

**CITY OF MUSCATINE
ORDINANCE 2025-0121**

**ORDINANCE AMENDING CITY CODE TO PROMOTE RESIDENTIAL INFILL
BY RELAXING SIDE-YARD SETBACK REQUIREMENTS FOR CERTAIN
PREEXISTING VERY NARROW RESIDENTIAL PARCELS, BY AMENDING
SECTION 2, CHAPTER 26, TITLE 10, OF CITY CODE**

WHEREAS, for a new home to be constructed, the parcel upon which it is constructed must meet the minimum parcel size and lot frontage requirements established for the zoning district which it is located in. Any newly created residential parcel must also comply with these standards; and

WHEREAS, Muscatine adopted its first zoning ordinance in 1957. Prior to this there were no minimum lot size, or frontage requirements for new home construction or land subdivision. Approximately 59% of housing units in Muscatine were built before 1960. Consequently, a significant number of residentially zoned parcels do not meet one or more of the, parcel size, or frontage requirements of their respective zoning districts. Over 32% of residentially zoned parcels do not meet the minimum parcel size requirements of their zoning districts, likely due to their creation before the establishment of zoning in Muscatine; and

WHEREAS, The manner in which setback requirements are applied makes it difficult to redevelop existing, but extremely narrow, residential parcels; and

WHEREAS, When Muscatine was originally platted, lots were typically 60 feet by 140 feet and it was common for these 60-foot lots to be split in half, creating 30-foot-wide lots with residences built on each. Over time, many of these very narrow residential parcels have become vacant due to the destruction or demolition of the existing dwellings; and

WHEREAS, Such parcels are ideally located for infill development. Constructing new homes on these parcels would revitalize surrounding neighborhoods, create much-needed new housing stock cost-effectively, and require no additional investment in public infrastructure; and

WHEREAS, The smallest and most typical setback requirement among residential zoning districts is six feet. On a 30-foot-wide parcel, this results in a building envelope of only 18 feet in width. Creating a functional, attractive, and economical home design on a parcel only 30 feet wide presented a significant design challenge. An extra two feet of building width, enabled by the minor reduction in side yard setbacks is very crucial for creating a functional, attractive, and economical home design on such lots; and

WHEREAS, To facilitate the construction of functional, economical homes on these lots, the proposed amendment would reduce the side-yard setback as needed to maintain a minimum buildable width of 20 feet, provided that the side-yard setback is not reduced to less than 5 feet; and

WHEREAS, the Planning and Zoning Commission on February 11th did vote to

recommend approval of an amendment; and

WHEREAS, a public hearing was held on April 3, 2025, for public comment.

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

SECTION 1: **AMENDMENT** “10-26-2 Additional Yard Requirements” of the Muscatine Municipal Code is hereby *amended* as follows:

AMENDMENT

10-26-2 Additional Yard Requirements

The following additional yard requirements must also be observed:

- A. Whenever a lot abuts upon a public alley, one-half of the alley width may be considered as a portion of the required yard. For the purpose of side yard regulations, a two-family dwelling or multi-family dwelling shall be considered as one building occupying one lot.

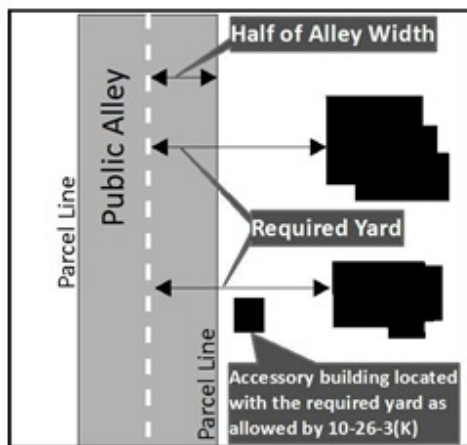


Illustration 26-2A

- B. Where the R-3, R-4, R-5, and R-6 Districts abut the R-1 or R-2 District, a minimum side yard shall be ten feet.
- C. On a lot fronting on two nonintersecting streets, a front yard must be provided on both streets.

