ORDINANCE NO. 6481

AN ORDINANCE TO AMEND CHAPTER 15.03 DEFINITIONS OF THE 2020 MUNICIPAL CODE (ZONING ORDINANCE) BY AMENDING SECTION 15.03.220 "DWELLING, MULTIFAMILY"; SECTION 15.03.230 "DWELLING, SINGLE-FAMILY DETACHED"; SECTION 15.03.235 "DWELLING, SINGLE-FAMILY ATTACHED" AND SECTION 15.03.236 "DWELLING, TOWNHOUSE" AND ADDING A NEW SECTION 15.03.361 "INFILL DWELLING STRUCTURE".

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

SECTION 1. That Chapter 15.03 Definitions of the 2020 Municipal Code (Zoning Ordinance) is hereby amended by amending Sections 15.03.220, "Dwelling, Multifamily"; 15.03.230, "Dwelling, Single-Family Detached"; 15.03.235, "Dwelling, Single-Family Attached" and 15.03.236, "Dwelling, Townhouse" and adding a new Section 15.03.361 "Infill Dwelling Structure" to read as follows:

15.03.220 Dwelling, Multifamily
Multifamily dwelling: A building containing three or more dwelling units, other than a townhouse.

15.03.230 Dwelling, Single-Family Detached
Single-family detached dwelling: A building containing only one dwelling unit, as defined in CBMC Chapter 17.01 "Housing Definitions," that is not attached to any other dwelling unit and that is built on-site. Mobile homes, recreational vehicles, housing mounted on self-propelled or drawn vehicles, tents, or other forms of temporary housing or portable housing shall not be included in this definition. All detached single-family dwellings shall include at least one kitchen and one bathroom.

15.03.235 Dwelling, Single-Family Attached
Single-family attached dwelling: A dwelling unit, as defined in CBMC Chapter 17.01 "Housing Definitions," which is located on one lot, is attached by a common vertical wall to only one other dwelling unit on an abutting lot, and is built on-site. Each dwelling unit shall include at least one kitchen and one bathroom.

15.03.236 Dwelling, Townhouse
Townhouse dwelling: A series of attached single-family dwellings separated by exterior quality walls or a common wall between units as required by Council Bluffs Building Code, except that the minimum number of abutting dwelling units in any townhouse series shall be three. Each dwelling shall front wholly and directly on a public street, or upon a courtyard or way through which the owner of the townhouse dwelling unit has legally guaranteed ingress and egress to a public street.

15.03.361 Infill Dwelling Structure
Infill Dwelling Structure: A newly constructed residential building located on an existing nonconforming lot of record and that does not conform to the site development standards of the base zoning district because such standards would make development not practicable, as identified and applicable only in CBMC Chapter 15.35.

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 final passage and publication, as by law provided.

PASSED
AND February 14, 2022.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration: 1-24-22
Second Consideration: 2-14-22
Public Hearing: 2-14-22
Third Consideration: _____