

ORDINANCE NO. 2477

AN ORDINANCE TO AMEND CITY OF COLUMBIA, ILLINOIS ORDINANCE NO. 2393 WHICH CHANGED ZONING CODE YARD SETBACK REQUIREMENTS IN CERTAIN RESIDENTIAL ZONED DISTRICTS IN THE CITY IN ORDER TO MAKE THE APPLICATION OF ORDINANCE NO. 2393 PROSPECTIVE AND NOT APPLICABLE TO SUBDIVISIONS THAT HAD RECEIVED PRELIMINARY OR FINAL PLAT APPROVAL FROM THE COLUMBIA, ILLINOIS CITY COUNCIL PRIOR TO THE ENACTMENT OF THE ORDINANCE

WHEREAS, on August 15, 2005, the City Council of the City of Columbia, Illinois (the "City") enacted its Ordinance No. 2393 which changed front and/or side yard setback requirements in certain zoned districts and the minimum square feet and width of the lot at the building line of a building line in an R-6 (One-Family Dwelling Zoned District) in the City and which ordinance was enacted to take effect upon its passage and approval;

WHEREAS, the City Council of the City has found and determined and does hereby declare that the City in the enactment of Ordinance No. 2393 did not intend to redesign the subdivisions in the City which had preliminary or final plats approved by the Columbia City Council prior to the enactment of the ordinance; and,

WHEREAS, it is necessary and appropriate that the City Council of the City enact this Ordinance to amend City of Columbia, Illinois Ordinance No. 2393 to make that ordinance prospective in its application and not to apply to subdivisions in the City which had received preliminary or final plat approval from the Columbia, Illinois City Council prior to the enactment of the ordinance.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

Section 1. The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

Section 2. Section 8 of City of Columbia, Illinois Ordinance No. 2393, enacted August 15, 2005, is hereby changed and amended to read as follows:

“Section 8. This Ordinance shall be in full force and effect from and after its passage and approval, as provided by law and shall apply to subdivisions in the City for which preliminary or final subdivision plats have been approved by the City Council after the enactment of this Ordinance and shall not apply to subdivisions in the City for which preliminary or final

subdivision plats were approved by the Columbia, Illinois City Council prior to the enactment of this Ordinance."

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

Alderman Agne moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Ebersohl, and the roll call vote was as follows:

YEAS: Aldermen Conrad, Ebersohl, Agne, Niemietz, Unnerstall, Huch and Mayor Hutchinson.

NAYS: None.

ABSENT: Aldermen Koesterer and Row.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 3rd day of July, 2006.

KEVIN B. HUTCHINSON, Mayor

ATTEST:

WESLEY J. HOEFFKEN, City Clerk

(SEAL)