

ORDINANCE NO. 25-30

AN ORDINANCE AMENDING CHAPTER 340 OF THE MARION CODE OF ORDINANCES RELATED TO ZONING DEFINITIONS, COMPATIBILITY WITH THE COMPREHENSIVE PLAN, AND NONCONFORMING USES PERTAINING TO LOTS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MARION, IOWA:

Section 1: Section 340-2.2 of Chapter 340 Zoning, of the Marion Code of Ordinances, is amended by deleting and inserting in lieu thereof the definitions as indicated below:

§ 340-2.2

DWELLING UNIT, AUXILIARY

A self-contained dwelling unit that is accessory to the primary residence located on the same lot and may be attached or detached as defined. "Dwelling unit, auxiliary may also be referred to as "accessory dwelling unit" or "ADU".

A. Auxiliary dwelling unit, attached

A dwelling unit attached to a one-unit dwelling. The attached auxiliary dwelling unit shall have permanent, independent provisions for living, sleeping, eating, cooking and sanitation. A separate exterior entrance to the auxiliary dwelling unit may be provided. An interior connection between the auxiliary dwelling unit and the one-unit detached dwelling is not necessary, unless required to meet building or fire prevention code requirements. "Dwelling unit, auxiliary may also be referred to as "attached accessory dwelling unit" or "attached ADU".

B. Auxiliary dwelling unit, detached

A dwelling unit, surrounded by open space, which is constructed on the same lot as a one-unit detached dwelling. The detached auxiliary dwelling unit shall have permanent, independent facilities for living, sleeping, eating, cooking and sanitation. Must be constructed as permanent structures on a permanent foundation and shall not include recreational vehicles, campers, trailers, or other similar temporary, portable dwellings. "Dwelling unit, auxiliary may also be referred to as "detached accessory dwelling unit" or "detached ADU".

Section 2: Section 340-2.2 of Chapter 340 Zoning, of the Marion Code of Ordinances, is amended by inserting the following definitions:

§ 340-2.2

FUELING PUMP

A machine at a gas station that is used to pump gasoline (petrol), diesel, or other types of liquid fuel used to power motor vehicles, recreation vehicles, watercraft, small engine motors or other similar gasoline fueled motors and calculates the cost. It may be single-sided or double-sided in nature with one or more fueling nozzles per side. "Fueling pump" may also be referred to as "gasoline pump" or "fuel dispenser".

SNACK BAR / CONCESSION STAND

An accessory use that may sell merchandise, beverages, or limited food options and is associated with a primary use on the same site, such as indoor or outdoor recreation or amusement, park, theater, sports venue, or other similar uses. Limited food options are either pre-packaged or heated on the premises by microwave oven, warming stations, heat lamps, or other similar small appliances and typically include easy-to-eat snacks that may include but are not limited to chips, ice cream, popcorn, candy, soft pretzels, nachos, pizza, hot dogs, hamburgers, or walking tacos. These structures can be permanent, semi-permanent, or portable in nature.

Section 3: Section 340-2.2 of Chapter 340 Zoning, of the Marion Code of Ordinances, is amended by deleting in entirety the following definition:

§ 340-2.2

DWELLING UNIT, ACCESSORY

See "dwelling unit, auxiliary"

Section 4: Section 340-3.4.D(2) of Chapter 340 Zoning, of the Marion Code of Ordinances, is amended by deleting and inserting in lieu thereof:

§ 340-3.4

D. Nonconforming lots of record.

(2) Individual lots of record in residential districts. In residential districts, a one-unit dwelling may be constructed and maintained on a lot which is nonconforming as to minimum lot area and/or minimum lot width, if the lot was of record on October 20, 2022, was in separate ownership on the effective date of this chapter and conforms to all other requirements of the zoning district in which it is located.

Section 5: Section 340-4.1 of Chapter 340 Zoning, of the Marion Code of Ordinances, is amended by deleting and inserting in lieu thereof:

§ 340-4.1

The standards and requirements contained in this chapter and the district mapping reflected on the Zoning District Map have all been made in accordance with the officially adopted Comprehensive Plan of the City of Marion, Iowa. The vision of the Comprehensive Plan is to create attractive and connected corridors throughout the city. Attractive corridors mean landscaping, pedestrian connections, high-quality buildings that sustain over time, and uses that serve the community, among other objectives. Frontage and intersections on these corridors have the largest influence on the vision. Therefore, additional standards along Marion's major corridors may have additional requirements in place to achieve the vision and goals of the community.

Section 6: That all other sections and subsections shall remain unchanged.

Section 7: That all ordinances and parts of ordinances in conflict with the same are hereby repealed.

Section 8: This ordinance shall be in full force and effect from and after its passage, approval and publication, as provided by law.

Passed and approved on November 06, 2025.

Rachel Bolender, City Clerk