

Return to: City Clerk
209 Pearl

STATE OF IOWA, Pottawattamie County
Filed for record the 6 day of April
1990 at 2 o'clock P.M. and recorded
in book 90 PAGE 21105
John Scirtino Recorder
George Kransel Deputy

10043 *Fee 1.50*

RECORDED

ORDINANCE NO. 4942

AN ORDINANCE AMENDING TITLE 15 "ZONING" OF THE 1990 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA, BY REPEALING SECTION 15.15.070 "SETBACK REQUIREMENTS", AND ENACTING A NEW SECTION 15.15.070 "SETBACK REQUIREMENTS"; AND BY REPEALING SECTION 15.16.060 "SETBACK REQUIREMENTS" AND ENACTING A NEW SECTION 15.16.060 "SETBACK REQUIREMENTS" TO INCREASE THE FRONT YARD SETBACK REQUIREMENTS IN GENERAL COMMERCIAL DISTRICTS.

B E I T O R D A I N E D
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA:

SECTION 1. That Chapter 15.15 "C-2 - General Commercial District" of the 1990 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by repealing Section 15.15.070 in its entirety, and enacting in lieu thereof a new Section 15.15.070 entitled "Setback requirements", to read as follows:

"15.15.070 Setback requirements. The setback requirements in a Class C-2 district shall be as follows:

- 01. The front yard setback shall be at least fifteen (15) feet for principal structures;
- 02. A street side yard setback shall be at least ten (10) feet for principal structures;
- 03. A side yard other than a street side yard shall have no setback requirement, unless it adjoins a residential district; then the setback for principal structures shall be at least five (5) feet;
- 04. There shall be no rear yard setback requirement unless that side abuts a residential district, then the required rear yard setback shall be a minimum of ten (10) feet for principal structures;
- 05. The front and street side yard setback for accessory structures, with the exception of those listed in subsection (06) below, must be an equal or greater distance than required for a principal structure;
- 06. The following accessory structures may be located in a required front or side yard as long as said structures comply with all other applicable ordinances and resolutions, (gasoline pumps, detached canopies, signs, parking, loading and unloading areas, and landscaping/screening); and
- 07. Other intrusions into required yards are permitted which comply with Section 15.20.040 of this Ordinance."

SECTION 2. That Chapter 15.16 "C-3 - General Commercial District" of the 1990 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by repealing Section 15.16.060 in its entirety, and enacting in lieu thereof a new Section 15.16.060 entitled "Setback requirements", to read as follows:

"15.16.060 Setback requirements. Lots or parcels of land in a Class C-3 district situated across the street from or abutting on a residential district shall be in conformity with the minimum yard requirements prescribed for said residential district, for that side of such lots or parcels of land in said Class C-3 district which face on the abutting residential district."

SECTION 3. Repealer. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed. This is:

Ordinance No. 3968, Section 1 (part), 1972

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SECTION 4. Severability Clause. If any of the provisions of this ordinance are for any reason declared illegal or void, then the lawful provisions of this ordinance which are severable from said unlawful provisions shall be and remain in full force and effect, the same as if the ordinance contained no illegal or void provisions.

SECTION 5. Effective Date. This ordinance shall be in full force and effect from and after its final passage and publication, as by law provided.

PASSED
AND March 26, 1990
APPROVED


THOMAS P. HANAFAN Mayor

Attest:


OLGA ARELLANO-ANDERSON City Clerk

FIRST CONSIDERATION: Feb 26, 1990
SECOND CONSIDERATION: Mar 12, 1990
PUBLIC HEARING: Mar 26, 1990
THIRD CONSIDERATION: March 26, 1990

COMPARED
STATE OF IOWA
POTTAWATTAMIE COUNTY

PROOF OF PUBLICATION

} ss.

I, Carolyn Bell on my oath

do solemnly swear that I am the accountant
of the COUNCIL BLUFFS NONPAREIL, a newspaper issued DAILY,
and printed in said county;

that the annexed notice was published in said newspaper for one

consecutive time as follows: The first publication thereof

being on the 2nd day of March 19 90,

the second on the _____ day of _____ 19 _____,

the third on the _____ day of _____ 19 _____,

the fourth on the _____ day of _____ 19 _____,

the fifth on the _____ day of _____ 19 _____,

the sixth on the _____ day of _____ 19 _____,

the _____

Carolyn Bell

Signed in my presence by the said Carolyn Bell

and by him sworn to before me this 2nd day of March

A.D. 19 90

Witness my hand and Notarial Seal

Jeanette Johnson
Notary Public.

