

CITY OF REXBURG
ORDINANCE LOT CONFIG/DENSITY/SETBACKS - AUGUST 2023

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

SECTION 1: **AMENDMENT** “3.02.080 Exception To Setback Requirements” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.02.080 Exception To Setback Requirements

- A. When fifty (50%) percent or more of the lots on the same side of the street have been built, all buildings erected, established, or rebuilt shall be in conformity with the averaged setback of such buildings.
 - 1. Parking and maneuvering areas are not included in the calculation of this exception nor shall these areas be granted an exception to the required front yard setbacks.
- B. The following structures may be erected on or projected into any required setback or right-of-way:
 - 1. Fences and walls in conformance with the Rexburg City Code and Ordinances.
 - 2. Landscape elements including trees, shrubs, agricultural crops and other plants.
 - 3. Necessary appurtenances for utility.
- C. Permitted Building Projections with Conditions.** The structures listed below may project into a minimum front or rear yard not more than four (4') feet, and into a minimum side yard not more than two (2') feet.
 - 1. Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features.
 - 2. Stairways, balconies, door stoops, fire escapes, fireplaces, ~~bays~~, awnings and planter boxes or other similar structures.
 - a. Provided they do not exceed thirty (30") inches in height from the natural grade.
 - b. Provided they are not wider than eight (8') feet and are generally parallel to the wall of which they are a part.
 - c. Uncovered steps or a deck may not extend into the front setback more than one-third of the required setback.
 - 3. Underground Structures. Underground structures may be projected into any required setback if the structure is covered by landscaping or grass and does not raise the grade of the yard by more than two (2') feet.**
 - a. Public Utility Easements. Building structures shall not encroach in Public Utility Easements.**

4. **Carports or Loading Dock.** Carports and loading docks are allowed in a side yard or rear yard, provided that such a structure is not more than one (1) story in height and twenty-four (24') feet in length and is entirely open on at least three (3) sides, except for necessary supporting columns and customary architectural features.

SECTION 2:**AMENDMENT** “3.02.90 Screening And Landscaping” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.02.90 Screening And Landscaping

The following are minimum standards. Additional landscaping elements may be allowed as per review by the Zoning Administrator or Designee. Screening and fences within the City shall be constructed and maintained in conformance with the following standards:

- A. **Landscaping.** Plant material size (minimum), at time of planting:
 1. Deciduous trees- Two (2") inch caliper around the trunk of the tree
 2. Evergreen trees- Seven (7') feet in height from root collar to top of tree crown
 3. Shrubs- Five (5) gallon containers
 4. Landscaping must be maintained as in its original design and purpose.
- B. **Buffers.** Buffers shall be separate from the city right-of-way and consist of a minimum five (5') feet wide landscape strip to be planted with ground cover, one (1) deciduous tree and five (5) shrubs, per thirty (30') lineal feet. (*For commercial see subsection 3.04.060.5.c.*)
- C. **Landscape Strip.** In all zones, the area between the curb and gutter and the sidewalk is to be landscaped, per Rexburg Engineering Street Cross Sections, by the adjacent property owner.
 1. Landscaping shall be maintained by the adjacent property owner.
 2. Columnar trees shall not be in the landscape strip
 3. If applicable, an irrigation system is required and is the responsibility of the property owner as is the maintenance of the landscaped areas.
 4. Mixed Use. Deciduous trees with a minimum caliper of two (2") inches and a maximum spacing of twenty (20') feet are required in Mixed Use Zones.
 5. See Sight Triangle.
- D. **Parking Areas.** (*See subsection 3.04.060.A.*)
- E. **Commercial/Industrial Uses.** Where a commercial or industrial use adjoins residential zones, or undeveloped land shown as a residential use on the Comprehensive Plan, there shall be provided along the abutting property line, a yard equal in width to that required in the residential zone.
 1. The yard shall be planted with a combination of trees, low shrubs, and ground cover, and/or a suitable fence otherwise in compliance with this ordinance of sufficient height and density to screen the two parcels, as specified by the Planning and Zoning Commission.

F. High Density Residential Uses.

1. Where a lot in the HDR1 or HRD2 district adjoins a lot (not a right-of-way) in the LDR or MDR zones or unincorporated and designated as single-family on the Comprehensive Plan map, a five (5') feet wide landscaped buffer shall be provided on said property line. (*See A of this subsection for tree and bush sizes.*)
2. When a public street is located between the front lot line of the HDR zone and a single-family zone, a landscaped buffer seven (7') feet wide or as required for front yard setbacks, whichever is greater, shall be constructed and maintained on the front lot line.

G. Highway 20 Corridor. All development adjacent to the Highway 20 right-of-way must submit an Infrastructure Plan to the Zoning Administrator or designee to be approved for design prior to obtaining a building permit.

1. **Landscape Buffer.** Parcels directly adjacent to the Highway 20 right-of-way must have buildings buffered with deciduous two (2") inch caliper trees at twenty (20') feet spacing and two (2) shrubs between trees.
2. **Commercial Design Standards.** Building facades adjacent to Highway 20 right-of-way which meet the requirements of commercial design standards (including "eyes to the street" requirements) found in *section 7.0* may reduce buffering to deciduous two (2") inch caliper trees at fifty (50') feet spacing and eight (8) shrubs between trees.
3. **Setback.** A minimum setback of twenty-five (25') feet is required from any building to the Highway 20 right-of-way or a one-to-one setback to height requirement, whichever is greater.
4. Landscaping must be maintained.

H. Open Storage Area. Open storage area in commercial and industrial zones shall be screened from view of the streets by structures or by a landscaped strip at least seven (7') feet in width with plantings that hide the open storage (as approved by the Zoning Administrator or designee).

1. **No front yard storage.** Open storage shall not be located within a required front yard.

I. Utility yards. When utility yards are in zones other than Industrial or adjacent to any residential zone or commercial zone, then screening is required.

1. The screening required shall consist of a seven (7') foot tall decorative masonry wall or otherwise approved privacy fence by the Zoning Administrator that is set back from the right-of-way seven (7') feet and at the property line when not adjacent to the right-of-way.
 - a. **Maintenance.** The area between the right-of-way and the wall shall be landscaped with decorative rock and shall be kept free of weeds.
 - (1) The area between the right-of-way and the wall shall be planted with one two (2") inch caliper deciduous tree and five 5-gallon bushes every thirty (30') feet.
 - (2) Trees and bushes required by this section shall be irrigated with a water drip system.
2. Water tanks are not required to be screened.
3. Pumps and other equipment associated with water tanks will be in below-grade vaults, in buildings or shall be screened as utility yards.

SECTION 3: AMENDMENT “3.02.160 Sidewalks” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.02.160 Sidewalks

- A. In all zones, all buildings erected, established, or rebuilt shall be required to place sidewalks ~~at the location indicated in~~ per the current City Engineering Standards; ~~where conditions permit.~~ (See Appendix.B.)
1. Exempt in Transitional Agriculture (TAG) and Rural Residential 1 (RR1) zones.
- B. **Mixed Use.** Sidewalks parallel to any city street within a Mixed Use (MU) zone shall be a minimum of eight (8') feet wide.
- C. **Sidewalk Access.** Projects located within Medium Density Residential (MDR), High Density Residential (HDR) or Mixed Use (MU) zones are required to demonstrate sidewalk access to the BYU-I campus and to the nearest Substantial Commercial Cluster (See definition in Chapter 2).
- D. **Parking Lots.**
1. **Sidewalks.** The sidewalk shall be no less than six (6') feet wide where parked vehicles overhang the sidewalk.
2. **Drainage.** Parking lots shall provide adequate drainage which shall not run across or cover a public sidewalk.
- E. When a fence is placed adjacent to a public sidewalk in residential zones and no driveway access exists, a one (1') foot landscape strip shall be maintained between the standard sidewalk and the fence.
1. Exempt in Mixed Use (MU)

SECTION 4: AMENDMENT “3.04.060 Parking Area Screening And Safety” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.04.060 Parking Area Screening And Safety

- A. **Screening for Parking Areas.** Parking must be screened from public or private right-of-way and other residential uses and from the adjoining streets to minimize the visual impact of off-street parking. Fences, hedges, berms and landscaping can be used to screen parking areas.
1. **Large Parking Lots.** When large parking lots are necessary, increase the landscaping to screen the lot and divide the lot into smaller components. Significant landscape islands must be provided in the interior of large lots (over fifty (50) parking spaces). These may double as snow storage areas in winter months.

2. **Front Yard Berm Buffer.** Parking lots in front yard setbacks shall be buffered with minimum ten (10') feet wide, two (2') feet high landscape berm planted with bushes and trees.
 3. **Side and Rear Yard Buffer.** Buffers for parking areas shall consist of a minimum five (5') feet wide landscape strip to be planted with ground cover, one (1) deciduous tree and five (5) shrubs, per thirty (30') lineal feet.
 - a. A six (6') tall vinyl or masonry fence may be substituted for the landscape buffer, but not in front yards or front setbacks.
 - b. Property owners may receive an easement in-lieu of this buffer. This easement will need to provide connectivity between parking lots and, depending on size, may require landscape islands to be placed.
 4. **Landscaping and Snow Storage.** Parking areas of four (4) or more vehicles shall dedicate ten (10%) percent of the parking area to landscaping and snow storage. The landscaping may be interior or may be peripheral and shall include groundcover and trees.
 5. **Parking Areas and Existing Uses.**
 - a. **Required Buffer.**
 - (1) The buffer shall consist of a minimum five (5') feet wide landscaped strip to be planted with one (1) tree and five (5) shrubs per thirty (30') lineal feet. (*See subsection 3.02.100.*)
 - (2) A six (6') feet high vinyl or masonry fence may be substituted for the landscape buffer, but not in the front yard or front yard setbacks. (*See subsection 3.02.100.*)
 - b. The buffer described in *subsection 3.04.060.A.5.a* shall be provided between parking areas for more than five (5) vehicles and existing residential uses, schools, hospitals, nursing homes and other institutions for long-term human care.
 - c. **Commercial Parking Areas.** Commercial parking lots shall be separated from the city right-of-way with a minimum ten (10') feet wide buffer with the required landscape trees and bushes as described in *subsection 3.04.060.A.5a*.
- B. Safety.** Parking spaces along the outer boundary of a parking lot shall be contained by high-back curbing or a bumper rail so placed to prevent a vehicle from extending over an adjacent property.
1. **Wheel Stops.** Wheel stops should be a minimum of four (4") inches in height and width and six (6') feet in length, and should be firmly attached to the ground. Placement should be a minimum of eighteen (18") inches from property line.
- ~~C. **Sidewalks,** no less than five (5') feet in width, (six (6') feet in width where vehicle overhang will occur), along facades abutting public parking areas:~~
- ~~1. **Drainage.** Parking spaces shall be provided with adequate drainage which shall not run across a public sidewalk.~~
 - ~~2. **Sidewalk Access: MDR, HDR.** Housing projects made up of twelve (12) or more units will be required to demonstrate sidewalk access to the BYUH campus and to the nearest Substantial Commercial Cluster.~~
- D. Lighting.** All lighting for parking areas shall be directed and, when necessary, shielded so as not to produce direct glare on adjacent properties, and shall comply with

the city's 3.6 Lighting Standards.

