

**CITY OF REXBURG
ORDINANCE 1243**

**DEVELOPMENT CODE ORDINANCE 1200 AMENDMENT -AMEND
TRANSITIONAL AGRICULTURE (TAG) ZONES AND ADD TO SUBDIVISION
CHAPTER PLANNED UNIT DEVELOPMENT (PUD)**

**AN ORDINANCE AMENDING THE CURRENT DEVELOPMENT CODE
(PLANNING AND ZONING ORDINANCE NO. 1200) CONCERNING SUBSTANTIVE
AND NON-SUBSTANTIVE ITEMS; THE FOLLOWING CHANGES HAVE BEEN
MADE: AMEND TRANSITIONAL AGRICULTURE (TAG) ZONE BY
CONSOLIDATING TRANSITIONAL AGRICULTURE 1 (TAG1) AND
TRANSITIONAL AGRICULTURE 2 (TAG2) ZONES INTO TRANSITIONAL
AGRICULTURE (TAG) ZONE; AMEND SECTION 5.03.020(A) REMOVAL OF
PERMITTED ACCESSORY USES; AMEND SECTION 5.03.060 LOT WIDTH IN
TRANSITIONAL AGRICULTURE (TAG) ZONE OF NOT LESS THAN 250 FEET;
AND PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE.**

WHEREAS, the City of Rexburg is incorporated as an entity of the State of Idaho; and

WHEREAS, the State of Idaho Statutes are used by the City of Rexburg as the primary source of code compliance; and

WHEREAS, Rexburg City Codes are subordinate to Idaho State Code.

NOW THEREFORE, be it ordained by the Council of City of Rexburg, in the State of Idaho, as follows:

SECTION 1: **AMENDMENT** “1.04.020 Amendments To This Ordinance” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

1.04.020 Amendments To This Ordinance

The Council may, by ordinance, after receipt of recommendation from the Commission and subject to procedures provided by law, amend, supplement, change, or repeal the regulations, restrictions, and boundaries or classifications of property. Such amendments may include text amendments or map revisions.

A. Initiation of Ordinance Amendments. Amendments to this Ordinance may be initiated in one of the following ways:

1. **Application.** (*See subsection 1.04.010.*) By the filing of an application by a property owner or authorized agent with the area proposed to be changed by the amendment. The applicant shall provide the Zoning Administrator with the

following additional information:

- a. **Narrative Statement.** A statement on how the proposed amendment relates to the Comprehensive Plan, availability of public facilities, and compatibility with the surrounding area and zoning.
- b. **Area of Impact.** In the event an application for rezoning received by the Commission requests a rezoning of any lands that lie within one quarter (1/4) mile of any boundary of the Sugar City Area of City Impact, the Commission shall provide the City of Sugar City written notice of the application for rezoning.

2. By adoption of a motion by the Commission

3. By adoption of a motion by the Council

B. Zoning Map Revisions. Comprehensive Plan Amendment. If the request for zoning amendment is not in accordance with the Comprehensive Plan, the Commission shall consider and the Council may adopt or reject an amendment to the Comprehensive Plan after notice and hearings as provided in Section 67-6509, Idaho Code. (See following summary table for allowable zoning in Comprehensive Plan areas.)

Summary Table of Appropriate Land Uses for each Comprehensive Plan Map Designation: (Amended 03 May, 2017 by Ordinance 1159)	
Comprehensive Plan Designation	Allowable Zoning District
Commercial	(TOZ) Technology and Office Zone (RBC) Regional Business Center (GBC) General Business Center (CBC) Community Business Center
Light Industrial	(LI) Light Industrial Technology (TOZ) Technology Office Zone
Downtown Commercial Mixed Use	(CBD) Central Business District (MU) Mixed Use
Neighborhood Commercial Mixed Use	(MU) Mixed Use (OS) Open Space (CBC) Community Business Center (CBD) Central Business District (TOZ) Technology and Office Zone (RBC) Regional Business Center
Public Facilities	(PF) Public Facilities (Point of reference & may be included in any zone)
Moderate to High Density Residential	(MDR1) Medium Density Residential 1 (MDR2) Medium Density Residential 2 (HDR1) High Density Residential 1 (HDR2) High Density Residential 2
Low to Moderate Density Residential	(LDR2) Low Density Residential 2 (LDR3) Low Density Residential 3 (MDR1) Medium Density Residential 1 (MDR2) Medium Density Residential 2
Single Family Residential	(RR1) Rural Residential 1 (RR2) Rural Residential 2 (LDR1) Low Density Residential 1 (LDR2) Low Density Residential 2 (LDR3) Low Density Residential 3
Agriculture / Rural	(TAG) Transitional Agriculture (OS) Open Space
Open Space	(OS) Open Space
University	University District

