



## CITY COUNCIL MEMORANDUM

---

**TO:** City Council

**FROM:** Matthew R. Schmitz, MPA - City Manager

**DATE OF MEETING:** June 10, 2024

**ITEM TITLE:** An Ordinance Amending the City Zoning Ordinance of the City of Independence, Iowa, by Amending Provisions Pertaining to Bulk Requirements, as set forth in Article 5, Table 1

---

### **BACKGROUND:**

The Planning & Zoning Commission reviewed proposed revisions to the Bulk Requirements Table and recommended approval at its May 7th meeting. The proposed modifications are to set the rear setback required for C-2, M-1, and M-2 at zero and require that if the property abuts a residential district, the required rear yard setback be fifteen (15) feet.

### **DISCUSSION:**

In discussing this with the Planning and Zoning Commission, it was pointed out that C-1 zoning currently has no rear setback requirement unless it abuts a residentially zoned property. P&Z voted unanimously to recommend approval. The attached ordinance facilitates the recommended changes.

### **RESULTS:**

The City has established priorities during strategic planning sessions. This item supports the Vision from that session of Developing and Reviving Independence. This item helps achieve that vision by allowing for additional development opportunities for Commercial and Industrial properties by not requiring setbacks, etc. in those areas – but protects residential areas by still requiring them when they abut a residential district.

### **FINANCIAL CONSIDERATION:**

Publication costs related to the ordinance summary will be incurred, and then costs to Simmering-Cory Iowa Codification when the next code supplement is completed.

### **RECOMMENDATION:**

Staff recommends a motion to approve the first reading of the amendments to the Independence Zoning Ordinances, Article 5 Bulk Requirements.

Staff recommends a motion to suspend the statutory rule requiring an ordinance to be considered and voted on for passage at two council meetings prior to the meeting at which it is to be finally passed.

Staff recommends a motion to have this ordinance that amends provisions to the Independence Zoning Ordinances, Article 5 Bulk Requirements, placed on its final passage for adoption pursuant to Iowa Code Section 380.3 and to authorize the Mayor to sign the Ordinance. The changes will be effective upon the ordinance summary being published in the newspapers.