E. Parking Area Rules per Zone:

1. **Parking in Residential Zones.** *(See subsection 4.00.060.)*
2. **Connectivity: MU, CBC, RBC, LI, PF, RBD.** When possible, connectivity through parking lots of adjacent properties is required.
3. **(RBD) – RESIDENTIAL BUSINESS DISTRICT**
 - a. Parking areas within the RBD zone are to be used by occupants of the property and customers of the property, and are not to be used by employees or customers of businesses that may be located in nearby business or commercial areas.
 - b. RBD corner lots shall be allowed to petition for parking in side yards provided any such parking shall be buffered visually and for sound from public rights-of-way.
4. **(UD) UNIVERSITY DISTRICT**
 - a. **Permissible Lot Coverage.** In a UD zone, all buildings and structures, inclusive of parking lots, shall not cover more than sixty (60%) percent of the lot or parcel of land upon which they are placed.

SECTION 5: AMENDMENT “4.00.030 Sidewalks” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.00.030 Sidewalks

~~In all Residential Zones, all building erected, established, or rebuilt shall be required to place sidewalks at the location indicated in the City Engineering Standards.~~

SECTION 6: AMENDMENT “4.01.010 Purposes And Objectives” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.01.010 Purposes And Objectives

The RR1 Zone is established to provide rural residential zoning for the development and protection of ~~single family~~ ~~stable country~~ neighborhoods. This area is compatible with detached single-family dwellings, ample off-street parking with landscaped lawns, low building heights, low traffic volumes, and low nuisance potential reflecting a rural isolated atmosphere.

SECTION 7: **AMENDMENT** “4.01.030 Lot Area” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.01.030 Lot Area

~~The area of any lot or parcel of land in the RR1 zone is one (1) acre to five (5) acres.~~

SECTION 8: **AMENDMENT** “4.01.040 Lot Width” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.01.040 Lot Width

~~The minimum lot width in the RR1 zone is one hundred fifty (150') feet.~~

SECTION 9: **AMENDMENT** “4.01.050 Lot Depth” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.01.050 Lot Depth

~~The minimum lot depth in the RR1 zone is one hundred fifty (150') feet.~~

SECTION 10: **AMENDMENT** “4.01.060 Lot Frontage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.01.060 Lot Frontage

~~Each lot or parcel of land in the RR1 zone shall abut a public street for a distance of thirty (30') 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 “4.01.070 Lot Configuration And Density” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.01.070 Lot Configuration And Density

The following requirements apply to any lot or parcel of land in the RR1 zone.

- A. **Maximum Density.** The density shall not exceed one~~One~~ (1) single-family dwelling unit per one (1) acre. ~~may be placed on a lot or parcel of land in the RR1 zone.~~
- B. **Lot Area.** The minimum lot area allowed is one (1) acre.
- C. **Lot Dimensions.**
 - 1. **Width.** The minimum lot width allowed is one-hundred fifty (150') feet.
 - 2. **Depth.** The minimum lot depth allowed is one-hundred fifty (150') feet.
 - 3. **Frontage.** Each lot shall abut a public street for a minimum distance of thirty-five (35') feet.
- D. **Permissible Lot Coverage.**
 - 1. **Building Coverage.** All buildings, including accessory buildings or structures and impervious surfaces, shall not cover more than fifty (50%) percent of the area of the lot.
 - a. **Impervious Surface.** Concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one-hundred (100%) of one (1) side yard.
 - 2. **Landscaping.** At least fifty (50%) percent of the area of the lot shall be maintained in landscaping.
- E. **Setback Requirements.**
 - 1. **Front Setback.** The minimum front yard setback is forty (40') feet from right-of-way.
 - 2. **Rear Setback.** The minimum rear yard setback is thirty (30') feet.
 - 3. **Side Setback.** The minimum side yard setback is ten (10') feet.
- F. **Building Height.**
 - 1. The maximum height of any building or structure is thirty (30') feet, measured at the top of the building's horizontal wall.
- G. **Accessory Buildings.** (See subsection 3.02.060.)

SECTION 12: AMENDMENT “4.01.080 Yard Requirements” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.01.080 Yard Requirements

The following minimum yard requirements shall apply in the RR1 zone:

- A. ~~Front Yard.~~ Each lot or parcel in the RR1 zone shall have a minimum front yard of at least forty (40') feet from the front property line or seventy (70') feet from the centerline of the road, whichever is greater.
- B. ~~Rear Yard.~~ The minimum depth of a rear yard shall be thirty (30') feet.
- C. ~~Side Yard.~~ Each lot or parcel of land in the RR1 zone shall have a side yard of not less than ten (10') feet or six (6'') inches of setback for every (1') foot of building height, whichever is greater.
- D. ~~Accessory Buildings.~~ (See subsection 3.02.070.B.)

SECTION 13: AMENDMENT “4.01.090 Building Height” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.01.090 Building Height

~~No lot or parcel of land in the RR1 zone shall have a building or structure, which exceeds a maximum height of twenty-five (25') feet, measured at the top of building's horizontal wall.~~

SECTION 14: AMENDMENT “4.01.100 Permissible Lot Coverage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.01.100 Permissible Lot Coverage

~~**Building Coverage.** In an RR1 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than fifty (50%) percent of the lot or parcel of land.~~

SECTION 15: AMENDMENT “4.01.110 Parking, Loading And Access” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.01.110 Parking, Loading And Access

~~(See section 3.4 and subsection 4.00.060.)~~

- A. ~~**Direct Access Restricted Roads.** The Madison County Commission together with~~

~~the Rexburg City Council shall designate certain roads and streets located within the City of Rexburg's Impact Area as Direct Access Restricted Roads:~~

- ~~1. No lot or parcel of ground adjoining such designated roads or streets shall have direct access to such road without the prior approval of the Rexburg Planning and Zoning Commission.~~
 - ~~2. Access to and from said lots or parcels shall be by roads, streets or frontage roads, which have been approved by the Rexburg Planning and Zoning Commission.~~
 - ~~3. Said lots or parcels shall comply with the following requirements:~~
 - ~~a. **Reverse Frontage.** Such lots shall reverse frontage on the designated direct accesses restricted road.~~
 - ~~b. **Buffering.** Such lots shall be buffered from the direct access restricted road by any effective combination of the following: lot depth, earth berms, vegetation, walls or fences, and structural sound proofing.~~
 - ~~c. **Minimum Lot Depth.** The minimum lot depth shall be two-hundred (200') feet except where the use of berms, vegetation and structures can be demonstrated to constitute an effective buffer for a dwelling on a lot less than two hundred (200') feet in depth.~~
 - ~~d. **Existing Trees.** Whenever practical, existing roadside trees shall be saved and used in the arterial buffer.~~
 - ~~e. **Maintenance.** Infrastructure Plans, subdivision requirements, and annexation and development agreements, shall include provision for installation and continued maintenance of all buffers and compliance with all city and county ordinances applicable within the city impact area.~~
- ~~B. **Curb and Gutter.** Installation of curb and gutter or a drainage facility must be approved in advance by the City Engineer.~~
- ~~C. The City of Rexburg right-of-way width is dictated by City Engineering Standards.~~

SECTION 16:**AMENDMENT** “4.01.120 Referenced Sections” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.01.120 Referenced Sections

- A. **Prior Created Lots** (*See subsection 3.03.070.*)
- B. **Setbacks and Right-of-Way Exceptions** (*See subsections 3.02.050, 3.02.0980, 4.00.00±0.*)
- C. **Distance Between Buildings** (*See subsection 3.02.060*)
- D. **Project Plan Approval** (*See subsection 3.02.1230.*)
- E. **Fencing** (*See subsection 3.02.10±0.*)
- F. **Highway 20 Corridor.** (*See subsection 3.02.±090.F.*)
- G. The City of Rexburg right-of-way width is dictated by City Engineering Standards.
- H. Refer to *Section 4.0* for Development Rules that apply to all Residential Zones.

I. Refer to *Sections 3.2-3.7* for Development Rules that apply to all Zones.

SECTION 17: AMENDMENT “4.02.010 Purposes And Objectives” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.02.010 Purposes And Objectives

The RR2 Zone is established to provide rural residential zoning for the development and protection of ~~stable-country~~ single family neighborhoods. Conditional Uses in this area shall be compatible with detached single-family dwellings, ample off-street parking with landscaped lawns, low building heights, low traffic volumes, and low nuisance potential reflecting a rural isolated atmosphere. This zoning may be applied in areas where traffic flow is limited primarily to local area residents and where the expansion of transportation to areas adjacent to the zone is not anticipated.