C. **Commission Consideration.** In evaluating requests for amendments, the Commission

shall consider, in addition to conformance with the Comprehensive Plan as required by *Section 67-6511*, Idaho code, the following:

1. The capacity of existing public streets, water and sewer facilities, storm drainage facilities, solid waste collection and disposal, and other utilities.
2. The capacity of existing public services, including but not limited to, public safety services, public emergency services, schools, parks and recreational services.
3. The potential for nuisances or health and safety hazards that may adversely affect adjoining properties.
4. Recent changes in land use on adjoining properties or in the neighborhood of the map revision.

D. Other Material Recommendations. Following the hearing, if a material change in the ordinance is recommended, other than that published for the present hearing, further notice and hearings shall be provided before the Commission forwards its recommendation to the Council.

SECTION 2: AMENDMENT “3.01.020 Zoning Districts” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.01.020 Zoning Districts

The City may be divided into the following zoning districts, the boundaries and extent of which shall be shown on the official Rexburg Zoning Map by the City of Rexburg Staff:

Residential Zones (a) Rural Residential 1 (RR1) (b) Rural Residential 2 (RR2) (c) Low Density Residential 1 (LDR1) (d) Low Density Residential 2 (LDR2) (e) Low Density Residential 3 (LDR3) (f) Medium Density Residential 1 (MDR1) (g) Medium Density Residential 2 (MDR2) (h) High Density Residential 1 (HDR1) (i) High Density Residential 2 (HDR2)

Combined Use Zones (j) Mixed Use (MU) (k) Central Business District (CBD) (l) Transitional Agriculture (TAG)

Commercial District Zones (n) Community Business Center (CBC) (o) Regional Business Center (RBC)

Highway Business District Zones (p) Light Industrial District (LI) (q) Heavy Industrial District (HI)

Other Zones (r) Open Space (OS) (s) Public Facilities Zone (PF) (t) University District (UD)

(u) Residential Business District (RBD)

(v) Technology and Office Zone (TOZ) (w) Project Redevelopment Option (PRO)

SECTION 3: AMENDMENT “3.05.190 Allowable "Sign Size" And "Sign Permit Conditions" By Zone” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

3.05.190 Allowable "Sign Size" And "Sign Permit Conditions" By Zone

Zones: RR1, RR2, LDR1, LDR2, LDR3, TAG, RBD

Type	Sign Area (Sq. Ft)	Max Height	Location From Property Line	Lighting Style	Restrictions	(BD) or (CUP)
For Rent	6	6	5 feet	None	1 per street frontage	BD
For Lease						
For Sale						
Home Occupation	2	Limited by Wall	Must be parallel to wall	None	1 per street frontage	BD
Construction	32	8	5 feet	None	1 or more with max. Total of 96 SQ. FT.	BD
PUD, Subdivision Identification	64	8	5 feet	Indirect Internal	1 or more with max. total of 64 SQ. FT.	CUP
Directional	6	Code	Public ROW	Internal	Code	CUP
Public Service	6	Code	Public ROW	Internal	Code	CUP
All other signs Prohibited						

Zones: MDR1, MDR2, HDR1, HDR2

Type	Sign Area (Sq. Ft)	Max Height	Location From Property Line	Lighting Style	Restrictions	(BD) or (CUP)
For Rent	32	10	5 feet	None	1 per street frontage	BD
For Lease						
For Sale						
Home Occupation	2	Limited by Wall	Must be parallel to wall	None	1 per street frontage	BD
Construction	32	12	5 feet	Indirect Internal	1 or more with max. 96 SQ. FT.	BD
PUD, Subdivision Identification	64	8	5 feet	Indirect Internal	1 or more with max. 64 SQ. FT.	CUP
Directional	6	Code	Not in Sight Triangle	None	Code	CUP
Public Service	6	Code	Public ROW	None	Code	CUP
Project signs for Identification Attached/detached 50 sq. ft. Max.	1 sq. ft. per 3 Lineal ft. Of bldg.	12	Bldg. wall Facing the Street	Indirect Internal	Not in set-back or higher than the eave line; 1 per parcel	CUP
All other signs Prohibited						