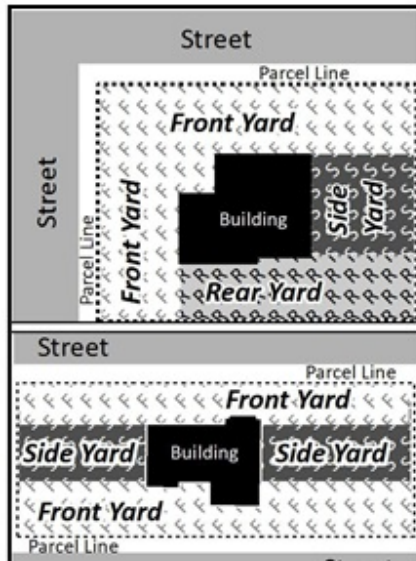


Illustration 26-2D

- D. On corner lots, there must be a front yard on both streets. On corner lots that are lots of record, the buildable width cannot be reduced to less than 28 feet, except that there shall be a yard along the side street of such a lot of at least five feet.
- E. Where a frontage is divided among districts with different front yard requirements, the deepest front yard required shall apply to the entire frontage.
- F. In the C-1, M-1, and S-1 Districts, there may be more than one building on a lot, provided that:
 - 1. The lot is under, and will be retained under, single ownership, whether a private individual or corporation.
 - 2. A site plan is provided to the Planning and Zoning Commission for approval prior to obtaining a building permit.
 - 3. All separate buildings and uses are interrelated and part of a cohesive development plan.
 - 4. The applicable street and utility standards apply.
- G. There may be two or more related multi-family, hotel, motel, or institutional buildings on a lot; provided that:
 - 1. The required yards be maintained around the group of buildings, and
 - 2. Buildings that are parallel or that are within 45° of being parallel be separated by a horizontal distance that is at least equal to the height of the highest building.

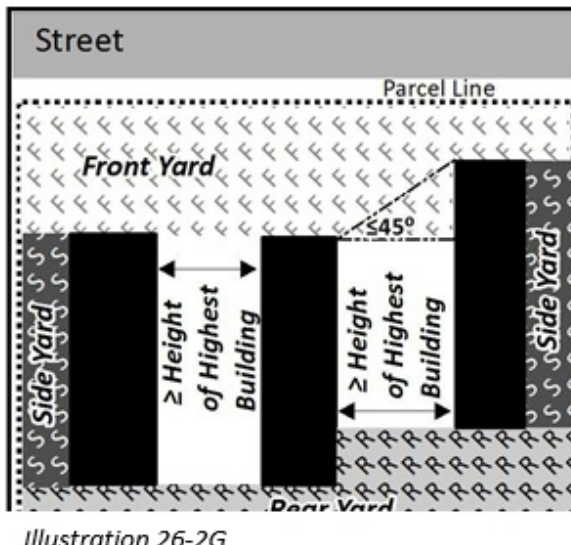


Illustration 26-2G

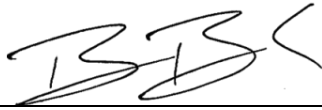
Illustration 26-2G

- H. No part of an existing building that violates yard regulations when damaged by any cause whatsoever to the extent of more than 65% of the fair market value of the building immediately prior to damage shall be restored, except in conformity with the yard regulations of this Ordinance.
- I. Where an official line has been established for the future widening or opening of a street or major thoroughfare upon which a lot abuts, then the depth of front or side yard shall be measured from such official line to the nearest line of the building.
- J. The minimum width of side yards for schools, libraries, places of worship, community buildings, and other public and semipublic buildings in residential districts shall be 25 feet, except where a side yard is adjacent to a commercial or industrial district, in which case the width of that yard shall be as required in the district in which the building is located.
- K. Where a parcel which existed as of January 1, 2025, and has less area or frontage than herein required in the district in which it is located, a new single-family residence may nevertheless be constructed on such a parcel provided that:
1. A single-family residence is a permitted use in zoning district in which the parcel is located.
 2. Side-yard setbacks are maintained, except the buildable width cannot be reduced to less than 20 feet, except that a side yard setback of five feet shall be maintained.

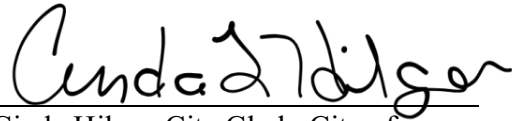
PASSED AND ADOPTED BY THE CITY OF MUSCATINE CITY COUNCIL MAY 01, 2025.

Presiding Officer

Attest



Dr. Brad Bark, Mayor, City of
Muscatine



Cinda Hilger, City Clerk, City of
Muscatine