SECTION 18: AMENDMENT “4.02.030 Lot Area” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.02.030 Lot Area

~~The minimum area of any lot or parcel of land in the RR2 zone is ½ acre (21,780 sq. ft.).~~

SECTION 19: AMENDMENT “4.02.040 Lot Width” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.02.040 Lot Width

~~The minimum lot width in the RR2 zone is one hundred twenty (120') feet.~~

SECTION 20: AMENDMENT “4.02.050 Lot Depth” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.02.050 Lot Depth

~~The minimum lot depth in the RR2 zone is one hundred forty (140') feet.~~

SECTION 21: AMENDMENT “4.02.060 Lot Frontage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.02.060 Lot Frontage

~~Each lot or parcel of land in the RR2 zone shall abut a public street for a minimum distance of thirty (30') feet, on a line parallel to the center line 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 22: AMENDMENT “4.02.070 Lot Configuration And Density” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.02.070 Lot Configuration And Density

The following requirements apply to any lot or parcel of land in the RR2 zone:

- ~~A. One (1) single-family dwelling may be placed on a lot or parcel of land in the RR2 zone.~~
- B. **Maximum Density.** The density shall not exceed one (2) dwelling units per one (1) acre.
- C. **Lot Area.** The minimum lot area allowed is one-half (½) acre.
- D. **Lot Dimensions.**
 - 1. **Width.** The minimum lot width allowed is one-hundred twenty (120') feet.
 - 2. **Depth.** The minimum lot depth allowed is one-hundred forty (140') feet.
 - 3. **Frontage.** Each lot shall abut a public street for a minimum distance of thirty-five (35') feet.
- E. **Permissible Lot Coverage.**
 - 1. **Building Coverage.** All buildings, including accessory buildings and structures and impervious surfaces, shall not cover more than seventy (70%) percent of the area of the lot.
 - a. **Impervious Surface.** On any lot, concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one hundred (100%) percent of one (1) side yard.
 - 2. **Landscaping.** At least thirty (30%) percent of the area of any lot shall be

maintained in landscaping.

F. Setback Requirements

1. **Front Setback.** The minimum front yard setback is twenty-five (25') feet from right-of-way.
2. **Rear Setback.** The minimum depth of a rear yard setback is twenty-five (25') feet.
3. **Side Setback.** The minimum side yard setback is six (6') feet.
4. **Projections.**
 - a. **Side Yard Projections.** No projection is allowed within a side yard setback.
 - b. **Box, Bow or Bay Windows.** Box, Bow or Bay Windows, that are not wider than eight (8') feet, may project up to one (1') foot in a front setback and up to two (2') feet in a rear setback but shall not project into a side yard.

G. Building Height.

1. **The maximum height of any building or structure is thirty (30') feet, measured at the top of the building's horizontal wall.**

H. Accessory Buildings. (See subsection 3.02.060.)

SECTION 23: **AMENDMENT** “4.02.080 Yard Requirements” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

4.02.080 Yard Requirements

~~The following minimum yard requirements shall apply in the RR2 zone:~~

- ~~A: **Front Yard.** Each lot or parcel in the RR2 zone shall have a minimum front yard of at least twenty-five (25') feet from right-of-way.~~
- ~~B: **Rear Yard.** The minimum depth of a rear yard shall be twenty (20') feet.~~
- ~~C: **Side Yard.** Each lot or parcel of land in the RR2 zone shall have a side yard of at least six (6') feet or six (6") inches of setback for every (1') foot of building height, whichever is greater.~~
- ~~D: **Accessory Buildings.** (See subsection 3.02.070.)~~

SECTION 24: **AMENDMENT** “4.02.090 Building Height” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

4.02.090 Building Height

- ~~A. No lot or parcel of land in the RR2 zone shall have a building or structure which exceeds a maximum height of twenty-five (25') feet, measured at the top of building's horizontal wall.~~
- ~~B. **Accessory Buildings.** In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.~~

SECTION 25: AMENDMENT “4.02.100 Permissible Lot Coverage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.02.100 Permissible Lot Coverage

- ~~A. **Building Coverage.** All buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than seventy (70%) percent of the area of the lot or parcel of land.~~
- ~~B. **Landscaping.** At least thirty (30%) percent of the area of any lot shall be maintained in landscaping.~~
- ~~C. **Impervious Surface.** On any lot, concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one hundred (100%) percent of one (1) side yard.~~

SECTION 26: AMENDMENT “4.02.120 Referenced Sections” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.02.120 Referenced Sections

- A. **Prior Created Lots** (See subsection [3.03.070](#).)
- B. **Setbacks and Right-of-Way Exceptions** (See subsections [3.02.050](#), [3.02.0890](#), [4.00.010](#).)
- C. **Distance Between Buildings** (See subsection [3.02.060](#).)
- D. **Fencing** (See subsection [3.02.1010](#).)
- E. **Project Plan Approval** (See subsection [3.02.1320](#).)
- F. **Highway 20 Corridor.** (See subsection [3.02.1090.F](#).)
- G. Refer to *section 4.0* for Development Rules that apply to all Residential Zones.
- H. Refer to *sections 3.2-3.7* for Development Rules that apply to all Zones.

SECTION 27: AMENDMENT “4.03.030 Lot Width” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.03.030 Lot Width

~~Each lot or parcel of land in the LDR1 zone shall have a width of no less than eighty (80') feet.~~

SECTION 28: AMENDMENT “4.03.040 Lot Depth” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.03.040 Lot Depth

~~Each lot or parcel of land shall have a minimum of sixty (60') feet.~~

SECTION 29: AMENDMENT “4.03.050 Lot Frontage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.03.050 Lot Frontage

~~Each lot or parcel of land in the LDR1 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. Private drives are allowed as per review by the Zoning Administrator or Designee.~~

SECTION 30: AMENDMENT “4.03.060 Lot Configuration And Density” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.03.060 Lot Configuration And Density

The following requirements apply to any lot or parcel of land in the LDR1 zone.

- A. **Maximum Density.** The density shall not exceed four (4) single-family dwelling units per one (1) acre.

- B. Lot Area.** The minimum lot area allowed is ten thousand eight hundred ninety (10,890 sq. ft.) square feet.
- C. Lot Dimensions.**
1. **Width.** The minimum lot width allowed is eighty (80') feet.
 2. **Depth.** The minimum lot depth allowed is sixty (60') feet.
 3. **Frontage.** Each lot shall abut a public street for a minimum distance of thirty-five (35') feet.
- D. Permissible Lot Coverage.**
1. **Building Coverage.** All buildings, including accessory buildings or structures and impervious surfaces, shall not cover more than seventy (70%) percent of the area of the lot.
 - a. **Impervious Surface.** Concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one-hundred (100%) percent of one (1) side yard.
 2. **Landscaping.** At least thirty (30%) percent of the area of the lot shall be maintained in landscaping.
- E. Setback Requirements.**
1. **Front Setback.** The minimum front yard setback is twenty-five (25') feet from right-of-way.
 - a. **Exception.** If there is a landscape strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.
 2. **Rear Setback.** The minimum rear yard setback is twenty-five (25') feet.
 3. **Side Setback.** The minimum side yard setback is six (6') feet.
 4. **Projections.**
 - a. **Side Yard Projections.** No projection is allowed within a side yard setback.
 - b. **Box, Bow or Bay Windows.** Box, Bow or Bay Windows, that are not wider than eight (8') feet, may project up to one (1') foot in a front setback and up to two (2') feet in a rear setback but shall not project into a side yard.
- F. Building Height.**
1. The maximum height of any building or structure is thirty (30') feet, measured at the top of the building's horizontal wall.
- G. Accessory Buildings.** (See subsection 3.02.070.)

SECTION 31: AMENDMENT “4.03.070 Yard Requirements” of the
Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.03.070 Yard Requirements

The following minimum yard requirements shall apply in the LDR1 zone:

- A. ~~Front Yard.~~ Each lot or parcel in the LDR1 zone shall have a minimum front yard of at least ~~twenty-five (25')~~ feet from right-of-way.
 - 1. ~~Exception:~~ When the street upon which the parcel fronts has a boulevard strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.
- B. ~~Rear Yard.~~ The minimum depth of a rear yard shall be ~~twenty-five (25')~~ feet.
- C. ~~Side Yard.~~ Each lot or parcel of land in the LDR1 zone shall have a side yard of at least seven and one-half (7 1/2') feet or six (6") inches of setback for every (1') foot of building height, whichever is greater.
- D. ~~Accessory Building Setbacks.~~ (See subsection 3.02.070.B.)

SECTION 32: AMENDMENT "4.03.080 Building Height" of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.03.080 Building Height

- A. ~~No lot or parcel of land in the LDR1 zone shall have a building or structure, which exceeds a maximum height of thirty (30') feet, measured at the top of building's horizontal wall.~~
- B. ~~Accessory Structure.~~ In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.

SECTION 33: AMENDMENT "4.03.090 Permissible Lot Coverage" of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.03.090 Permissible Lot Coverage

- A. ~~Building Coverage.~~ In an LDR1 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than seventy (70%) percent of the area of the lot or parcel of land.
- B. ~~Landscaping.~~ At least thirty (30%) percent of the area of any lot shall be maintained in landscaping.
- C. ~~Impervious Surface.~~ On any lot, concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one hundred (100%) percent of one (1) side yard.

SECTION 34: AMENDMENT “4.03.110 Referenced Sections” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.03.110 Referenced Sections

- A. **Prior Created Lots** (See subsection [3.03.070.](#))
- B. **Setbacks and Right-of-Way Exceptions** (See subsections [3.02.050](#), [3.02.080](#) and [4.00.010.](#))
- C. **Distance Between Buildings** (See subsection [3.02.060.](#))
- D. **Parking, Loading and Access** (See section [3.4](#) and subsection [4.00.060.](#))
- E. **Project Plan Approval** (See subsection [3.02.120.](#))
- F. **Fencing** (See subsection [3.02.100.](#))
- G. **Highway 20 Corridor.** (See subsection [3.02.090.F.](#))
- H. **Planned Unit Development.** (See subsection [10.06.010.](#))
- I. Refer to *section 4.0* for Development Rules that apply to all Residential Zones.
- J. Refer to *sections 3.2-3.7* for Development Rules that apply to all Zones.

