

**ORDINANCE NO. 257**

**AN ORDINANCE AMENDING THE ZONING ORDINANCES OF THE CITY OF GEORGE, IOWA, 2009 BY AMENDING ARTICLE VI: R-1 – SINGLE FAMILY RESIDENTIAL DISTRICT; SECTION 6.4. PERMITTED ACCESSORY USES, ARTICLE VII: R-2 – MULTIPLE FAMILY RESIDENTIAL DISTRICT; SECTION 7.4. PERMITTED ACCESSORY USES, ARTICLE VIII: R-3 – MOBILE/MANUFACTURED HOUSING DISTRICT; SECTION 8.4. PERMITTED ACCESSORY USES, ARTICLE IX: C-1 – DOWNTOWN COMMERCIAL DISTRICT; SECTION 9.4. PERMITTED ACCESSORY USES, ARTICLE X: C-2 – HIGHWAY COMMERCIAL DISTRICT; SECTION 10.4. PERMITTED ACCESSORY USES, ARTICLE XI: GI – GENERAL INDUSTRIAL DISTRICT; SECTION 11.4. PERMITTED ACCESSORY USES, AND ARTICLE XIII: ADDITIONAL USE REGULATIONS**

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF GEORGE, IOWA:**

**SECTION I ENACTMENT.** The Zoning Ordinances of the City of George, Iowa, 2009 Article VI: R-1 – Single Family Residential District; Section 6.4 Permitted Accessory Uses, Article VII: R-2 – Multiple Family Residential District; Section 7.4 Permitted Accessory Uses, Article VIII: R-3 – Mobile/Manufactured Housing District; Section 8.4 Permitted Accessory Uses, Article IX: C-1 – Downtown Commercial District; Section 9.4 Permitted Accessory Uses, Article X: C-2 – Highway Commercial District; Section 10.4 Permitted Accessory Uses, Article XI: GI – General Industrial District; Section 11.4 Permitted Accessory Uses, and Article XIII: Additional Use Regulations is amended by deleting the strikethroughs and adding the underlined provisions:

**ARTICLE VI: R-1 – SINGLE FAMILY RESIDENTIAL DISTRICT**

**6.4. PERMITTED ACCESSORY USES.**

Permitted accessory uses shall not be the principal structure on any lot, and accessory uses are to remain incidental and secondary in size, use, and nature to the principal permitted use.

1. The following accessory uses and structures shall be permitted.
2. Essential services
3. Private garages or carports.
4. Personal recreational facilities for use by residents
5. Patios, cabanas, porches, gazebos, and incidental or portable household storage buildings
6. Personal greenhouses, not operated for commercial purposes
7. Radio, television, satellite dish, and other similar receiving antennas for residential purposes
8. ~~Solar collectors~~ Solar collectors (*intended for private or personal use*) in compliance with Section 13.10
9. Home occupations
10. Private kennel
11. Temporary buildings for uses incidental to construction, in which the buildings shall be removed upon completion or abandonment, and in compliance with Section 13.3.
12. Other customary accessory uses and structures determined by the zoning administrator to be incidental and subordinate to principal permitted and special exception uses and structures.
13. Personal wind generating devices when used for residential purposes.

## ARTICLE VII: R-2 – MULTIPLE FAMILY RESIDENTIAL DISTRICT

### 7.4. PERMITTED ACCESSORY USES

Permitted accessory uses shall not be the principal structure on any lot, and accessory uses are to remain incidental and secondary in size, use, and nature to the principal permitted use. The following accessory uses and structures shall be permitted.

1. Essential services
2. Private garages or carports
3. Private parking lots
4. Personal recreational facilities for use by residents
5. Patios, cabanas, porches, gazebos, and incidental household storage buildings
6. Personal greenhouses, not operated for commercial purposes
7. Radio, television, satellite dish, and other similar receiving antennas for residential purposes
8. ~~Solar collectors or personal wind generating devices when used for residential purposes~~ Solar collectors (*intended for private or personal use*) in compliance with Section 13.10
9. Home occupations
10. Kennel, private
11. Temporary buildings for uses incidental to construction, in which the buildings shall be removed upon completion or abandonment, and in compliance with Section 13.3.
12. Other customary accessory uses and structures determined by the zoning administrator to be appropriate, incidental, and subordinate to principal permitted and special exception uses.
13. Personal wind generating devices when used for residential purposes

## VIII: R-3 – MOBILE/MANUFACTURED HOUSING DISTRICT

### 8.4. PERMITTED ACCESSORY USES

Permitted accessory uses shall not be the principal structure on any lot, and accessory uses are to remain incidental and secondary in size, use, and nature to the principal permitted use. The following accessory uses and structures shall be permitted.

