

**ORDINANCE NO. 1362**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF MOUNT PLEASANT, IOWA, APPENDIX D, CHAPTER 19:**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MOUNT PLEASANT, IOWA:**

Section 1. **AMENDMENT 1.** Section 19.02.030 (a) of the Zoning Ordinance of Mount Pleasant, Iowa, entitled "Definitions" is hereby amended to add the definition of "Height, Average Roof" as follows with the existing and subsequent definitions being re-numbered alphabetically:

*Height, Average Roof* The average of the lowest (eave) roof height and the highest point on the roof surface, all measured from the finished grade.

**AMENDMENT 2.** Section 19.02.050 (c) of the Zoning Ordinance of Mount Pleasant, Iowa, entitled "General Regulations" is hereby amended to read as follows:

(c) Accessory buildings. In addition to the use limitations applicable to the district in which it is located, no accessory building shall be permitted unless it complies with the following restrictions:

1. No accessory building shall be constructed upon a lot until the construction of the principle building has been commenced, and no accessory building shall be used unless the principle building on the lot is also being used.
2. Unless permitted elsewhere in the zoning ordinance, accessory buildings shall not contain any sleeping rooms and shall contain no more than one living facility such as a bathroom or kitchen facilities.
3. Accessory buildings may be erected as a part of the principal building or may be connected thereto by a breezeway or similar structure; provided that all yard requirements for a principal building are complied with.
4. Accessory buildings shall not be erected in any required yard other than a rear yard, except accessory buildings shall be permitted in a side or front yard in "B" districts and "M" districts provided that the accessory buildings are approved on the site plan, provided that the accessory building is subordinate in appearance to the main building, provided that the accessory building is associated with a non-residential use, provided that all yard requirements for a principal building are complied with, and provide that the accessory building has similar siding materials and color schemes to that of the principal building.
5. Accessory buildings which are not a part of the principle building shall not occupy more than thirty (30) percent of the rear yard. Exception: this regulation shall not be interpreted to prohibit the construction of a five hundred fifty (550) square-foot garage not exceeding twelve (12) feet in average roof height on a minimum rear yard.
6. Accessory buildings in rear yards not exceeding twelve (12) feet in average roof height shall be at least five (5) feet from alley lines and at least four (4) feet from lot lines of adjoining lots which are in any "R" District; and, on a corner lot, they shall conform to the setback regulations on the side street.

7. Accessory buildings shall not exceed twelve (12) feet in average roof height, except as provided otherwise in this section.
8. Accessory buildings shall not exceed two (2) stories above grade plane.
9. The average roof height of accessory buildings shall not exceed the average roof height of the principal building. The average roof height of accessory buildings shall not exceed the average of the average roof height of the tallest and shortest principal buildings of adjoining lots, except when the accessory building is two-hundred (200) feet from lot lines.
10. The required yard setbacks for rear yard accessory buildings permitted to exceed twelve (12) feet in average roof height shall be increased one (1) foot for every foot the accessory building exceeds 12 feet in average roof height.

**AMMENDMENT 3.** Section 19.18.040 (a) of the Zoning Ordinance of Mount Pleasant, Iowa, entitled "Bulk Regulations" is hereby amended to delete the accessory buildings maximum number of stories.

**AMMENDMENT 4.** Section 19.20.040 (a) of the Zoning Ordinance of Mount Pleasant, Iowa, entitled "Bulk Regulations" is hereby amended to delete the accessory buildings maximum number of stories.

**AMMENDMENT 5.** Section 19.22.040 (a) of the Zoning Ordinance of Mount Pleasant, Iowa, entitled "Bulk Regulations" is hereby amended to delete the accessory buildings maximum number of stories.

**AMMENDMENT 6.** Section 19.24.040 (a) of the Zoning Ordinance of Mount Pleasant, Iowa, entitled "Bulk Regulations" is hereby amended to delete the accessory buildings maximum number of stories.

**AMMENDMENT 7.** Section 19.30.050 (a) of the Zoning Ordinance of Mount Pleasant, Iowa, entitled "Bulk Regulations" is hereby amended to delete the accessory buildings maximum number of stories.

Section 2. **REPEALER.** All Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

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

Section 4. **EFFECTIVE DATE.** This Ordinance shall be in effect after its final passage,

approval and publication as provided by law.

**DATED** this 10<sup>th</sup> day of July, 2019.

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Steven K. Brimhall, Mayor

The above Ordinance was passed and approved on the 10<sup>th</sup> day of July\_\_ \_\_, \_\_

2019, and was signed by the Mayor on the 10<sup>th</sup> day of July, 2019.

ATTEST:

Florence Olomon, City Clerk