

ORDINANCE NO. 2015-600

AN ORDINANCE AMENDING THE CHAPTER 165 – ZONING REGULATIONS OF THE MUNICIPAL CODE OF THE CITY OF POLK CITY, IOWA BY RESTRICTING RELIGIOUS FACILITIES IN THE C-2 COMMERCIAL ZONING DISTRICT

WHEREAS religious institutions are currently permitted uses in the R-1 Single Family Detached Residential District, R-1A Single Family Residential District, and R-2 One and Two-family Residential District; and

WHEREAS religious institutions are currently permitted uses with Restrictions in the C-TS Town Square Business District, C-1 Central Business District, C-2 Commercial District, and C-4 Neighborhood Friendly Commercial District; and

WHEREAS the City of Polk City, Iowa recognizes the importance of preserving certain areas of the city that are intended and designed to provide for general uses and activities of a retail business, service industry, or professional office that by nature of their business, provide services and commodities that benefit the community at large, and particularly the C-2 Commercial Districts located along arterial streets.

WHEREAS, on the 18th day of May, 2015 the Planning and Zoning Commission of the City of Polk City, Iowa, recommended to the City Council that construction of new religious facilities in the C-2 Commercial be restricted.

WHEREAS, on the 8th day of June, 2015, after due notice and hearing as provided by law, the City Council now deems it reasonable and appropriate to amend Chapter 165 – Zoning Regulations by restricting religious facilities in the C-2 Commercial District.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF POLK CITY IOWA:

Section 1. That Chapter 165 – Zoning Regulations of the Municipal Code of the City of Polk City, Iowa, is hereby amended by adding the following clause to Section 165.10, paragraph 3 – Restrictions for Principal Permitted Uses:

- F. Religious Institutions shall be subject to the following restrictions:
- (1) Religious Institutions that have not received Site Plan approval by the City Council as of the effective date of this Ordinance shall not be permitted in the C-2 Commercial District.
 - (2) Religious Institutions for which a Site Plan has been approved by City Council as of the effective date of this Ordinance shall be considered a permitted use in the C-2 Commercial District. Subsequent amendments to the Site Plan for improvements including but not limited to additional parking areas, access roads, and building additions, may be considered for approval by City Council.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. This ordinance shall be in full force and effect after its passage, approval and publication as provided by law.

PASSED AND APPROVED this ____ day of _____, 2015.

Jason Morse, Mayor

ATTEST:

Jenny Gibbons, Acting City Clerk

First reading: _____

Second reading: _____

Third reading: _____

Publication Date: _____