1. Essential services
2. Private garages or carports
3. Private parking lots
4. Personal recreational facilities for use by residents
5. Patios, cabanas, porches, gazebos, and incidental household storage buildings
6. Personal greenhouses, not operated for commercial purposes
7. Radio, television, satellite dish, and other similar receiving antennas for residential purposes
8. ~~Solar collectors or personal wind generating devices when used for residential purposes~~ Solar collectors (*intended for private or personal use*) in compliance with Section 13.10
9. Home occupations
10. Kennel, private
11. Temporary buildings for uses incidental to construction, in which the buildings shall be removed upon completion or abandonment, and in compliance with Section 13.3.
12. Other customary accessory uses and structures determined by the zoning administrator to be appropriate, incidental, and subordinate to principal permitted and special exception uses.
13. Personal wind generating devices when used for residential purposes

## ARTICLE IX: C-1 – DOWNTOWN COMMERCIAL DISTRICT

### 9.4 PERMITTED ACCESSORY USES

The following accessory uses and structures shall be permitted:

1. Essential Services
2. Private garages or carports
3. Water retention ponds and stormwater basins.
4. Any other commercial use type that is not listed as a permitted use in the same district, and complies with all the following criteria.
  - a. Operated primarily for convenience of employees, clients or customers of the principal use.
  - b. Occupies less than 10 percent of the total floor area of the principal use.
  - c. Located and operated as an integral part of the principal use and does not comprise a separate business use or activity.
5. Temporary buildings for uses incidental to construction in which the buildings shall be removed upon completion or abandonment of construction work, and in compliance with Section 13.3.
6. Accessory buildings and structures normally incidental and subordinate to the principal permitted uses or special exceptions, as permitted in Section 13.2.
7. Other necessary and customary uses and structures determined by the zoning administrator to be appropriate, incidental, and subordinate in size, use, and nature.
8. Solar collectors (*intended for private or personal use*) in compliance with Section 13.10

## ARTICLE X: C-2 – HIGHWAY COMMERCIAL DISTRICT

### 10.4. PERMITTED ACCESSORY USES

The following accessory uses and structures shall be permitted:

1. Essential Services
2. Private garages or carports
3. Water retention ponds and stormwater basins.
4. Any other commercial use type that is not listed as a permitted use in the same district, and complies with all the following criteria.
  - a. Operated primarily for the convenience of employees, clients, or customers of the principal use.
  - b. Occupies less than 10 percent of the total floor area of the principal use.
  - c. Located and operated as an integral part of the principal use and does not comprise a separate business use or activity.
5. Temporary buildings for uses incidental to construction in which the buildings shall be removed upon completion or abandonment of construction work, and in compliance with Section 13.3.
6. Accessory buildings and structures normally incidental and subordinate to the principal permitted uses or special exceptions, as permitted in Section 13.2.
7. Other necessary and customary uses and structures determined by the zoning administrator to be appropriate, incidental, and subordinate in size, use, and nature.
8. Solar collectors (*intended for private or personal use*) in compliance with Section 13.10

## ARTICLE XI: GI – GENERAL INDUSTRIAL DISTRICT

### 11.4. PERMITTED ACCESSORY USES

The following accessory uses and structures shall be permitted.

1. Essential Services
2. Temporary buildings for uses incidental to construction, in which the buildings shall be removed upon completion or abandonment of the work, and in compliance with Section 13.3.
3. Any commercial or industrial commercial use type or any other industrial use type that is not a permitted use in the same district, and complies with all the following criteria:
  - a. Operated primarily for the convenience of employees, clients, or customers of principal uses.
  - b. Any accessory building may not be larger than twenty-five percent (25%) of the principal building's square feet.
  - c. Located and operated as an integral part of the principal use and does not comprise a separate business use or activity.
4. Accessory buildings, structures and uses normally incidental and subordinate to the permitted uses or special exceptions, as permitted in Section 13.2.
5. Other necessary and customary uses and structures determined by the zoning administrator to be appropriate, incidental, and subordinate in size, use, and nature.
6. Solar collectors (intended for private or personal use) in compliance with Section 13.10

## ARTICLE XIII – ADDITIONAL USE REGULATION

### 13.10. SOLAR COLLECTORS.

Solar collectors, solar panels, and other devices intended for generating solar energy are permitted as residential or commercial/industrial accessory structures, subject to the height and site development regulations of Section 13.2 of this ordinance. Any solar panel, solar collector or accessory equipment shall not be placed within any front yard area of any lot when such solar devices are intended as an accessory use and structure on the property. In an emergency the board would allow the use of accessory equipment to be placed in the front yard for a maximum of two weeks. The height limit in all zoning districts shall apply to free standing solar devices and ancillary equipment placed upon the ground. (Refer to QUICK REFERENCE GUIDE table) The maximum height limits do not apply to solar panels or solar collectors mounted on a building or structure, so long as the highest point of the solar structure does not exceed two feet (2') above the highest point of the building or structure. All solar devices and ancillary equipment such as generators, utility boxes, etc. located on the ground consisting of more than one (1) grouping of solar panels shall be encompassed with a privacy fence in accordance with the fencing requirements identified in Section 12.7 of this ordinance. Solar panels and solar collectors shall not be constructed or operated to cause glare or reflections upon existing neighboring residential structures; except for the owner of such solar panels or solar collectors.

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

**SECTION III. 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 IV. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

**PASSED AND APPROVED** this 9<sup>th</sup> day of March, 2022.