ORDINANCE NO. 6582

AN ORDINANCE TO AMEND CHAPTER 15.03 ZONING DEFINITIONS OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA BY ENACTING NEW SECTION 15.03.527 "PARKING LOT" AND AMENDING SECTION 15.03.609 "STORAGE YARD".

BE IT ORDAINED
BY THE CITY COUNCIL
OF THE
CITY OF COUNCIL BLUFFS, IOWA

SECTION 1. That Chapter 15.03 Zoning Definitions of the 2020 Municipal Code of Council Bluffs, Iowa is hereby amended by enacting new Section 15.03.527 "Parking Lot" and amending Section 15.03.609 "Storage Yard" to read as follows:

15.03.527 Parking Lot
Parking lot: An open-air surface parking facility for the parking of operable motor vehicles that is the sole primary use on a parcel or tract of land. A parking lot shall not be deemed the same as a storage yard or salvage yard as defined in CBMC 15.03.609. A parking lot is considered private when it is owned and controlled by a private entity.

15.03.609 Storage Yard
Storage yard: The surface storage of operating or non-operating vehicles, materials, merchandise, stock, supplies, machines, equipment, manufacturing materials, containers, or property of any nature that are not kept in a structure having at least four walls and a roof, excluding dismantling or salvage, for a period of time exceeding 7 total days. All such uses shall comply with the requirements of CBMC 15.24.110. Typical uses include sales lots, automobile auctions, transfer facilities, container storage, impound lots, and commercial storage facilities for operable personal vehicles and recreational vehicles and vessels. This definition shall not apply to items for sale to the general public such as vehicles or the outdoor display of goods for sale, where such items are permitted for sale in the zoning district in which they are located. This definition shall not apply to building materials associated with and stored on the same property as an active construction project. A storage yard shall not be utilized as a home occupation in any residential zoning district.

SECTION 2. REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. 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 4. EFFECTIVE DATE. This ordinance shall be in full force and effect from and after its publication, as by law provided.

PASSED
AND November 13, 2023.
APPROVED

_____

MATTHEW J. WALSH Mayor

Attest: _____

JODI QUAKENBUSH City Clerk

First Consideration: 10-23-23
Second Consideration: 11-13-23
Public Hearing: 11-13-23
Third Consideration: _____