Zone: MU

Type	Sign Area (Sq. Ft)	Max Height	Location From Property Line	Lighting Style	Restrictions	(BD) or (CUP)
For Rent	32	10	5 feet	None	1 per street frontage	BD
For Lease						
For Sale						
Home Occupation	2	Limited by Wall	Must be parallel to wall	None	1 per street frontage	BD
Construction & Temporary	32	12	5 feet	Indirect Internal	1 or more with max. 96 SQ. FT.	BD
PUD, Subdivision Identification	64	8	5 feet	None	1 or more with max. 64 SQ. FT.	CUP
Directional	6	Code	Not in Sight Triangle	None	Code	CUP
Public Service	6	Code	Public ROW	None	Code	CUP
Accessory On- Premise, Wall, Free Standing, or Canopy Marquee 50 Sq. ft. Max.	1 sq. ft. Per 3 Lineal ft. Of bldg.	Less than Height of Wall; FS Max. 12 Feet high	Bldg. wall Facing the Street	Indirect Internal Flood light	1 per parcel	CUP
Open Lands	Code	Code	Code	Code	Code	BD
All other signs Prohibited						

Zones: CBD, CBC, RBC, TOZ, LI, and HI

Type	Sign Area (Sq. Ft)	Max Height	Location From Property Line	Lighting Style	Restrictions	(BD) or (CUP)

For Rent	32	10	5 feet	None	1 per street frontage	BD
For Lease						
For Sale						
Construction & Temporary	32	12	5 feet	None	1 or more with max. 96 SQ. FT.	BD
Directional	6	Code	Code	Internal	Code	BD
Public Service	6	Code	Public ROW	Internal	Code	CUP
Accessory; On premise;	Sec. II	8 ft. over Building			Single story; less than 30 feet	BD
Wall signs	Sec. II	6 ft. over Building			Buildings greater than 30 feet	BD
Projected Signs	Sec. II	Sec. II	Not in Public ROW; Blade Signs Allowed	Sec. II	Sec. II	Public ROW w/CUP
Marquee & Canopy	Sec. II	No Projections	Face Parallel w/sign	Indirect Internal	1 per street frontage	CUP
Under Marquee & Canopy	Sec. II Length Only 75% Of sign Width	8 ft. Min. Clearance To Ground	Code	Internal	1 per Business	BD
Non-Accessory Off Premise Free standing or Wall	32	10 ft. Max. Height	Sec. I Sec. II	Indirect Internal Floodlit	1 per property (Wall or Free Standing)	CUP
Accessory On-Premise; Free Standing	Sec. I	24 ft. Max or Bldg. Height w/CUP	Sec. I	Indirect Direct Internal	Sec. I	BD or CUP
Portable signs (A-frame style)	Sec. I	4 ft. Max.	Sec. I Not in Public ROW	None	Only allowed as Temporary Signs.	BD

SECTION 4: **AMENDMENT** “4.00.040 Home Occupation” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

4.00.040 Home Occupation

In order to provide for home occupations that are secondary to the use of the premises as a residence and are compatible with the quiet, peaceful nature of a residential neighborhood, no home occupation shall be permitted without the prior issuance of a conditional use permit or home occupation permit or license as required by the type of home occupation desired. Any business must be registered with the State of Idaho to obtain an EIN number and the City of Rexburg.

A. **Process Requirements**

1. Submit Application
2. Payment of a permit fee
3. Regulation Compliance
4. CUP Process (If needed)
5. Permit Issued

B. **Standard Regulations.** All Home Occupations and Businesses, whether permitted or conditional, must adhere to the following standard regulations.

1. **Accessory Uses.** In all residential zones, home occupations in compliance with the following regulations are permitted as accessory uses.
2. **Appearance.** There shall be no change in the outside appearance of the dwelling or premises or any visible evidence of the conduct of a home occupation.
3. **Boys.** The home occupation shall be conducted by the applicant, who shall reside on the premises.
4. **Display.** There shall be no display of products visible in any manner from the outside of the dwelling.
5. **Impact.** The home occupation shall not constitute a significant impact on neighborhoods.
6. **In Dwelling or Accessory.** A home occupation shall be conducted entirely within the dwelling or an accessory structure.
7. **Interference.** No equipment or process shall be used which creates visual or audible electrical interference in any radio or television receiver off the premises or causes fluctuations in line voltage off the premises.
8. **Nuisance.** No equipment or process shall be used in a home occupation which creates noise, glare, vibration, or fumes, or odor detectable to the normal senses off the property.
9. **Outside Storage.** There shall be no storage of equipment, vehicles, or supplies associated with the home occupation outside the dwelling.
10. **Public Utilities.** No home occupation shall cause an increase in the use of any one or more public utilities (water, sewer, and garbage collection) so that the combined total use for dwelling and home occupation purposes exceeds the average for residences in the neighborhood.