SECTION 35: AMENDMENT “4.04.030 Lot Width” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.04.030 Lot Width

- ~~A. The minimum lot width in the LDR2 zone is fifty (50') feet.~~
- ~~B. A twin-home minimum lot width is sixty (60') feet (combined for both lots).~~

SECTION 36: AMENDMENT “4.04.040 Lot Depth” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.04.040 Lot Depth

~~The minimum lot depth in the LDR2 zone is sixty (60') feet.~~

SECTION 37: AMENDMENT “4.04.050 Lot Frontage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.04.050 Lot Frontage

~~Each lot or parcel of land in the LDR2 zone shall abut a public street for a minimum distance of twenty (20') feet, on a line parallel to the center line 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. Private Drives are allowed as per review by the Zoning Administrator or Designee.~~

SECTION 38: AMENDMENT “4.04.060 Lot Configuration Density” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.04.060 Lot Configuration Density

The following requirements apply to any lot or parcel of land in the LDR2 zone:

- A. Maximum Density. The density shall not exceed six (6) single-family dwelling units per one (1) acre.
 - ~~1. The maximum density is six (6) dwelling units per one (1) acre. areas.~~
 - 2. Consolidation of density may be achieved through an approved Planned Unit Development or with designated open-space areas.
- B. Lot Area. The minimum lot area allowed is seven thousand two hundred sixty (7,260 sq. ft.) square feet.
- C. Lot Dimensions.
 - 1. Width. The minimum lot width allowed is sixty (60') feet.
 - 2. Depth. The minimum lot depth allowed is sixty (60') feet.
 - 3. Frontage. Each lot shall abut a public street for a minimum distance of twenty-four (24') feet.
- D. Permissible Lot Coverage.
 - 1. Building Coverage. All buildings, including accessory buildings or structures and impervious surfaces, shall not cover more than seventy (70%) percent of the area of the lot.
 - a. Impervious Surface. Concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one hundred (100%) percent of one (1) side yard.
 - 2. Landscaping. At least thirty (30%) percent of the area of any lot shall be

maintained in landscaping.

E. Setback Requirements.

1. **Front Setback.** The minimum front yard setback is twenty-five (25') feet from right-of-way.
 - a. **Exception.** When the street upon which the parcel fronts has a landscape strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.
2. **Rear Setback.** The minimum rear yard setback is twenty (20') feet.
3. **Side Setback.** The minimum side yard setback is six (6') feet.
4. **Projections.**
 - a. **Side Yard Projections.** No projection is allowed within a side yard setback.
 - b. **Box, Bow or Bay Windows.** Box, Bow or Bay Windows, that are not wider than eight (8') feet, may project up to one (1') foot in a front setback and up to two (2') feet in a rear setback but shall not project into a side yard.

F. Building Height.

1. The maximum height of any building or structure shall be thirty (30') feet, measured at the top of the building's horizontal wall.

G. Accessory Buildings. *(See subsection 3.02.060.)*

SECTION 39: **AMENDMENT** “4.04.070 Yard Requirements” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.04.070 Yard Requirements

~~The following minimum yard requirements shall apply in the LDR2 zone:~~

- ~~A. **Front Yard.** Each lot or parcel in the LDR1 zone shall have a minimum front yard of at least twenty-five (25') feet from right-of-way.
 1. **Exception:** When the street upon which the parcel fronts has a boulevard strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.~~
- ~~B. **Rear Yard.** The minimum depth of a rear yard shall be twenty (20') feet.~~
- ~~C. **Side Yard.** Each lot or parcel of land in the LDR2 zone shall have a side yard of at least five (5') feet.~~
- ~~D. **Accessory Buildings.** *(See subsection 3.02.070.)*~~

SECTION 40: **AMENDMENT** “4.04.080 Setbacks And Rights-Of-Way Exceptions” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.04.080 Setbacks And Rights-Of-Way Exceptions

~~(See subsections [3.02.050](#), [3.02.090](#), [4.00.030](#).)~~

- ~~A. **Side-Yard Projections.** No projection is allowed in a required side yard.~~
- ~~B. **Box or Bay Windows.** Box or Bay Windows provided they are not wider than eight (8') feet may be projected up to one (1') foot in a front yard and up to two (2') feet in a rear yard. shall not project into a side yard.~~

SECTION 41: AMENDMENT “4.04.090 Building Height” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.04.090 Building Height

- ~~A. No lot or parcel of land in the LDR2 zone shall have a building or structure, which exceeds a maximum height of thirty (30') feet, measured at the top of building's horizontal wall.~~
- ~~B. **Accessory Structure.** In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.~~

SECTION 42: AMENDMENT “4.04.100 Permissible Lot Coverage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.04.100 Permissible Lot Coverage

- ~~A. **Building Coverage.** In an LDR2 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than seventy (70%) percent of the area of the lot or parcel of land.~~
- ~~B. **Landscaping.**~~
 - ~~1. At least thirty (30%) percent of the area of any lot shall be maintained in landscaping.~~
- ~~C. **Impervious Surface.** On any lot, concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one hundred (100%) percent of one (1) side yard.~~

SECTION 43: AMENDMENT “4.04.120 Referenced Sections” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.04.120 Referenced Sections

- A. **Prior Created Lots** (See subsection [3.03.070.](#))
- B. **Distance Between Buildings** (See subsection [3.02.060.](#))
- C. **Parking, Loading and Access** (See Section 3.4, and subsection [4.00.060.](#))
- D. **Project Plan Approval** (See subsection [3.02.120.](#))
- E. **Fencing** (See subsection [3.02.100.](#))
- F. **Highway 20 Corridor.** (See subsection [3.02.090.F.](#))
- G. **Planned Unit Development.** (See subsection [10.06.010.](#))
- H. Refer to *section 4.0* for Development Rules that apply to all Residential Zones.
- I. Refer to *sections 3.2-3.7* for Development Rules that apply to all Zones.

SECTION 44: AMENDMENT “4.05.010 Purposes And Objectives” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.05.010 Purposes And Objectives

The LDR3 zone is established to protect stable neighborhoods of ~~detached~~ single-family dwellings on smaller lots. The conditional uses allowed in this district shall be compatible with single-family homes on landscaped lawns, low building heights, predominantly off-street parking, low traffic volumes, and low nuisance potential.

SECTION 45: AMENDMENT “4.05.030 Lot Width” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.05.030 Lot Width

- ~~A. Each lot or parcel of land in the LDR3 zone, except corner lots, shall have a width of not less than fifty (50') feet.~~
- ~~B. A **Twin Home** minimum width is sixty (60') feet (combined for both lots).~~

SECTION 46: AMENDMENT “4.05.040 Lot Depth” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.05.040 Lot Depth

~~Each lot or parcel of land in the LDR3 zone, except corner lots, shall have a depth of not less than sixty (60') feet.~~

SECTION 47: AMENDMENT “4.05.050 Lot Frontage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.05.050 Lot Frontage

~~Each lot or parcel of land in the LDR3 zone shall abut a public street for a minimum distance of twenty (20') feet, on a line parallel to the center line 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. Private Drives are allowed as per review by the Zoning Administrator.~~

SECTION 48: AMENDMENT “4.05.060 Lot Configuration And Density” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.05.060 Lot Configuration And Density

The following requirements apply to any lot of parcel of land in the LDR3 zone.

- A. Maximum Density. The ~~maximum~~ density shall not exceed is ten (10) dwelling units per one (1) acre.
 - 1. Consolidation of density may be achieved through an approved Planned Unit Development or designated open-space areas.
- B. Lot Area. The minimum lot area allowed is four thousand three hundred fifty six (4,356 sq. ft.) square feet.
- C. Lot Dimensions.
 - 1. Width. The minimum lot width allowed is sixty (60') feet.
 - 2. Depth. The minimum lot depth allowed is sixty (60') feet.
 - 3. Frontage. Each lot shall abut a public street for a minimum distance of twenty-four

(24') feet.

D. Permissible Lot Coverage.

1. **Building Coverage.** All buildings, including accessory buildings or structures and impervious surfaces, shall not cover more than seventy (70%) percent of the area of the lot.
 - a. **Impervious Surface.** Concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one-hundred (100%) of one (1) side yard.
2. **Landscaping.** At least thirty (30%) percent of the area of the lot shall be maintained in landscaping.

E. Setback Requirements.

1. **Front Setback.** The minimum front yard setback is twenty-five (25') feet from right-of-way.
 - a. **Exception.** When the street upon which the parcel fronts has a landscape strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.
2. **Rear Setback.** The minimum rear yard setback is twenty (20') feet.
3. **Side Setback.** The minimum side yard setback is six (6') feet.
4. **Projections.**
 - a. **Side Yard Projections.** No projection is allowed in a side yard setback.
 - b. **Box, Bow or Bay Windows.** Box, Bow or Bay Windows, that are not wider than eight (8') feet, may project up to one (1') foot in a front setback and up to two (2') feet in a rear setback but shall not project into a side yard.

F. Building Height.

1. The maximum height of any building or structure is thirty (30') feet, measured at the top of the building's horizontal wall.

G. Accessory Buildings. (See subsection 3.02.060.)

SECTION 49:AMENDMENT “4.05.070 Yard Requirements” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

4.05.070 Yard Requirements

The following minimum yard requirements shall apply in the LDR3 zone:

- ~~A. **Front Yard.** Each lot or parcel in the LDR3 zone shall have a minimum front yard of at least twenty-five (25') feet from right-of-way.
 1. **Exception:** When the street upon which the parcel fronts has a boulevard strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.~~
- ~~B. **Rear Yard.** The minimum depth of a rear yard shall be twenty (20') feet.~~
- ~~C. **Side Yard.** Each lot or parcel of land in the LDR3 zone shall have a side yard of at least five (5') feet.~~
- ~~D. **Accessory Buildings.** (See subsection 3.02.070.)~~

SECTION 50: AMENDMENT “4.05.090 Setbacks And Rights-Of-Way Exceptions” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.05.090 Setbacks And Rights-Of-Way Exceptions

~~(See subsections 3.02.050, 3.02.090, 4.00.030.)~~

- ~~A: **Side-Yard Projections.** No projections are allowed in a required side yard.~~
- ~~B: **Box or Bay Windows.** Box or Bay Windows provided they are not wider than eight (8') feet may project up to one (1') foot in a front yard and up to two (2') feet in a rear yard.~~

SECTION 51: AMENDMENT “4.05.100 Building Height” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.05.100 Building Height

- ~~A: No lot or parcel of land in the LDR3 zone shall have a building or structure which exceeds a maximum height of thirty (30') feet, measured at the top of the building's horizontal wall.~~
- ~~B: **Accessory Structure.** In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.~~

SECTION 52: AMENDMENT “4.05.110 Permissible Lot Coverage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.05.110 Permissible Lot Coverage

- ~~A: **Building Coverage.** In an LDR3 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than seventy (70%) percent of the area of the lot or parcel of land.~~
- ~~B: **Landscaping.** At least thirty (30%) percent of the area of any lot shall be maintained in landscaping.~~
- ~~C: **Impervious Surface.** On any lot, concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one hundred (100%) percent of one (1) side yard.~~

SECTION 53: AMENDMENT “4.06.010 Purposes And Objectives” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.06.010 Purposes And Objectives

The MDR1 zone is established to protect stable neighborhoods of ~~detached~~ single-family dwellings on smaller lots and multi-family housing. Restoration or rehabilitation of older homes in this district shall be encouraged. Conditional uses shall be compatible with an atmosphere of low building heights, low traffic volumes, ample off-street parking, and low nuisance potentials at a higher density than LDR zones.

