

ORDINANCE 616

AN ORDINANCE OF THE EVANSDALE CITY COUNCIL AMENDING APPENDIX "A" OF THE MUNICIPAL CODE OF EVANSDALE, IA AMEND THE ZONING REGULATIONS OF THE CURRENT "C-1" RECREATIONAL COMMERCIAL DISTRICT TO "C-1" LIGHT COMMERCIAL DISTRICT

WHEREAS, the Evansdale Planning and Zoning Commission has duly considered and recommended that the Evansdale City Council amend Appendix A of the Municipal Code of the City of Evansdale by adopting the following ordinance:

WHEREAS, The Evansdale City Council has held a public hearing on April 19, 2011 following statutory notice;

SECTION 1. SECTION MODIFIED. Section 2A-21 **REGULATIONS** of the Code of Ordinances of the City of Evansdale, Iowa are repealed and the following adopted in lieu thereof:

Section 2A-21 REGULATIONS: The regulations set forth in this part and contained in Part V shall apply in the "C-1" Light Commercial District.

The intent of the "C-1" District is to provide for those commercial uses primarily oriented toward travel and/or light commercial uses.

A. Principal Permitted Uses:

1. Any use permitted in the "R-3" District but excluding R1 & R2 uses.
2. Hotels and motels;
3. Restaurants (including drive-in restaurants);
4. Bait and tackle shops.
5. Antique shop;
6. Apparel shop;
7. Bakery, whose products are sold only at retail and only on the premises;
8. Bicycle shop, sales or repair;
9. Book binding and book store;
10. Candy shops where products are sold only at retail and only on the premises;
11. Carpet and floor covering store;
12. Collection office of public utility;
13. Dairy store - retail
14. Drapery shop;
15. Drug stores;
16. Financial institutions;
17. Florist and nursery shop - retail;
18. Furniture store;
19. Gift shop;
20. Grocery stores and delicatessens;
21. Hardware and variety store;
22. Hobby shop;
23. Household appliances - sales and repair;
24. Jewelry shop;
25. Key shop
26. Music store;
27. Museums;
28. Offices, business, government, and professional;
29. Office supply store;
30. Paint and wallpaper store;
31. Pet shop including aquariums;
32. Photographic studio;
33. Radio and television sales and service;
34. Shoe and shoe repair shop;
35. Sporting goods store;
36. Tailor shop;
37. Travel agency;
38. Upholstery establishments;
39. Variety stores;

B. No occupancy permit shall be issued for any of the following uses until and unless the location of such use shall have been authorized by the City Council after a report by the Planning and Zoning Commission.

1. Recreational retail sales and services including rental, and servicing of boat, and outdoor equipment. This paragraph shall not be construed to include truck and farm implement establishments, or machinery wrecking and used parts yards;
2. Overnight campgrounds; (short term, non-residential, recreational use);
3. Storage Units;
4. Service Stations;

5. Convenience Stores
6. Retail Auto Sales – not to exceed twenty (20) vehicles;

C. Accessory Uses:

1. Accessory uses permitted in the "R-3" District;
2. Accessory uses and structures customarily incidental to any permitted principal uses;
3. Any exterior or roof sign, provided such sign shall not project more than sixteen (16) feet above the roof line.

SECTION 2. SUBSECTION MODIFIED. Subsection A-2 of 2A-23 **LOT AREA, FRONTAGE AND YARD REQUIREMENTS** – “C-1” of the Code of Ordinances of the City of Evansdale, Iowa are repealed and the following adopted in lieu thereof:

Where the frontage on one side of the street between two intersecting streets is located in the “C-1” Light Commercial District and a “R” Residence District, one-half (50%) of the front yard requirements of the “R” Residence District shall apply to the “C-1” Light Commercial District. Where a lot is located at the intersection of two or more streets, the front yard requirements stated above shall apply to each street side of the corner lot, except that the buildable width of such lot shall not be reduced to less than twenty-eight (28) feet. No accessory building shall project beyond the front yard line on either street.

SECTION 3. WHEN EFFECTIVE. This ordinance shall become effective after its final passage, approval and publication as provided by law.

PASSED AND APPROVED BY THE EVANSDALE CITY COUNCIL ON THIS ____ DAY OF _____, 2011

First Reading: 04/19/2011
Second Reading: 05/03/2011
Third Reading: 05/17/2011

ATTEST:

Chad Deutsch, Mayor

Becky Walters, City Clerk

I certify that the foregoing was published as Ordinance 616 on the ____ day of _____, 2011.

Becky Walters, City Clerk