11. **Signs.** There shall be no visible evidence of the conduct of the home occupation other than one (1) non-illuminating sign not to exceed two (2) square feet in area mounted flat against the dwelling.
 12. **Traffic.** The use shall not create greater pedestrian or vehicular traffic than normal for the neighborhood.
- C. **Permitted Uses.** Examples of home occupations permitted under this section shall include but not be limited to: **Permitted Uses Examples** Computer programming Family child care may have up to five (5) children at any one time. (The care of additional children shall constitute a *Home Business*.) Home cooking, baking and preserving Home crafts without on premise sales Individual tutoring Painting Sculpturing Secretarial service Sewing and tailoring Telephone solicitation work and answering services Writing
- D. **Permitted Use Regulations.** A home occupation, which meets the standard regulations and the following conditions shall be issued a permit by the City Clerk, upon application and payment of a permit fee, provided that the home occupation is conducted by the applicant:
1. **Advertising.** No commercial telephone directory listing, newspaper, radio, or television service shall be used to advertise the location of a home occupation to the general public.
 2. **Area.** A home occupation shall be conducted entirely within a dwelling and shall not occupy more than twenty (20%) percent of the floor area of the residence.
 3. **Delivery Services.** The home occupation shall not involve the use of commercial vehicles for delivery of materials to or from the premises other than vans regularly involved in commercial delivery such as United Parcel Service, Federal Express, or the United States Postal Service greater than that of a standard residential home. The applicant may use his/her personal vehicle, provided it does not exceed three quarter (3/4) ton, for deliveries.
 4. **Employees.** No one other than members of the immediate family residing in the home shall be employed in the conduct of a home occupation.
 5. **Instruction.** If the home occupation is the type in which classes are held or instruction is given to more than one (1) person at a time, there shall be no more than five (5) students or pupils in the dwelling unit or on the premises at any one time. No more than (2) two sessions shall be held daily.
 6. **Motors.** No motor power other than electrically operated motors shall be used in connection with a home occupation. Home occupations shall not involve the use of electric motors of more than three (3) h.p.
 7. **Parking.** The use shall not require additional off-street parking spaces for clients or customers of the home occupation.
- E. **Conditional Uses.** A home occupation which does not comply with the Permitted Uses above may be permitted in all residential zones only if a conditional use permit is secured. Such home occupations shall comply with standard regulations and the following regulations:
1. **Area.** More than the equivalent of twenty-five (25%) percent of the floor area of the residence shall not be associated with the home occupation.
 2. **Delivery.** The home occupation shall not involve the use of commercial vehicles with more than six (6) wheels for delivery of materials to or from the premises. Such deliveries would exceed the normal delivery to a residential home. shall be

- limited to five (5) deliveries per (1) week.
3. **Employees.** No one other than the residents of the dwelling shall be employed in the conduct of the home occupation.
 4. **Hours.** No home occupation shall be conducted between the hours of 9:00 p.m. and 7:00 a.m.
 5. **Parking.** The use shall not require more than two (2) additional off-street parking spaces for clients or customers of the home occupation. Such off-street parking shall not be provided in the front yard unless on a pad existing prior to commencement of the home occupation.
 6. **Sales.** Unless permitted under the conditional use review process, there shall be no sales of products or services not produced on the premises.
- F. **Violation of Standards.** If a home occupation permittee violates any of the above standards as applicable, the home occupation permit may be revoked upon written notice to the applicant, and the conduct of the home occupation shall cease.
- G. **Appeal.** To contest a revocation, the applicant shall appeal to the Planning and Zoning Commission within fifteen (15) days of the date of the written notice.
- H. **Home Business Requirements.** Home businesses are required to have a conditional use permit and business license. Home businesses must meet all the requirements of the previous Home Occupations subsection with the following exceptions:
1. All Home Business applications require a Conditional Use Permit (CUP).
 2. Home businesses are allowed only in the following zones: Transitional Agriculture (TAG), , Rural Residential 1 (RR1), and Rural Residential 2 (RR2).
 3. A home business may be allowed in up to twenty-five (25%) percent of the primary residence *or* one-hundred (100%) percent of an accessory structure.
 4. Up to four (4) non-related employees may be allowed.

