

ORDINANCE \_\_\_\_\_

**AN ORDINANCE AMENDING ZONING ORDINANCE CHAPTER 18.60.015 GENERAL SUPPLEMENTARY REGULATIONS: ACCESSORY BUILDING AND STRUCTURE LOCATION 18.08.210, 18.08.060 DEFINITIONS OF THE CAMANCHE, IOWA CODE OF ORDINANCES**

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

**Section 1. Purpose.** The purpose of this ordinance is to amend Zoning Chapter 18.60.015 of the Camanche, Iowa Code of Ordinances, for the regulation of Accessory Buildings and Structure Location in the City of Camanche

**Section 2. Facts Found.** The City Council hereby makes the following findings of fact:

- 1) The City of Camanche Zoning Ordinance regulates the size and location of accessory buildings within the City of Camanche
- 2) The Camanche Planning and Zoning Commission has reviewed and recommended adoption of amended language to incorporate in the Zoning Ordinance
- 3) The Camanche City Council has identified a correction to the definitions section of private garage that must be changed to coincide with the proposed change to 18.60.015
- 4) The Camanche City Council has identified a necessary correction to a Scribner's error in 18.08.060
- 5) The City of Camanche finds it appropriate to amend the Zoning Ordinance

**Section 3. Amendment.** The Camanche, Iowa, Code of Ordinances for Zoning Chapter 18.60.015 is hereby amended by removing the language for 18.60.015 in its entirety and replacing it with the following language:

18.60.015 Accessory Building and Structure Location: No accessory building or structure shall be constructed or located on or across a municipal sanitary sewer, water or other utility easement. Any existing accessory building or structure located on any municipal utility easement shall be removed or relocated in conformance with these regulations at the owner's expense.

“Garage, Private” means a detached accessory building or portion of a residential building housing the automobiles of the occupants of the premises. No private garage within R-1, R-2, B-2 or R-M districts shall exceed ten (10) feet in height for side wall construction, and shall not have an overall height exceeding twenty (20) feet. Properties with a principal dwelling under 1440 square feet of gross living area as defined by the Clinton County Assessor's office shall not have a detached private garage exceeding 1080 square feet. Properties with more than 1440 square feet of gross living area as defined by the Clinton County Assessor's office shall not have an overall detached private garage exceeding 1500 square feet total area or seventy five (75%)

percent of the gross living area as defined by the Clinton County Assessor's office of the related principal residence, and whichever number is lesser establishes the total area maximum for such detached garage or accessory building. The largest dimension of any detached accessory building or detached garage in R-1, R-2, B-2, or R-M districts shall not exceed forty (40) feet in length. In the case of an attached garage, the twenty (20) foot height limitation does not apply, however the height of the garage shall not exceed the height of the principal residence adjacent to the point of attachment to such principal residence. The number of detached accessory buildings or detached private garages shall be no more than two buildings and the combined square footage of these buildings may not exceed the amount of square footage for a private garage allowed for that property.

The location and size of any accessory building shall also comply with the requirements set forth at 18.24.020 regarding set back requirements and percentage of rear yard space which an accessory building may occupy.

BE IT FURTHER RESOLVED that Section 18.08.210, Garage, Private is hereby amended by removing the language for 18.08.210 in its entirety and replacing it with the following language:

18.08.210 Garage, Private. "Garage, Private" means a detached accessory building or portion of a residential building housing the automobiles of the occupants of the premises.

BE IT FURTHER RESOLVED that Section 18.08.060 is hereby amended in order to correct a Scribner's error which is pertinent to the amendment to 18.60.015, to read as follows:

18.08.060 Basement. "Basement" means a story having part but not less than one-half (1/2) of its height below grade. A basement is counted as a story for the purpose of height regulations.

**Section 4. Repealer.** All ordinances or parts of ordinances in conflict with any provision of this ordinance are hereby repealed.

**Section 5. 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 this ordinance as a whole, or any section, provision, or part thereof not adjudicated invalid or unconstitutional.

**Section 6. When Effective.** This ordinance shall be in full force and effect from and after its final approval, passage, and publication as provided by law.

Passed by the Camanche City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2023 and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Austin Pruett, Mayor

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Attest: Toni L. Schneider, City Clerk

**Certification of Posting**

I, Toni L. Schneider, City Clerk do hereby certify that a copy of this ordinance was posted at Clinton National Bank, Camanche City Hall and the Camanche Public Library on the \_\_\_\_\_ day of \_\_\_\_\_, 2023, as required by law.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Toni L. Schneider, City Clerk