SECTION 54: AMENDMENT “4.06.030 Lot Width” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.06.030 Lot Width

~~The minimum lot width in the MDR1 zone is sixty (60') feet.~~

~~A. **Exception.** A single-dwelling unit has a minimum lot width of fifty (50') feet.~~

SECTION 55: AMENDMENT “4.06.040 Lot Depth” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.06.040 Lot Depth

~~The minimum lot depth in the MDR1 zone is sixty (60') feet.~~

SECTION 56: AMENDMENT “4.06.050 Lot Frontage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.06.050 Lot Frontage

~~Each lot or parcel of land in the MDR1 zone shall abut a public street for a minimum distance of twenty-four (24') feet, on a line parallel to the center line 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. Private Drives are allowed as per review by the Zoning Administrator or Designee.~~

SECTION 57: AMENDMENT “4.06.060 Lot Configuration And Density”
of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.06.060 Lot Configuration And Density

The following requirements apply to any lot or parcel of land in the **MDR1** zone:

- A. **Maximum Density.** The ~~maximum~~ density shall not exceed ~~is~~ sixteen (16) dwelling units per one (1) acre.
1. Consolidation of density may be achieved through an approved Planned Unit Development or designated open-space areas.
- B. **Lot Dimensions.**
1. **Width.** The minimum lot width allowed is sixty (60') feet.
 2. **Depth.** The minimum lot depth allowed is sixty (60') feet.
 3. **Frontage.** Each lot shall abut a public street for a minimum distance of twenty-four (24') feet.
- C. **Permissible Lot Coverage.**
1. **Building Coverage.** All buildings, including accessory buildings or structures and impervious surfaces, shall not cover more than eighty (80%) percent of the area of the lot.
 - a. **Impervious Surface.** Concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one hundred (100%) percent of one (1) side yard.
 2. **Landscaping.** At least twenty (20%) percent of the area of any lot shall be maintained in landscaping.
- D. **Setback Requirements.**
1. **Front Setback.** The minimum front yard setback is twenty-five (25') feet from right-of-way.
 - a. **Exception.** When the street upon which the parcel fronts has a landscape strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.
 - b. **Exception.** If all parking spaces are located behind the building, the front yard setback may be reduced to fifteen (15') feet.
 2. **Rear Setback.** The minimum rear yard setback is twenty (20') feet.
 3. **Side Setback.** The minimum side yard setback is six (6') feet or six (6") inches per one (1') foot of building height, whichever is greater.
 4. **Building Height.**

- a. The maximum height of any building or structure shall be forty (40') feet, measured at the top of the building's horizontal wall.
- b. **Accessory Buildings.** (See subsection 3.02.070)

SECTION 58: **AMENDMENT** “4.06.070 Yard Requirements” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.06.070 Yard Requirements

~~The following minimum yard requirements shall apply in the MDR1 zone:~~

- ~~A. **Front Yard.** Each lot or parcel in the MDR1 zone shall have a minimum front yard of at least twenty-five (25') feet from right-of-way.
 - ~~1. **Reduced Front Yard Setback.** When the street upon which the parcel fronts has a boulevard strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.~~
 - ~~2. **Reduced Front Yard Setback.** If all parking spaces are located behind the building, the front yard setback may be reduced to fifteen (15') feet.~~~~
- ~~B. **Rear Yard.** The minimum depth of a rear yard shall be twenty (20') feet.~~
- ~~C. **Side Yard.**
 - ~~1. Each lot or parcel of land in the MDR1 zone shall have a side yard of at least six (6') feet or six (6'') inches of setback for every (1') foot of building height, whichever is greater.~~
 - ~~2. **Reduced Side Yard Setback.** A setback of ten (10') feet shall be allowed within side yards that abut other MDR zones, HDR zones, Commercial zones, or Mixed-Use zones, regardless of building height.~~~~
- ~~D. **Pedestrian Emphasis District Setbacks.** Setbacks are decreased as per Chapter 9, Pedestrian Emphasis District. (See section 9.01.040.)~~
- ~~E. **Accessory Buildings.** (See subsection 3.02.070.)~~

SECTION 59: **AMENDMENT** “4.06.080 Setbacks And Rights-Of-Way Exceptions” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.06.080 Setbacks And Rights-Of-Way Exceptions

~~(See subsections 3.02.050, 3.02.090, 4.00.030.)~~

SECTION 60: AMENDMENT “4.06.090 Building Height” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.06.090 Building Height

- ~~A. No lot or parcel of land in the MDR1 zone shall have a building or structure, which exceeds a maximum height of forty (40') feet measured at the top of building's horizontal wall.~~
- ~~B. **LDR.** If the development is adjacent to a Low Density Residential Zone (LDR), the maximum building height (for buildings adjacent to the LDR zone) shall be no greater than thirty (30') feet.~~
- ~~C. Accessory Structure. In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.~~
- ~~D. Gables and dormers are not included in height calculations unless their addition raises the overall peak height.~~

SECTION 61: AMENDMENT “4.06.100 Permissible Lot Coverage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.06.100 Permissible Lot Coverage

- ~~A. **Building Coverage.** In an MDR1 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than seventy (70%) percent of the area of the lot or parcel of land.~~
- ~~B. **Landscaping.** At least thirty (30%) percent of the area of any lot shall be maintained in landscaping.~~
- ~~C. **Impervious Surface.** On any lot, concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, and one hundred (100%) percent of one (1) side yard.~~

SECTION 62: AMENDMENT “4.06.110 Parking, Loading And Access” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.06.110 Parking, Loading And Access

~~(See section 3.4 and subsection 4.00.060.)~~

~~Sidewalk Access. (See 3.04.060.C.)~~

SECTION 63: **AMENDMENT** “4.06.120 Referenced Sections” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.06.120 Referenced Sections

- A. **Prior Created Lots** (See subsection 3.03.070.)
- B. **Distance Between Buildings** (See subsection 3.02.060.)
- C. **Parking, Loading and Access** (See section 3.4 and subsection 4.00.060.)
- D. **Project Plan Approval** (See subsection 3.02.130.)
- E. **Fencing** (See subsection 3.02.110.)
- F. **Highway 20 Corridor.** (See subsection 3.02.100.F.)
- G. **Pedestrian Emphasis District Setbacks.** Setbacks are decreased as per Chapter 9, Pedestrian Emphasis District. (See section 9.01.040.)
- H. **Residential Design Standards** (See subsection 4.00.050.)
- I. **Planned Unit Development.** (See subsection 10.06.010.)
- J. Lighting Standards are applicable as described in section 3.6.
- K. Refer to section 4.0 for Development Rules that apply to all Residential Zones.
- L. Refer to sections 3.2-3.7 for Development Rules that apply to all Zones.
- M. **Sidewalk Access.** (See 3.04.060.C.)

SECTION 64: **AMENDMENT** “4.07.030 Lot Width” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.07.030 Lot Width

~~The minimum lot width in the MDR2 zone is sixty (60') feet.~~

SECTION 65: **AMENDMENT** “4.07.040 Lot Depth” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.07.040 Lot Depth

~~The minimum lot depth in the MDR2 zone is sixty (60') feet.~~

SECTION 66: AMENDMENT “4.07.050 Lot Frontage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.07.050 Lot Frontage

~~Each lot or parcel of land in the MDR 2 zone shall abut a public street for a minimum distance of twenty-four (24') feet, on a line parallel to the center line of the street or along the circumference of a cul-de-sac approved 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. Private Drives are allowed as per review by the Zoning Administrator or Designee.~~

SECTION 67: AMENDMENT “4.07.060 Lot Configuration And Density” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.07.060 Lot Configuration And Density

- ~~A. The maximum density is twenty (20) dwelling units per one (1) acre:
1. Consolidation of density may be achieved through an approved Planned Unit Development or designated open-space areas.~~
- ~~B.~~

The following requirements apply to any lot or parcel of land in the MDR2 zone:

- A. **Maximum Density.** The maximum density is twenty (20) dwelling units per one (1) acre.
1. Consolidation of density may be achieved through an approved Planned Unit Development or designated open-space areas.
- B. **Lot Dimensions.**
1. **Width.** The minimum lot width allowed is sixty (60') feet.
2. **Depth.** The minimum lot depth allowed is sixty (60') feet.
3. **Frontage.** Each lot shall abut a public street for a minimum distance of twenty-four (24') feet.
4. **Permissible Lot Coverage.**
- a. **Building Coverage.** All buildings, including accessory buildings or structures and impervious surfaces, shall not cover more than eighty (80%) percent of the area of the lot.
- (1) **Impervious Surface.** Concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one hundred (100%)

percent of one (1) side yard.

b. **Landscaping.** At least twenty (20%) percent of the area of the lot shall be maintained in landscaping.

C. Setback Requirements.

1. **Front Setback.** The minimum front yard setback is twenty-five (25') feet from right-of-way.

a. **Front Yard Reduced Setback.** When the street upon which the parcel fronts has a landscape strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.

b. **Reduced Setback for Parking.** If all parking spaces are located behind the building, the front yard setback may be reduced to fifteen (15') feet.

2. **Rear Setback.** The minimum rear yard setback is twenty (20') feet.

3. **Side Setback.** The minimum side yard setback is six (6') feet or six (6") inches per one (1') foot of building height, whichever is greater.

a. **Side Yard Reduced Setback.** A setback of ten (10') feet shall be allowed within side yards that abut other MDR zones, HDR zones, Commercial zones, or Mixed-Use zones, regardless of building height.

D. **Building Height.** The maximum height of any building or structure shall be forty (40') feet, measured at the top of the building's horizontal wall.

