

**CITY OF MUSCATINE
ORDINANCE 2024-0193**

**AN ORDINANCE AMENDING SECTION 1, CHAPTER 12, TITLE 10 OF CITY
CODE ALLOWING FOR A PORTION OF THE GROUND FLOOR TO BE USED
FOR RESIDENTIAL PURPOSES IN THE C-2 ZONING DISTRICT, OUTSIDE THE
DOWNTOWN CORE**

WHEREAS, Mixed use buildings, which include using a portion of the ground floor for residential purposes have become more common in recent years. Currently, Muscatine’s zoning ordinance does not include a zoning district that would allow for such a structure by right. Either a variance, or the approval of a specific development plan is required for zoning approval for such a building to be constructed

WHEREAS, , Muscatine's zoning code currently restricts residential uses in C-2 Central Commercial zones to the second floor and above (Section 10-12-1(A)). This amendment proposes to address this by allowing some ground-floor areas to be used for residential purposes in designated areas, specifically outside the downtown core. This would facilitate redevelopment of key locations near the downtown core, such as the Hawkeye Site and Carver Corner, while preserving the character of the downtown itself;

WHEREAS, The proposed amendment allows a portion, but not all, of the ground floor in C-2 zoned areas to be used for residential purposes. This targets areas near, but outside, the downtown core, promoting mixed-use development at locations like the Hawkeye Site or Carver Corner. It would only apply through future rezoning processes for areas outside the downtown core, defined as the area bounded by Mississippi Drive, Oak Street, 5th Street, and Pine Street. Notably, all existing C-2 parcels already fall within this downtown core area and would not be affected by this amendment;

WHEREAS, , the Planning and Zoning Commission on April 9, 2024 voted to recommend approval this proposed amendment to the C-2 zoning district; and

WHEREAS, a public hearing, on May 2, 2024, was conducted by the City Council of Muscatine prior to the adoption this ordinance.

NOW THEREFORE, be it ordained by the City Council of the City of Muscatine, in the State of Iowa, as follows:

SECTION 1: **AMENDMENT** “10-12-1 Permissive Uses” of the Muscatine Municipal Code is hereby *amended* as follows:

AMENDMENT

10-12-1 Permissive Uses

- A. Any permissive use in the C-1 District.
- B. Printing or newspaper publishing plant.
- C. Hotel or motel.
- D. Laundry.
- E. Auto service station or automobile repair shop.
- F. Wholesale merchandising or storage warehouse.
- G. Public parking lot, customer, and other accessory parking area.
- H. Private club, fraternity, sorority, or lodge.
- I. Except for in the area bounded by Mississippi Drive, Oak Street, 5th Street, and Pine Street, a portion of the ground floor of a structure may be used for residential purposes, so long as another portion of the ground floor is being used for a permitted commercial use which is not solely composed of storage, parking, or any combination of the two. The commercial space must be of a size and configuration to make the commercial use of such space viable

SECTION 2: REPEALER CLAUSE All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 3: SEVERABILITY CLAUSE Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

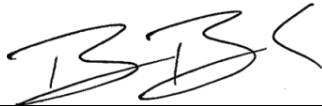
SECTION 4: EFFECTIVE DATE This Ordinance shall be in full force and effect from and after the required approval and publication according to law.

First Reading:
Second Reading:
Third Reading:
Publication:

PASSED AND ADOPTED BY THE CITY OF MUSCATINE CITY COUNCIL JUNE 06, 2024.

Presiding Officer

Attest



Dr. Brad Bark, Mayor, City of
Muscatine



Carol Webb, City Clerk, City of
Muscatine

