided and a permanent revision to the OMC or cancellation of the policy.

Chapter 53 of the OMC states that "Every lot shall abut and have access to a public street, approved right-of-way or court," and it contains roadway design criteria and standards for approved right-of-ways. In cases where development proposals do not meet these requirements, but meet all of the criteria listed below, City staff may support a request by the applicant to City Council to waive certain access and roadway design requirements in Chapter 53. For the purposes of this policy, the access serving the lots resulting from waivers shall be called an "Accessway" and shall meet all of the following criteria:

A. Vehicular Accessway Requirements

1. An Accessway shall be classified as one of the following three types:

a. **Private Stub Access.** A Stub Accessway begins at an existing public street and extends into the private development without an alternate means of exit. Stub Access shall be limited to 150 feet from a public way, serve no more than 14 lots and terminate at the adjacent far lot property line. The connection of Stub Accessways to the street shall be evaluated for safety and function and shall be at the discretion of the Public Works Director.

b. **Private Through Access.** A Through Accessway begins at an existing public street, extends into a private development and provides an alternate means of exit through the site to another public way. Through Accessways shall be no longer than 450 feet and serve no more than 30 lots. The connection of Through Accessways to the street shall be evaluated for safety and function and shall be at the discretion of the Public Works Director.

c. **Public Alley Access.** An Alley Accessway may be provided by collocating an improved accessway along an existing alley within right-of-way. The pavement of existing alleys may be required to be improved at the expense of the subdivider, as determined by the Public Works Department; such improvements shall be subject to the Public Works Department's OPW public improvement process. The purpose of these improvements (if necessary) would be to address deficiencies in the alley's existing pavement condition, width, depth, or any other factors as determined by the Public Works Department. Pavement improvements shall be required from the interior extent of the subdivision to the public street connection, whether or not the subdivision abuts the public street.

In addition, the alley right-of-way must be vacated from the interior extent of the subdivision to the public street right-of-way, and be placed in an outlot with an easement granted to the City covering public access, drainage, and utilities. The alley vacation shall take place through one of the City's existing processes, and shall be in full conformance with state statutes. In instances where alley improvements are required, the outlot may need to be widened beyond the extents of the vacated right-of-way to accommodate the improvements. Notwithstanding any improvements or additional outlot width, co-locating through access along an existing alley may necessitate the conversion of the alley to one-way operation, which may be subject to consent from other property owners along the alley.

2. The minimum width for an Accessway shall be 16 feet and as described in Figure 1 – Vehicle Court Minimum Clearances.

3. The Accessway must consist of hard-surface pavement or pavers (no gravel, rock, or dirt surface allowed) designed to standards approved by the City.

4. Where sidewalks are provided, they shall comply with all applicable standards, including the Americans with Disabilities Act.

5. Parking shall be restricted along Accessways except as specifically designed and designated, and approved by the City.

6. Private Accessways serve as a means of access for interior lots within the development and shall be placed within an outlot and provided with an access, utilities and drainage easement.

A. Vehicular Accessway Requirements

7. The Accessway shall be established only in conjunction with the subdivision process for those subdivisions done in conjunction with a Planned Unit Redevelopment (PUR), and shall require a subdivision agreement. The subdivision which establishes the Accessway shall not be performed by the City administratively.

8. The Subdivision Agreement shall call for the creation of an owner's association and shall assign maintenance responsibilities of the Accessway to the association.

9. A condition of the plat approval of a subdivision containing an Accessway shall require a Memorandum of Agreement (MOA) be filed with the Register of Deeds concurrently with the filing of the final plat. The MOA shall be reviewed and approved by the Public Works Department, and shall spell out the access inherent to all internal lots served by the Accessways and is intended clarify the rights and responsibilities to all future purchasers of internal lots. The terms of the Agreement shall be reviewed and approved by the City and include at a minimum provisions for maintenance, trash pickup and deliveries to the lots served by the Accessway.

10. Property addresses shall be provided pursuant to a waiver by City Council of Chapter 34, Article III of the OMC. Accessways shall be designated as "Lane".

11. Subdivisions created using Accessesways will still be subject to requirements for post-construction stormwater management plans, as well as Chapter 53 requirements for sewers to serve the lots within the subdivision.