SECTION 5: AMENDMENT “5.3 TRANSAGRICULTURE ZONES” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

5.3 Transitional Agriculture Zone

SECTION 6: AMENDMENT “5.03 STANDARDS FOR ALL TRANSAGRICULTURE ZONES” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

5.03 .000 Standards For Transitional Agriculture Zone

SECTION 7: AMENDMENT “5.03.010 Purpose And Objectives” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

5.03.010 Purpose And Objectives

The Transitional Agricultural zone is intended to anticipate expansion of the City into agricultural areas (lands). Permitted uses in the TAG zones include all primary agricultural production activities and their accessory uses and buildings, including farm homes. The TAG zone isare established to ensure transitional regulations pursuant to, and provide uniform enablement of the provisions of [sections 9.3](#) of this title.

SECTION 8: AMENDMENT “5.03.020 Permitted Uses” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

5.03.020 Permitted Uses

The following principal uses and structures indicated as “P”, and no others, shall be permitted in the TAG zones. The following uses and structures indicated as “CUP” may be permitted in the TAG zones only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof.

TRANSITIONAL AGRICULTURE		
Resource Production	Agriculture	P
Residential	Manufactured - House on permanent foundation (>24' wide)	P
	Single-family Dwelling	P
Group Housing	Boarding Houses (<i>See subsection 3.02.160.</i>)*	P
	Group Home (Disabled & Elderly; under 8 residents)	P
Care Facilities	Hospitals	CUP
Places of Worship	Churches, Synagogues and Temples	CUP
Recreation	Public buildings	CUP
	Stadiums, arenas, field houses	CUP
Schools, public or private	Schools	CUP
	Airports	CUP
	Commercial Kennels	CUP

Services	Accessory Home Occupation (<i>See subsection 4.00.040.</i>)	P
	Accessory Home Business (<i>See subsection 4.00.040.</i>)	CUP
	Public Buildings Small	CUP
	Animal Veterinarian Services (inside only)	CUP
	Cemeteries	CUP
Utilities	Broadcasting Towers	CUP

*For Boarding Houses, a Review is required for Neighborhood Compatibility for Parking, Screening, Lighting and Landscaping to be approved by the Zoning Administrator or designee.

SECTION 9: AMENDMENT “5.03.040 Lot Area” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.03.040 Lot Area

The minimum area of any lot or parcel of land in the TAG zone shall be one (1) acre.

SECTION 10: AMENDMENT “5.03.050 Lot Frontage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.03.050 Lot Frontage

Each lot or parcel of land in the TAG zone shall abut a public street for a minimum distance of thirty-five (35') feet, on a line parallel to the centerline of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement.

SECTION 11: AMENDMENT “5.03.060 Lot Width” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.03.060 Lot Width(*Amended*)

Lot Width. Each lot or parcel of land in the TAG zone shall have a width of not less than two

hundred fifty (250') feet.

SECTION 12: AMENDMENT “5.03.060 Density” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.03.060 Density

One (1) single-family dwelling per lot.

SECTION 13: RENUMBER “5.03.080 Building Height” of the Rexburg Development Code is hereby *renumbered* as follows:

RENUMBER

5.03.080 Building Height

5.03.090 Building Height

SECTION 14: RENUMBER “5.03.090 Permissible Lot Coverage” of the Rexburg Development Code is hereby *renumbered* as follows:

RENUMBER

5.03.090 Permissible Lot Coverage

5.03.100 Permissible Lot Coverage

SECTION 15: RENUMBER “5.03.100 Code Exemptions Of Agriculture Buildings” of the Rexburg Development Code is hereby *renumbered* as follows:

RENUMBER

5.03.100 Code Exemptions Of Agriculture Buildings

5.03.110 Code Exemptions Of Agriculture Buildings

SECTION 16: **RENUMBER** “5.03.110 Referenced Sections” of the Rexburg Development Code is hereby *renumbered* as follows:

RENUMBER

5.03.110 Referenced Sections

5.03.120 Referenced Sections

SECTION 17: **REPEAL** “5.03.120 TRANSITIONAL AGRICULTURAL 1 (TAG1)” of the Rexburg Development Code is hereby *repealed* as follows:

REPEAL

~~5.03.120 TRANSITIONAL AGRICULTURAL 1 (TAG1)~~ (*Repealed*)

- A. All Zoning Standards apply. (*See sections 3.1-3.7*)
- B. All Agricultural Zone Standards apply. (*See section 5.3.*)
- C. **Lot Width.** Each lot or parcel of land in the TAG1 zone shall have a width of not less than eighty (80') feet.

