

ORDINANCE NO.

AN ORDINANCE FOR CASE ORD21-01 AMENDING VARIOUS SECTIONS OF CHAPTER 17 OF THE MUNICIPAL CODE OF DAVENPORT, IOWA, ENTITLED "ZONING", BY AMENDING VARIOUS SUBSECTIONS THERETO.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF DAVENPORT, IOWA:

Section 1. That subsection 17.04.020(B)(2) of the Municipal Code of Davenport, Iowa, be and the same is hereby amended to read as follows:

Conversion of a structure from a single-family dwelling into a two-dwelling is ~~a special use prohibited~~.

Section 2. That ~~the unnumbered opening paragraphs of~~ section 17.05.040 of the Municipal Code of Davenport, Iowa, be and the same are hereby amended to read as follows:

The following design standards apply to new construction, substantial repair or rehabilitation of the exterior façade of an existing structure meant to remedy damage or deterioration, and additions to an existing structure in the commercial districts, with the exception of the C-D, C-V, and C-E Districts. Design standards for development in the C-D, C-V, and C-E Districts are found in Sections 17.05.050, 17.05.060, and 17.05.070 respectively, below. Only those standards that relate to the specific repair, rehabilitation action, or addition apply. These standards do not apply to interior remodeling.

~~New construction of any new dwelling shall meet either the Design Standards in Table 17.05-2 or the Use Standards for the applicable dwelling type in Section 17.080.030.~~

(Note: Lettered subsections A and B remain unchanged.)

Section 3. That section 17.08.020 Table 17.08-01 entitled Use Matrix of the Municipal Code of Davenport, Iowa, be the same is hereby amended as follows.

Remove "Bar" as a Special Use in C-1

Add "Bar – Neighborhood" as Permitted in C-1 with a Use Standard reference to Sec. 17.08.030

Remove "Drive-Through Facility" as a Special Use in C-1 and I-MU

Remove "Dwelling – Two-Family (Conversion)" as a Special Use in R-3 and R-4

Add "Live Performance Venue" as Permitted in I-1

Add "Outdoor Dining" as Permitted in S-IC

Add "Place of Worship" as Permitted in I-1 and I-MU

Add "Private Recreation Facility" as Permitted in C-OP and I-MU

Add "Vehicle Repair/Service – Major" as Special Use in C-3

Remove "Vehicle Repair/Service – Minor" as Special Use in C-1

Section 4. That section 17.08.030 of the Municipal Code of Davenport, Iowa, be the same as amended to add a new subsection (C) to be read as follows:

C. Bar - Neighborhood

1. The property must be within one of the following geographic locations.
 - a. Harrison Street from 14th Street to Locust Street.
 - b. Washington Street from 14th Street to Locust Street.
 - c. West Locust from Fillmore Street to Division Street.
2. A Class C license, as defined under Chapter 5.10 of the Davenport City Code, shall have been issued ten years prior to July 1, 2021.
3. Eligible neighborhood bars shall not be reestablished after July 1, 2031.

(the current subsection (C) and all subsequent lettered subsections of this section shall be relettered alphabetically as appropriate, and the relettered alphabetical changes shall be reflected as amended in the Use Standard column of Table 17.08-1 of Section 17.08.020)

Section 5. That section 17.08.050 of the Municipal Code of Davenport, Iowa, shall be the same and amended to add where alphabetically appropriate or to read as follows:

Bar – Neighborhood – A bar that is eligible for reestablishment.

Retail Alcohol Sales. A retail establishment that sells primarily beer, wine, or liquor.

Section 6. That section 17.17.010 of the Municipal Code of Davenport, Iowa, add a new subsection shall be the same and amended to read as follows:

B. Ordinance 2002-177

1. Condition 1. That the uses be limited to apartments (with a maximum density of 192 units) and 8 condominiums in 4 buildings buffering the adjacent single family homes. All structures shall be limited to 2 ½ stories in height.
2. Condition 9. That parking lot lighting be limited to downcast luminaries.
3. Condition 14. That the developer shall construct the eight condominium units in four two-family structures on the eastern end of the of the subject property.

SEVERABILITY CLAUSE. If any of the provisions of this ordinance are for any reason illegal or void, then the lawful provisions of this ordinance, which are separable 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.

REPEALER. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

EFFECTIVE DATE. This ordinance shall be in full force and effective after its final passage and publication as by law provided.

First Consideration _____

Second Consideration _____

Approved _____

Mike Matson
Mayor

Attest: _____

Brian Krup
Deputy City Clerk

Published in the *Quad City Times* on _____