

AN ORDINANCE AMENDING ARTICLE XX OF THE ZONING ORDINANCE OF THE CITY OF INDEPENDENCE, IOWA, TO ALLOW FOR THE INSTALLATION OF WHEELCHAIR RAMPS & ACCESS STOOPS WITHIN MINIMUM SETBACK AREAS

WHEREAS, the City Council of the City of Independence, Iowa, has identified a need to amend the City's Zoning Ordinance to allow for installation of wheelchair ramps and access stoops at properties within the City to allow residents with disabilities to more safely and efficiently access their homes and other buildings; and

WHEREAS, the Planning and Zoning Commission of the City of Independence, Iowa, has made a report upon this Ordinance and has recommended passage of the same; and

WHEREAS, the City Council has determined it is necessary to amend the City's Zoning Ordinance to allow for and to regulate the installation of wheelchair ramps and access stoops within the minimum setback areas of properties within City limits so as to preserve and promote the general health, safety, and welfare of the residents of the City.

THEREFORE, The City Council hereby adds various provisions to Article XX (Additional Requirements, Exceptions, Modifications and Interpretations) of the Zoning Ordinance of the City of Independence, Iowa, to establish conditions under which wheelchair ramps and access stoops will be allowed within the minimum setback areas of properties within City limits.

SECTION 1. SECTIONS ADDED. The following provisions are added to Article XX of the Zoning Ordinance of the City of Independence, Iowa, as follows, with underlined text indicating language added, stricken text indicating language removed, and unaltered text indicating existing language unchanged by this amendment but which is included for context:

20.02.04 Wheelchair ramps and stoops that function as a means of access to the ground or first floor of a building may extend up to a maximum of eight feet (8') into the front yard setback, provided they are set back at least three feet (3') from any front lot line.

20.03.03. The following projections or structures may be permitted within side yards:

(f) Wheelchair ramps and stoops that function as a means of access to the ground or first floor of a building may extend up to eight feet (8') into the side yard setback, provided they are set back at least three feet (3') from any side lot line.

20.04.07 Wheelchair ramps and stoops that function as a means of access to the ground or first floor of a building may extend into the rear setback, provided they are set back at least three feet (3') from the rear lot line.

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

SECTION 3. SEVERABILITY. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of this ordinance as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

SECTION 4. EFFECTIVE DATE. This ordinance shall be effective after its passage and publication as required by law.

PASSED AND APPROVED this 9th day of November 2020.


Bonita Davis, Mayor

ATTEST:


Jeena Lynch, City Clerk