E. **Accessory Buildings.** (See subsection 3.02.060.)

SECTION 68:AMENDMENT “4.07.070 Yard Requirements” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.07.070 Yard Requirements

~~The following minimum yard requirements shall apply in the MDR2 zone:~~

~~A. **Front Yard.** Each lot or parcel in the MDR2 zone shall have a minimum front yard of at least twenty-five (25') feet from right-of-way.~~

~~1. **Front Yard Reduced Setback.** When the street upon which the parcel fronts has a boulevard strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.~~

~~2. **Reduced Setback for Parking.** The Planning and Zoning Commission may allow a reduction of the front yard setback to fifteen (15') feet if all parking spaces are located behind the building.~~

~~B. **Rear Yard.** The minimum depth of a rear yard shall be twenty (20') feet.~~

~~C. **Side Yard.** Each lot or parcel of land in the MDR2 zone shall have a side yard of not less than six (6') feet or six (6") inches of setback for every foot of building height, whichever is greater.~~

~~1. **Side Yard Reduced Setback.** A setback of ten (10') feet shall be allowed within side yards that abut other MDR zones, HDR zones, Commercial zones,~~

~~or Mixed-Use zones, regardless of building height.
D. Accessory Buildings. (See subsection 3.02.070.)~~

SECTION 69: AMENDMENT “4.07.080 Setbacks And Rights-Of-Way Exceptions” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

4.07.080 Setbacks And Rights-Of-Way Exceptions

~~(See subsections 3.02.050, 3.02.090, 4.00.030.)~~

SECTION 70: AMENDMENT “4.07.090 Building Height” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

4.07.090 Building Height

- ~~A. No lot or parcel of land in the MDR2 zone shall have a building or structure, which exceeds a maximum height of forty (40') feet, measured at the top of building's horizontal wall.~~
- ~~B. **LDR.** If the development is adjacent to a Low Density Residential Zone (LDR), the maximum building height (for buildings adjacent to the LDR zone) shall be no greater than thirty (30') feet.~~
- ~~C. **Accessory Structure.** In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.~~
- ~~D. Gables and dormers are not included in the height calculation unless their addition raises the overall peak height of the building.~~

SECTION 71: AMENDMENT “4.07.100 Permissible Lot Coverage” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

4.07.100 Permissible Lot Coverage

- ~~A. **Building Coverage.** In an MDR2 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than eighty (80%) percent of the area of the lot or parcel of land.~~
- ~~B. **Landscaping.** At least twenty (20%) percent of the area of any lot shall be maintained in landscaping.~~

~~C. **Impervious Surface.** On any lot, concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one hundred (100%) percent of one (1) side yard.~~

SECTION 72: AMENDMENT “4.07.110 Parking, Loading And Access” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.07.110 Parking, Loading And Access

~~(See [section 3.4](#) and [subsection 4.00.060.](#))~~

~~**Sidewalk Access.** (See [3.04.060.C.](#))~~

SECTION 73: AMENDMENT “4.07.120 Referenced Sections” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.07.120 Referenced Sections

- A. **Prior Created Lots** ([See subsection 3.03.070.](#))
- B. **Distance Between Buildings** ([See subsection 3.02.060.](#))
- C. **Parking, Loading and Access** ([See section 3.4](#) and [subsection 4.00.060.](#))
- D. **Project Plan Approval** ([See subsection 3.02.130.](#))
- E. **Fencing** ([See subsection 3.02.110.](#))
- F. **Highway 20 Corridor.** ([See subsection 3.02.100.F.](#))
- G. **Residential Design Standards** ([See subsection 4.00.050.](#))
- H. **Planned Unit Development.** ([See subsection 10.06.010.](#))
 - I. Lighting Standards are applicable as described in [section 3.6.](#)
 - J. Refer to [section 4.0](#) for Development Rules that apply to all Residential Zones.
 - K. Refer to [sections 3.2-3.7](#) for Development Rules that apply to all Zones.
- L. **Sidewalk Access.** ([See 3.04.060.C.](#))

SECTION 74: AMENDMENT “4.08.030 Lot Width” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.08.030 Lot Width

~~The minimum lot width in the HDR1 zone is sixty (60') feet.~~

SECTION 75: **AMENDMENT** “4.08.040 Lot Depth” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

4.08.040 Lot Depth

~~The minimum lot depth in the HDR1 zone is sixty (60') feet.~~

SECTION 76: **AMENDMENT** “4.08.050 Lot Frontage” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

4.08.050 Lot Frontage

~~Each lot or parcel of land in the HDR2 zone shall abut a public street for a distance of twenty-four (24') feet on a line parallel to the center line 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 77: **AMENDMENT** “4.08.060 Lot Configuration And Density” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

4.08.060 Lot Configuration And Density

The following requirements apply to any lot or parcel of land in the HDR1 zone:

- A. **Maximum Density.** The maximum density shall not exceed ~~is~~ thirty (30) dwelling units per one (1) acre.
 - 1. For Dormitory or Congregate Residential uses, regardless of actual number of dwellings, the density shall not exceed one-hundred-eighty (180) individuals per acre.
 - 2. **PED.** The Pedestrian Emphasis District (PED) density is regulated by the University, the adopted Building Code, and any requirements imposed as part of the required CUP. ([See section 9.1.](#))
- B. **Lot Area.** The minimum lot area allowed is one-half (½) acre.
- C. **Lot Dimensions.**

1. **Width.** The minimum lot width allowed is one-hundred-eighty (180') feet.
2. **Depth.** The minimum lot depth allowed is sixty (60') feet.
3. **Frontage.** Each lot shall abut a public street for a minimum distance of twenty-four (24') feet.

D. Permissible Lot Coverage.

1. **Building Coverage.** All buildings, including accessory buildings or structures and impervious surfaces, shall not cover more than eighty (80%) percent of the area of the lot.
 - a. **Impervious Surface.** Concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one hundred (100%) percent of one (1) side yard.
2. **Landscaping.** At least twenty (20%) percent of the area of any lot shall be maintained in landscaping.

E. Setback Requirements.

1. **Front Setback.** The minimum front yard setback is ten (10') feet from right-of-way and a landscape strip of at least seven (7') feet must be present.
 - a. **Sight Triangle.** (See subsection 3.02.05)
 - b. **Parking.** (See section 3.4)
2. **Rear Setback.** The minimum rear yard setback is twenty (20') feet.
3. **Side Setback.** The minimum side yard setback is six (6') feet or six (6") inches per one (1') foot of building height, whichever is greater.
4. **Projections.**
 - a. **Underground Parking Structures.** Underground parking structures may be projected into any required setback if the structure is covered by landscaping or grass and does not raise the grade of the yard by more than two (2') feet.

F. Building Height.

1. The maximum height of any building or structure shall be fifty-five (55') feet, measured at the top of the building's horizontal wall.
2. **Accessory Buildings.** (See subsection 3.02.060)

SECTION 78:AMENDMENT "4.08.070 Yard Requirements" of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.08.070 Yard Requirements

~~The following minimum yard requirements shall apply in the HDR1 zone:~~

- ~~A. **Front Yard.** Each lot or parcel in the HDR1 zone shall have a minimum front yard of at least twenty-five (25') feet from right-of-way.
 1. **Exception:** When the street upon which the parcel fronts has a boulevard strip of at least seven (7') feet, the front yard setback may be reduced to twenty (20') feet from right-of-way.~~
- ~~B. **Parking Lot.** If a boulevard strip is present, the front yard setback can be reduced to~~

ten (10') feet for a parking lot.

~~C. **Rear Yard.** The minimum depth of a rear yard shall be twenty (20') feet.~~

~~D. **Side Yard.** Each lot or parcel of land in the HDR1 zone shall have a side yard of at least six (6') feet or six (6") inches of setback for every (1') foot of building height, whichever is greater.~~

~~1. **Exception:** A setback of ten (10') feet shall be allowed within side yards that abut other HDR zones, MDR zones, Commercial zones, or Mixed-Use zones, regardless of building height.~~

~~E. **Accessory Buildings.** (See subsection 3.02.070.)~~

SECTION 79: **AMENDMENT** "4.08.080 Setbacks And Rights-Of-Ways" of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.08.080 Setbacks And Rights-Of-Ways

(See subsections 3.02.050, 3.02.090, 4.00.030.)

~~**Underground Parking Structures.** Underground parking structures may be projected into any required setback if the structure is covered by landscaping or grass and does not raise the grade of the yard by more than two (2') feet.~~

SECTION 80: **AMENDMENT** "4.08.090 Building Height" of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.08.090 Building Height

~~A. No lot or parcel of land in the HDR1 zone shall have a building or structure, which exceeds a maximum height of fifty-five (55') feet, measured at the top of building's horizontal wall.~~

~~B. An unroofed and unenclosed rooftop terrace, an enclosed stairwell, or elevator providing access to the roof, shall not be included in the measurement of total building height.~~

~~C. **Accessory Structure.** In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.~~

~~D. **Adjacent zones.** Buildings or portions of buildings within fifty (50') feet of a residential zone other than HDR1 and HDR2 shall be limited to thirty-five (35') feet.~~

SECTION 81: AMENDMENT “4.08.100 Permissible Lot Coverage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.08.100 Permissible Lot Coverage

- ~~A. **Building Coverage.** In an HDR1 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than eighty (80%) percent of the area of the lot or parcel of land.~~
- ~~B. **Landscaping:**~~
- ~~1. At least twenty (20%) percent of the area of any lot shall be maintained in landscaping.~~
 - ~~2. On any lot, concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard and one hundred (100%) percent of one (1) side yard.~~

SECTION 82: AMENDMENT “4.08.110 Parking, Loading And Access” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.08.110 Parking, Loading And Access

~~(See [section 3.4](#) and [subsection 4.00.060.](#))~~

~~**Sidewalk Access.** [\(See 3.04.060.C.\)](#)~~

SECTION 83: AMENDMENT “4.08.120 Referenced Sections” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.08.120 Referenced Sections

- A. **Prior Created Lots** *(See subsection [3.03.070.](#))*
- B. **Distance Between Buildings** *(See subsection [3.02.060.](#))*
- C. **Project Plan Approval** *(See subsection [3.02.120.](#))*
- D. **Fencing** *(See subsection [3.02.100.](#))*
- E. **Highway 20 Corridor.** *(See subsection [3.02.090.F.](#))*
- F. **Buffers.** *(See subsection [3.02.100.](#))*
- G. **Residential Design Standards** *(See subsection [4.00.050.](#))*
- H. **Pedestrian Emphasis District** *(See section [9.1.](#))*

- I. Lighting Standards are applicable as described in *section 3.6*.
- J. Refer to *section 4.0* for Development Rules that apply to all Residential Zones.
- K. Refer to *sections 3.2-3.7* for Development Rules that apply to all Zones.
- L. Sidewalk Access. (See 3.04.060.C.)
- M. Parking, Loading and Access (See section 3.4 and subsection 4.00.060.)