12. Other than the width of the Accessway's throat where it intersects with the adjacent public street, the Accessway must conform to the Commercial Access design requirements in the City's Guidelines and Regulations for Driveway Location, Design and Construction.

Based on experience and new conditions which may arise, this policy may be cancelled or amended from time to time, provided any amendment or cancellation to this policy is approved by both the Planning and Public Works Directors.

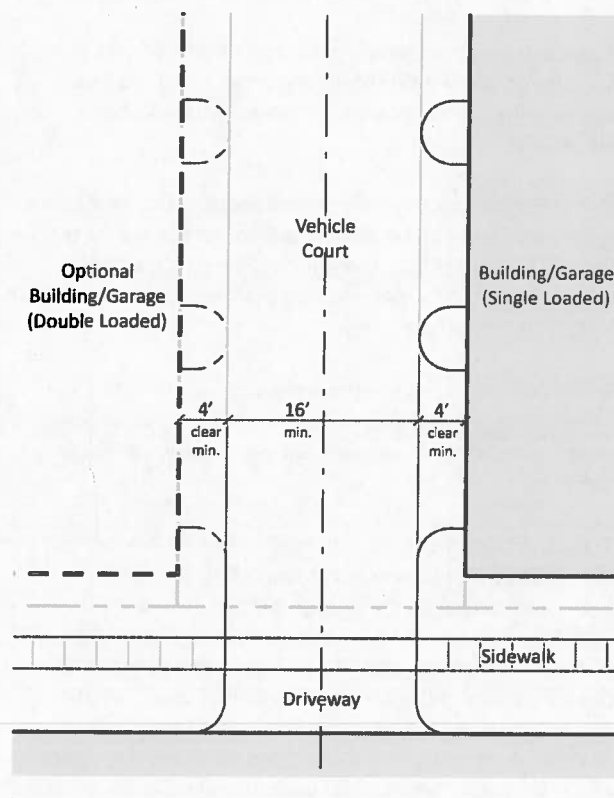


Figure 1 - Vehicle Court Minimum Clearances

8. Pedestrian Accessway Requirements

1. Pedestrian Accessways begin at an existing public street and extend into the private development with direct pedestrian access to individual lots. Vehicular access shall be provided with a separate vehicle court or by an approved alternative means.
2. The minimum width for a Pedestrian Accessway shall be one of the following:
 - a. Internal to the site and between primary building facades: 30 feet (May include up to 10 feet private usable outdoor space per facade)
 - b. Between a primary building facades and adjacent side property line: 15 feet
3. The Pedestrian Accessway must consist of landscaping, walkways, lighting and other design features resulting in a shared pedestrian environment. Pedestrian courts may include additional features such as bike parking, benches or other common, shared elements.
4. Pedestrian Accessways serve as a means of access for interior lots within the development and shall be placed within an outlot and provided with an access easement.
5. The Pedestrian Accessway shall require a subdivision agreement and can be achieved through the minor plat process as applicable. The subdivision which establishes the Pedestrian Accessway shall not be performed by the City administratively.
6. The Subdivision Agreement may call for the creation of an owner's association and assigning maintenance responsibilities of the Pedestrian Accessway to the association.
7. A condition of the plat approval of a subdivision containing a Pedestrian Accessway shall require a Memorandum of Agreement (MOA) be filed with the Register of Deeds concurrently with the filing of the final plat. The MOA shall be reviewed and approved by the Public Works Department, and shall spell out the access inherent to all internal lots served by the Pedestrian Accessway and is intended to clarify the rights and responsibilities to all future purchasers of internal lots. The terms of the Agreement shall be reviewed and approved by the City and include at a minimum provisions for maintenance, trash pickup and deliveries to the lots served by the Accessway.
8. Property addresses shall be provided pursuant to a waiver by City Council of Chapter 34, Article III of the OMC. Accessways shall be designated as "Lane".

9. Subdivisions created using Pedestrian Accessways will still be subject to requirements for post-construction stormwater management plans, as well as Chapter 53 requirements for sewers to serve the lots within the subdivision.

Administrative

A. Definitions

The following definitions apply to the use and interpretation of this document:

Historic District - Historic Districts are identified as either a National Register Historic District as listed in the National Register of Historic Places or a Local Landmark Heritage District as approved by Omaha's Landmarks Heritage Preservation Commission (LHPC).