SECTION 18: **REPEAL** “5.03.130 TRANSITIONAL AGRICULTURAL 2 (TAG2)” of the Rexburg Development Code is hereby *repealed* as follows:

REPEAL

~~5.03.130 TRANSITIONAL AGRICULTURAL 2 (TAG2)~~ (*Repealed*)

- A. All Zoning Standards apply. (*See sections 3.1-3.7.*)
- B. All Agricultural Zone Standards apply. (*See section 5.3.*)
- C. **Lot Width.** Each lot or parcel of land shall have a width of not less than two hundred and fifty (250') feet.

SECTION 19: **AMENDMENT** “5.03.030 Permitted Accessory Uses” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.03.030 Permitted Accessory Uses

[\(See subsection 3.02.070.\)](#)

Accessory uses and structures are permitted in the TAG zone provided they are incidental to, and do not substantially alter the character of the permitted use or structure, and are located on the same or an adjacent lot as the permitted use. Such permitted accessory uses and structures include, but are not limited to, the following:

- A. **Residential Uses.** [\(See subsection 4.00.020.\)](#)
- B. Swimming pools and incidental bath houses subject to the standards of Rexburg City Code.
- C. **No Open Storage.** Nothing herein shall be construed to permit the open storage of materials or equipment used in conjunction with permitted uses, or shall be concealed from view from public or private streets
- D. **Livestock.** No more than ten (10) livestock are permitted in a TAG zone. However, this does not include commercial enterprises or animal-related business such as produce packing plants, fur farms, veterinary clinics, animal hospitals, feed lots, poultry and egg farms, hog farms, dog kennels, honey processing, and similar uses which would constitute a “business” as opposed to that of the raising of agricultural crops and/or pasture.

SECTION 20: **AMENDMENT** “5.03.070 Yard Requirements” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

5.03.080 Yard Requirements

The following minimum yard requirements shall apply to the TAG zone:

- A. **Front Yard.** Each lot or parcel of land in the TAG zone shall have a front yard of not less than fifty (50’) feet from right-of-way and, except for single family detached homes, shall not be used for vehicular parking or maneuvering except such portion as is devoted to driveway use for direct access from a street to a garage or carport.
- B. **Side Yard.** Each lot or parcel of land in the TAG zone shall have a side yard setback of not less than ten (10’) feet, and shall not be used for vehicular parking or maneuvering except such portion as is devoted to driveway use for direct access from a garage or carport.
- C. **Accessory Buildings.** [\(See subsection 3.02.070.\)](#)
- D. **Rear Yard.** Each lot or parcel of land in the TAG Zone shall have a rear yard setback of not less than twenty-five (25’) feet.

SECTION 21: **REPEALER CLAUSE** All ordinances or resolutions or parts thereof, which are in conflict herewith, are hereby repealed.

SECTION 22: **SEVERABILITY CLAUSE** Should any part or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinances a whole or any part thereof other than the part so declared to be unconstitutional or invalid.


SECTION 23: **EFFECTIVE DATE** Providing for other substantive and non-substantive changes in the Development Code as recommended and approved by the Planning and Zoning Commission of the City of Rexburg, Idaho. The City of Rexburg, Idaho City Council shall enact this Ordinance (#20-00821) amending Ordinance 1200, otherwise known as The Development Code of the City of Rexburg, Idaho, upon its passage and shall be in full force and effect from January 6, 2021 and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF REXBURG COUNCIL JANUARY 06, 2021.

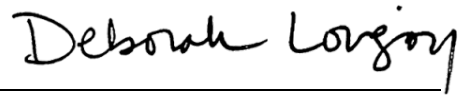
	AYE	NAY	ABSENT	ABSTAIN
Council President Jordan Busby	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Brad Wolfe	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Tisha Flora	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Christopher Mann	<u> </u>	<u> X </u>	<u> </u>	<u> </u>
Councilmember Mikel Walker	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Bryanna Johnson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Presiding Officer

Attest



Jerry L Merrill, Rexburg Mayor, City
of Rexburg



Deborah Lovejoy, Rexburg City Clerk
City of Rexburg