SECTION 84: AMENDMENT “4.09.030 Lot Width” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.09.030 Lot Width

~~The minimum lot width in the HDR2 zone is two hundred (200') feet.~~

SECTION 85: AMENDMENT “4.09.040 Lot Depth” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.09.040 Lot Depth

~~The minimum lot depth in the HDR2 zone is sixty (60') feet.~~

SECTION 86: AMENDMENT “4.09.050 Lot Frontage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.09.050 Lot Frontage

~~Each lot or parcel of land in the HDR2 zone shall abut a public street for a distance of twenty-four (24') feet on a line parallel to the center line 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 87: AMENDMENT “4.09.060 Lot Configuration And Density” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.09.060 Lot Configuration And Density

The following requirements apply to any lot or parcel of land in the HDR2 zone:

- A. **Maximum Density.** The maximum density shall not exceed ~~is~~ forty-two (42) units per one (1) acre.
1. For Dormitory or Congregate Residential uses, regardless of actual number of dwellings, the density shall not exceed two-hundred-fifty-two (252) individuals per acre.
 2. The Pedestrian Emphasis District (PED) density is regulated by the University, the adopted Building Code, and any requirements imposed as part of the required CUP. *(See section 9.1.)*
- B. **Lot Area.** The minimum lot area allowed is one-half (½) acre.
- C. **Lot Dimensions.**
1. **Width.** The minimum lot width allowed is one-hundred-eighty (180') feet.
 2. **Depth.** The minimum lot depth allowed is sixty (60') feet.
 3. **Frontage.** Each lot shall abut a public street for a minimum distance of twenty-four (24') feet.
- D. **Permissible Lot Coverage.**
1. **Building Coverage.** All buildings, including accessory buildings or structures and impervious surfaces, shall not cover more than eighty (80%) percent of the area of the lot.
 - a. **Impervious Surface.** Concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one hundred (100%) percent of one (1) side yard.
 2. **Landscaping.** At least twenty (20%) percent of the area of any lot shall be maintained in landscaping.
- E. **Setback Requirements.**
1. **Front Setback.** The minimum front yard setback is ten (10') feet from right-of-way and a landscape strip of at least seven (7') feet must be present.
 - a. **Sight Triangle.** (See subsection 3.02.05)
 - b. **Parking.** (See section 3.4)
 2. **Rear Setback.** The minimum rear yard setback is twenty (20') feet.
 3. **Side Setback.** The minimum side yard setback is six (6') feet or six (6") inches per one (1') foot of building height, whichever is greater.
 4. **Projections.**
 - a. **Underground Parking Structures.** Underground parking structures may be projected into any required setback if the structure is covered by landscaping or grass and does not raise the grade of the yard by more than two (2') feet.
- F. **Building Height.**
1. The maximum height of any building or structure shall be fifty-five (55') feet, measured at the top of the building's horizontal wall.
 2. **Accessory Buildings.** *(See subsection 3.02.060)*

SECTION 88: AMENDMENT “4.09.070 Yard Requirements” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.09.070 Yard Requirements

~~The following minimum yard requirements shall apply in the HDR2 zone:~~

- ~~A. **Front.** Each lot or parcel in the HDR2 zone shall have a minimum front yard of at least twenty-five (25') feet from right-of-way.
 - ~~1. **Exception:** When the street upon which the parcel fronts has a boulevard strip of at least seven (7') feet, the front yard setback may be reduced to ten (20') feet from right-of-way.~~~~
- ~~B. **Parking Lot.** If a boulevard strip is present, the front yard setback can be reduced to twenty (20') for a parking lot.~~
- ~~C. **Rear.** The minimum depth of a rear yard shall be twenty (20') feet.~~
- ~~D. **Side Yard.** Each lot or parcel of land in the HDR2 zone shall have a side yard of at least six (6') feet or six (6") inches of setback for every (1') foot of building height, whichever is greater.
 - ~~1. **Exception:** A setback of ten (10') feet shall be allowed within side yards that abut other HDR zones, MDR zones, Commercial zones, or Mixed-Use zones, regardless of building height.~~~~
- ~~E. **Accessory Buildings.** (See subsection 3.02.070.B.)~~

SECTION 89: AMENDMENT “4.09.080 Setbacks And Rights-Of-Way Exceptions” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.09.080 Setbacks And Rights-Of-Way Exceptions

~~(See subsections 3.02.050., 3.02.090., 4.00.030.)~~

~~**Underground Parking Structures.** Underground parking structures may be projected into any required setback if the structure is covered by landscaping or grass and does not raise the grade of the yard by more than two (2') feet.~~

SECTION 90: AMENDMENT “4.09.090 Building Height” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.09.090 Building Height

- ~~A. No lot or parcel of land in the HDR2 zone shall have a building or structure, which exceeds a maximum height of fifty-five (55') feet, measured at the top of building's horizontal wall.~~
- ~~B. An unroofed and unenclosed rooftop terrace, an enclosed stairwell, or elevator providing access to the roof, shall not be included in the measurement of total building height.~~
- ~~C. **Adjacent zones.** Buildings or portions of buildings within fifty (50') feet of a residential zone other than HDR1 and HDR2 shall be limited to thirty-five (35') feet.~~
- ~~D. **Accessory Structure.** In no case shall the height of an accessory structure exceed the height of any main structure on the same lot.~~

SECTION 91: AMENDMENT “4.09.100 Permissible Lot Coverage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.09.100 Permissible Lot Coverage

- ~~A. **Building Coverage.** In an HDR2 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than eighty (80%) percent of the area of the lot or parcel of land.~~
- ~~B. **Landscaping.** At least twenty (20%) percent of the area of any lot shall be maintained in landscaping.~~
- ~~C. **Permeable Surface.** On any lot, concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard and one hundred (100%) percent of one (1) side yard.~~

SECTION 92: AMENDMENT “4.09.110 Parking, Loading And Access” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.09.110 Parking, Loading And Access

~~(See [section 3.4 Parking and subsection 4.00.060.](#))~~

~~**Sidewalk Access.** (See [3.04.060.C.](#))~~

SECTION 93: AMENDMENT “4.09.120 Referenced Sections” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

4.09.120 Referenced Sections

- A. **Prior Created Lots** ([See subsection 3.03.070.](#))
- B. **Distance Between Buildings** ([See subsection 3.02.060.](#))
- C. **Project Plan Approval** ([See subsection 3.02.130.](#))
- D. **Fencing** ([See subsection 3.02.110.](#))
- E. **Highway 20 Corridor.** ([See subsection 3.02.100.F.](#))
- F. **Buffers.** ([See subsection 3.02.100.](#))
- G. **Residential Design Standards** ([See subsection 4.00.050.](#))
- H. **Pedestrian Emphasis District** ([See section 9.1.](#))
- I. Lighting Standards are applicable as described in [section 3.6.](#)
- J. Refer to [section 4.0](#) for Development Rules that apply to all Residential Zones.
- K. Refer to sections 3.2-3.7 for Development Rules that apply to all Zones.
- [L. Sidewalk Access.](#) ([See 3.04.060.C.](#))
- [M. Parking, Loading and Access](#) ([See section 3.4 and subsection 4.00.060.](#))

SECTION 94: AMENDMENT “5.01.010 Purpose And Objectives” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.01.010 Purpose And Objectives

It is the purpose and intent of the Mixed Use (MU) zone to allow flexibility where a variety of housing types may exist among neighborhood-serving commercial and institutional uses. A commercial element requires a minimum of one-thousand (1,000) square feet or 10% of grade-level footprint, whichever is greater.

- ~~A. MU-facing Main Street between 2nd West and 2nd East must have 100% commercial at grade level.~~

SECTION 95: AMENDMENT “5.01.030 Lot Area” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.01.030 Lot Area

~~The minimum area of any lot or parcel of land in the MU zone is twelve thousand (12,000) sq. ft.~~

SECTION 96: AMENDMENT “5.01.040 Lot Width” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.01.040 Lot Width

~~The minimum lot width in the MU zone is sixty (60') feet.~~

SECTION 97: AMENDMENT “5.01.050 Lot Depth” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.01.050 Lot Depth

~~The minimum lot depth in the MU zone is sixty (60') feet.~~

SECTION 98: AMENDMENT “5.01.060 Lot Frontage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.01.060 Lot Frontage

~~Each lot or parcel of land in the MU zone shall abut a public street for a minimum distance of twenty-four (24') feet, on a line parallel to the center line 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 99: AMENDMENT “5.01.070 Lot Configuration” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.01.070 Lot Configuration And Density

The following requirements apply to any lot or parcel in the MU zone.

- A. Maximum Density.** The density shall not exceed thirty (30) dwelling units per acre.
- B. Lot Area.** The minimum lot area allowed is one-half (½) acre.
- C. Lot Dimensions.**
- 1. Width.** The minimum lot width allowed is sixty (60') feet.
 - 2. Depth.** The minimum lot depth allowed is sixty (60') feet.
 - 3. Frontage.** Each lot shall abut a public street for a minimum distance of twenty-four (24') feet.
- D. Permissible Lot Coverage.**
- 1. Building Coverage.** All buildings, including accessory buildings or structures and impervious surfaces, shall not cover more than ninety (90%) percent of the area of the lot.
 - a. Impervious Surface.** Concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one hundred (100%) percent of one (1) side yard.
 - 2. Landscaping.** At least ten (10%) percent of the area of the lot shall be maintained in landscaping.
- E. Setback Requirements.**
- 1. Front Setback.**
 - a. Commercial.** The minimum front yard setback for a commercial element can be zero (0') feet from right-of-way unless otherwise restricted.
 - b. Residential.** The minimum front yard setback for a residential element is five (5') feet from right-of-way provided the minimum amount of commercial is included in the overall project.
 - c. Sidewalk.** (See subsection 5.01.130)
 - 2. Rear Setback.** The minimum rear yard setback is six (6') feet.
 - 3. Side Setback.** The minimum side yard setback is six (6') feet or six (6") inches per one (1') foot of building height, whichever is greater.
- F. Building Height.** The maximum height of any building or structure is fifty-five (55') feet, measured at the top of the building's horizontal wall.
- 1. Exception.** An unroofed or unenclosed rooftop terrace, enclosed stairwell or elevator providing access to the roof, shall not be included in the measurement of total building height.
 - 2.** Additional height may be requested in a Conditional Use Permit.
- G. Commercial Adjacent to Residential; Transitional Development Standards.** (See subsection 3.02.080.a)
- H. Accessory Buildings.** (See subsection 3.02.060.)

