

ORDINANCE NO. 356

AN ORDINANCE AMENDING THE 2013 HARTLEY ZONING ORDINANCES TO ALLOW FOR ACCESSORY BUILDINGS AS CONDITIONAL USE AS THE ONLY PRINCIPAL STRUCTURE ON A SEPARATE PLATTED LOT IN SINGLE FAMILY AND MULTIPLE FAMILY RESIDENTIAL DISTRICTS

BE IT ENACTED by the City Council of the City of Hartley, Iowa:

WHEREAS, The Hartley City Council requested that the Hartley Planning and Zoning Commission consider an amendment to the 2013 Hartley Zoning Ordinances to allow for accessory buildings as a conditional use as the only principal structure on a separate platted lot in Single Family Residential and Multiple Family Residential Districts;

WHEREAS, The Hartley Planning and Zoning Commission held a public hearing on the request from the Hartley City Council to review said amendment to the 2013 Hartley Zoning Ordinances as required by the 2013 Hartley Zoning Ordinances, Section 20.1;

WHEREAS, The Hartley Planning and Zoning Commission reviewed the proposed amendment to the Zoning Ordinances and recommended the amendment to the City Council;

WHEREAS, following the receipt of the recommendation of the Hartley Planning and Zoning Commission the City Council of the City of Hartley set a public hearing pursuant to Section 20.1 of the Zoning Ordinances of the City of Hartley and after the public hearing, the City Council made a specific finding that the change in the zoning as requested is consistent with the objectives of the City Zoning Ordinances;

WHEREAS, there have been no written protests filed by residents of Hartley; and

WHEREAS, The City Council adopts the findings and rezoning amendment change recommended by the Hartley Planning and Zoning Commission and issues the 2013 Hartley Zoning Ordinances be changed to reflect the amendment.

NOW, THEREFORE, THE CITY OF HARTLEY ORDAINS:

Section 1. The 2013 Hartley Zoning Ordinances, Article XII, Section 12.10 is amended to add Section 12.10(14): Accessory buildings may be allowed, as a conditional use, as the only principal structure on a separate platted lot so long as the accessory building is located on property no more than 300 feet from the lot of the principal structure it is associated with. Furthermore, the two properties, principal and accessory, must be joined as one lot of record through a deed restriction. Yard setbacks shall apply to accessory buildings if they are the principal use on the lot.

Section 2. The City Clerk is authorized to make the amendment change enacted by this ordinance to the 2013 Hartley Zoning Ordinances.

SECTION 2. 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 3. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed and approved by the City Council the 12th day of November, 2019.

First Reading: November 12, 2019

Second Reading: Suspended November 12, 2019

Third Reading: Suspended November 12, 2019

Final Approval: November 12, 2019

Rodney Ahrenstorff, Mayor

ATTEST:

Erica Haack, City Clerk

I certify that the foregoing was published as Ordinance No. 356 on the 21st day of November, 2019.

Erica Haack, City Clerk