ORDINANCE NO. 6332

AN ORDINANCE TO AMEND CHAPTER 15.15-C-2/COMMERCIAL DISTRICT OF THE 2015 MUNICIPAL CODE OF COUNCIL BLUFFS, IOWA BY AMENDING SECTION 15.15.020 "PRINCIPAL USES" TO INCLUDE "CONSUMER FIREWORKS SALES" AND BY AMENDING SECTION 15.15.060 "ADDITIONAL REGULATIONS" TO INCLUDE A SUBSECTION (D).

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

SECTION 1. That Chapter 15.15-C-2/Commercial District of the 2015 Municipal Code of Council Bluffs, Iowa, be and the same is hereby amended by amending Section 15.15.020 "Principal Uses" and Section 15.15.060 "Additional Regulations" to include a subsection (d) to read as follows:

15.15.020 - Principal uses.

The following principal uses shall be permitted outright in a C-2 district:

(1) Automobile repair, minor;
(2) Automobile service establishment;
(3) Building material, retail sales only;
(4) Business, professional office;
(5) Business service establishment;
(6) Club or lodge;
(7) Commercial recreation (indoor and outdoor);
(8) Consumer service establishment;
(9) Contractor shop;
(10) Cultural service;
(11) Financial service;
(12) General government use;
(13) Hotel/motel;
(14) Kennel, commercial;
(15) Local utility service;
(16) Park and recreation services;
(17) Pawn shops;
(18) Printing, binding, and mail operations (fifty thousand (50,000) square feet or less);
(19) Private and public parking lots;
(20) Public safety services;
(21) Religious assembly;
(22) Restaurant (drive-in/fast food, limited and general);
(23) Retail shopping establishment;
(24) School;
(25) Secondhand store;
(26) Tattoo parlor;
(27) Tavern, as limited by Section 15.15.060;
(28) Veterinary service;
(29) Warehousing and distribution, limited (fifty thousand (50,000) square feet or less);
(30) Funeral service;
(31) Consumer fireworks sales.

15.15.060 - Additional regulations.

(a) None of the adult entertainment activities as defined in Chapter 15.03 shall be located within one thousand (1,000) feet of any other such use, nor shall any such use be located within three hundred (300) feet of any school, place of religious assembly, public park, or residential district.

(b) No tavern shall be located within two hundred (200) feet of any school, place of religious assembly, public park, or any conforming residential use. Distance shall be measured between the closest points from lot line to lot line.

Exception: The two hundred (200) foot distance limitation from conforming multifamily residential uses as noted above shall not apply to taverns which do not exceed three thousand (3,000) square feet in gross floor area if located within a commercial development with one hundred twenty-five thousand (125,000) square feet or more of leasable retail/commercial space.

(c) Parking for automobile sales and rental facilities shall include space for both visitor parking and sale display area. One space is required for each vehicle available for sale, lease or rental at one time with additional parking based on the size of the building used for sales and accessory repairs and service.

(d) Consumer fireworks sales from a temporary structure shall not be located within three hundred (300) feet of a residential structure.

Editor's note— Ord. No. 6026, § 3, adopted Feb. 23, 2009, repealed the former § 15.15.060, and enacted a new § 15.15.060 as set out herein. The former § 15.15.060 pertained to similar subject matter and derived from Ord. No. 5940, § 1, adopted 2007.

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 beginning on August 1, 2018, as by law provided.

PASSED
AND _____, 2018.
APPROVED

_____
MATTHEW J. WALSH Mayor

Attest: _____
JODI QUAKENBUSH City Clerk

First Consideration 5-21-18
Second Consideration: 6-11-18
Public Hearing: 6-11-18
Third Consideration: _____