

ORDINANCE #554

AN ORDINANCE AMENDING THE CITY OF MISSOURI VALLEY ZONING ORDINANCE, SECTIONS 2.3 AND 3.72 CONCERNING PERMITTED ACCESSORY USES AND ADDING A DEFINITION TO SECTION 2.3

BE IT ENACTED by the City Council of the City of Missouri Valley, Iowa that:

SECTION 1. SECTION MODIFIED: Section 2.3, “Accessory Use or Structure” is hereby amended as follows:

1. A subordinate structure or use which customarily is incidental to that of the principal or conditional use of the premises. Customary residential accessory uses include that but are not limited to, tennis courts, swimming pools, detached garages, air conditioners, garden houses, children’s play houses, barbecue ovens, fire places, patios, residential storage sheds and cargo containers; but under no circumstances include incomplete or inoperable motor vehicles. Garages or other accessory uses attached to the principal structure shall be considered a part thereof and meet the requirements of the principal structure.

SECTION 2. SECTION MODIFIED: Section 3.72, “Permitted Accessory Uses”, is hereby amended to add sub-section I as follows:

- I. In all residential zones, accessory buildings and structures, with the exception of carports and cargo containers, shall be roofed in the gable or hip style and shall include an overhang of a minimum of six (6) inches. All accessory buildings and structures must be consistent in color with the primary structure and be free of any advertising.

SECTION 3. Adding a new definition to Section 2.3 to read as follows:

113. **CARGO CONTAINERS:** standardized reusable vessels that were:
 - A. Originally designed for or used in the parking, shipping, movement or transportation of freight, articles, goods or commodities; and/or
 - B. Originally designed for or capable of being mounted or moved by rail, truck or ship by means of being mounted on a chassis or similar transport device. This definition includes the terms “transport containers” and “portable site storage containers” having a similar appearance to and similar characteristics of cargo containers.

SECTION 4. 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 5. WHEN EFFECTIVE. This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

Passed by the Council on the 5th day of May, 2020, and approved this 5th day of May, 2020.

1st reading: 5-05-2020

2nd reading: Waived

3rd reading: Waived

Published: 5-20-2020