ORDINANCE NO. 6505

AN ORDINANCE TO AMEND CHAPTER 15.12 MCR/MIXED COMMERCIAL-RESIDENTIAL DISTRICT OF THE 2020 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA BY AMENDING SECTION 15.12.020 "PRINCIPAL USES" AND BY AMENDING SECTION 15.12.060 "ADDITIONAL REGULATIONS" TO INCLUDE AND ADDRESS CONSUMER FIREWORKS SALES.

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

SECTION 1. That Chapter 15.12-MCR/Mixed Commercial-Residential District of the 2020 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by amending Section 15.12.020 "Principal Uses" and Section 15.12.060 "Additional Regulations" to read as follows:

15.12.020 Principal Uses

The following principal uses shall be permitted in an MCR district:

A. Congregate housing, life care facility, or nursing home;
B. Community recreation services;
C. Consumer fireworks sales;
D. Dwelling, multifamily;
E. Dwellings, townhome (minimum four attached units);
F. Family home;
G. Group care home;
H. Mixed commercial/residential structure (containing one or more of the following uses);
    1. Business, professional office;
    2. Consumer service establishments (limited to the following):
        a. Accountants;
        b. Architects;
        c. Arts and crafts studio;
        d. Attorneys;
        e. Banks, savings and loans, and credit unions;
        f. Barber shops and beauty shops;
        g. Dress makers and tailors;
        h. Insurance agencies;
        i. Laundry and dry cleaning pick-up stations;
        j. Management consultants;
        k. Medical office or clinic for people;
        l. Pet shops;
        m. Photographers' studios;
        n. Real estate office;
        o. Travel agencies.
    3. Retail Shopping Establishment (limited to the following):

a. Antique stores
b. Appliance, television and radio sales;
c. Art galleries, commercial;
d. Art supplies;
e. Bakeries;
f. Bicycle sales and repair shop;
g. Bookstores;
h. Candy and ice cream stores;
i. Clothing, clothing accessories and dry goods;
j. Department stores;
k. Drug stores;
l. Floor coverings;
m. Florists;
n. Furniture stores;
o. Gift and card shop;
p. Grocery, delicatessen, and specialty food store;
q. Hardware, paint, and wallpaper stores;
r. Jewelry, leather goods and luggage stores;
s. Music stores;
t. News and tobacco stores;
u. Photographic equipment and supplies;
v. Second hand store;
w. Shoe stores;
x. Sporting goods;
y. Toy and hobby stores;
z. Variety stores.
aa. "Retail shopping establishment" shall not be construed or interpreted to include any adult entertainment activities.

4. Other
   a. Religious assembly;
   b. Restaurant (limited, general);
   c. Tattoo parlor.

I. Park and recreation services;
J. Private parking lot;
K. Public parking lot;
L. Public safety services.

15.12.060 Additional Regulations

A. All residential developments shall include an active outdoor site amenity such as playgrounds, plazas, decks, roof-top patios, swimming pools, and recreation areas. Passive areas such as landscape setbacks, bicycle parking, tree plantings, berms, and basic stormwater features do not qualify. A minimum of 50 square feet of site amenity space is required per dwelling unit.
B. Property owners shall maintain all buildings, landscaping, and other site features in accordance with the adopted development plan.
C. Consumer fireworks sales from a temporary structure shall not be located within three hundred (300) feet of a residential structure.

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 July 11, 2022.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration: 6-27-22
Second Consideration: 7-11-22
Public Hearing: 7-11-22
Third Consideration: _____