Projects in this zone are required to be pedestrian-friendly developments with buildings facing and in close proximity to the right-of-way.

- A. Parking Lots.** Parking lots are required to be behind buildings. Other configurations may be considered on a case-by-case basis and subject to a Conditional Use Permit (CUP).
- B. Access Driveways.** Access driveways are restricted to twenty-four (24') feet (unless required to be wider for Fire Apparatus.)

SECTION 100: AMENDMENT “5.01.080 Density” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.01.080 Density

~~A. Housing unit density of up to thirty (30) units per acre is permitted.~~

SECTION 101: AMENDMENT “5.01.090 Yard Requirement” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.01.090 Yard Requirement

~~The following minimum yard requirements shall apply in the MU zone:~~

- ~~A. **Front Yard.** The minimum front yard setback requirements are as follows:~~
- ~~1. **Commercial.** Commercial element can be zero (0') from right-of-way unless otherwise restricted.~~
 - ~~2. **Residential.** Residential element is a minimum five (5') feet from right-of-way provided the minimum amount of commercial is included in the overall project.~~
 - ~~3. **Sidewalk.** A minimum eight (8') feet wide sidewalk is required parallel to any city street.~~
 - ~~4. **Landscaping:**~~
 - ~~a. Street trees and other landscape amenities are required and include as a minimum the use of two (2") inch caliper deciduous trees at a maximum of twenty (20') feet spacing in the landscape strip between the curb and sidewalk.~~
 - ~~b. The space between the building and sidewalk shall be landscaped with ornamental trees, shrubs, grass, annual and perennial flowers to achieve a “fully landscaped look”.~~
 - ~~e. **Irrigation System.** An irrigation system is required and is the responsibility of the property owner as is the maintenance of the landscaped areas.~~
 - ~~5. **Building Design**~~
 - ~~a. **Street Oriented.** The building shall be oriented toward the street with architecturally defined entrances; a ground floor prominence; and elements that break up vertical and horizontal walls.~~
 - ~~b. **Interaction with Street.** There shall be a variety of openings and other features that enhance the buildings visual interaction with the street. These features include doors, windows, balconies and/or other~~

items such as stoops, awnings, porches, dooryards, canopies, overhangs, recesses, etc. that in combination enhance the human scale and pedestrian experience of the street.

(1) ~~Balconies, awnings, canopies and other structural elements may extend a maximum of three (3') feet into the setback.~~

e. ~~Materials.~~ The first floor wall facing the right-of-way shall be faced with high-quality materials (as approved by Zoning Administrator or Designee).

6. ~~Renderings~~ identifying all of the above requirements and the Design Standards shall be submitted to city staff prior to the request for a building permit.

a. ~~The Zoning Administrator or designee will have authority to review the submittal and determine if it meets the above requirements of this Section and the spirit in which they were created.~~

7. ~~Utility fixtures.~~ Utility fixtures in the front yard setback must be underground or otherwise screened from street view wherever practicable.

8. ~~Parking spaces, drive aisles, and all maneuvering areas shall not be located within the first ten (10') feet of a front yard.~~

B. ~~Rear Yard.~~ Minimum rear yard of at least six (6') feet shall be required when a sloped roof drains toward rear yard property line. Otherwise, no minimum.

C. ~~Side Yard.~~ Minimum side yard of at least six (6') feet shall be required when a sloped roof drains toward side yard property line. Otherwise, no minimum.

D. ~~Commercial Adjacent to Residential; Transitional Development Standards.~~ *(See subsection 3.02.080.a.)*

E. ~~Accessory Buildings.~~ *(See subsection 3.02.070.)*

SECTION 102: AMENDMENT "5.01.100 Building Height" of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.01.100 Building Height

~~The allowed height is fifty-five (55') feet, for all buildings. Buildings higher than fifty-five (55') feet may be allowed with a Conditional Use Permit.~~

A. ~~Building height for all uses shall be measured from adjacent grade level to the top of the highest horizontal wall top plate. An unroofed and unenclosed rooftop terrace, an enclosed stairwell or elevator providing access to the roof, shall not be included in the measurement of total building height.~~

B. ~~Telecommunication Towers.~~ The Planning and Zoning Commission shall review the design of all proposed stealth and non-stealth telecommunication towers through the conditional use permit process, and provide a recommendation to the City Council. Any proposed tower shall also be subject to the City's telecommunications tower ordinance which will require certain setbacks and excluded areas.

1. ~~Stealth telecommunication towers~~ are permitted to a height of seventy-five

- (75') feet:
2. ~~Non-stealth telecommunication towers~~ are permitted to a height of sixty
(60') feet.

SECTION 103: AMENDMENT “5.01.110 Sidewalk Access” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.01.110 Sidewalk Access

~~Projects located within the Mixed Use zone will be required to demonstrate sidewalk access to the BYU campus and to the nearest Substantial Commercial Cluster (See definition in Chapter 2).~~

SECTION 104: AMENDMENT “5.01.120 Permissible Lot Coverage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.01.120 Permissible Lot Coverage

- ~~A. **Lot Coverage.** Maximum Lot Coverage is ninety (90%) percent. Lot coverage includes all buildings and structures including areas of hard surface such as sidewalks and driveways.~~
- ~~B. **Landscaping.** Areas not included in lot coverage calculation shall be maintained in landscaping.~~

SECTION 105: AMENDMENT “5.01.130 Parking And Loading” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.01.130 Parking And ~~Loading~~Sidewalks

~~(See section 3.4.)~~

- ~~A. **Proximity.** Projects in the Mixed Use (MU) zone are allowed greater than two-hundred (200') feet distance from the primary entrance as approved by the Zoning Administrator or Designee.~~
- ~~1. **Mixed-Use Buildings and Projects.** The total parking requirement shall be the sum of the individual requirements for all uses.~~

- ~~2. **Joint Use Parking.** Joint use parking facilities are encouraged. A joint use parking agreement, if executed according to the standards set forth in this section would allow a reduction in the total requirement for a mixed-use building or project. (See subsection 3.04.090.)~~
- ~~3. **Parking Structures.** Parking Structures are encouraged and must meet the requirements set forth in section 3.4.~~
 - ~~a. **Underground Parking Structures.** Underground parking structures may be projected into any required setback if the structure is covered by landscaping or grass and does not raise the grade of the yard by more than two (2') feet.~~

SECTION 106: AMENDMENT “5.01.150 Referenced Sections” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.01.150 Referenced Sections

- A. **Prior Created Lots** ([See subsection 3.03.070.](#))
- B. **Projections Into Yards** ([See subsection 3.02.090.](#))
- C. **Project Plan Approval** ([See subsection 3.02.130.](#))
- D. **Lighting Standards** ([See section 3.6.](#))
- E. **Highway 20 Corridor** ([See subsection 3.02.100.F.](#))
- F. **Landscaping:** ([See subsection 3.02.~~100~~090.](#))
- G. **Trash Storage:** ([See subsection 3.02.120.](#))
- H. **Commercial Design Standards** ([See section 6.0.](#))
 - I. **Parking** ([See section 3.4](#))
 - J. **Sidewalks** ([See subsection 3.02.160](#))
 - K. **Signs** ([See section 3.5](#))

SECTION 107: AMENDMENT “5.02.010 Purpose And Objectives.” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.02.010 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 is established to ensure transitional regulations pursuant to, and provide uniform enablement of the provisions of [sections 9.32](#) of this title.

SECTION 108: AMENDMENT “5.02.020 Permitted Uses” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.02.020 Permitted Uses

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

TRANSITIONAL AGRICULTURE		
Resource Production	Agriculture	P
Residential	Single-family Dwelling	P
Group Housing	Boarding Houses (<i>See subsection 3.02.160.</i>)	P
Care Facilities	<i>Group Home (Disabled & Elderly; under 8 residents)</i>	P
	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
Services	Accessory Home Business (<i>See subsection 4.00.040.</i>)	CUP
	Accessory Home Occupation (<i>See subsection 4.00.040.</i>)	P
	Airports	CUP
	Animal Veterinarian Services (inside only)	CUP
	Cemeteries	CUP
	Commercial Kennels	CUP
Utilities	Broadcasting Towers	CUP

A. Permitted Accessory Uses. (*See subsections [3.02.070](#), [4.00.020.](#)*) Accessory uses and structures are permitted provided they are incidental to, and do not substantially

alter the character of, the permitted principal use or structure.

B. 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.

C. Livestock. No more than ten (10) livestock per acre 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 109: AMENDMENT “5.02.030 Permitted Accessory Uses” of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

5.02.030 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 per acre 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 110: AMENDMENT “5.02.040 Lot Area.” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.02.040 Lot Area.

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

SECTION 111: AMENDMENT “5.02.050 Lot Frontage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.02.050 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 112: AMENDMENT “5.02.060 Lot Width” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.02.060 Lot Width

~~**Lot Width.** Each lot or parcel of land in the TAG zone shall have a width of not less than one-hundred eighty (180') feet.~~

SECTION 113: AMENDMENT “5.02.070 Density” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.02.070 Lot Configuration And Density

The following requirements apply to any lot or parcel of land in the TAG zone.

1. Maximum Density. The density shall not exceed one ~~One~~ (1) single-family dwelling unit per ~~lot~~ one (1) acre.
2. Lot Area. The minimum lot area allowed is one (1) acre.
3. Lot Dimensions.

- a. **Width.** The minimum lot width allowed is one-hundred eighty (180') feet.
 - b. **Depth.** The minimum lot depth allowed is one-hundred eighty (180') feet.
 - c. **Frontage.** Each lot shall abut a public street for a minimum distance of thirty-five (35') feet.
4. **Permissible Lot Coverage.**
- a. **Building Coverage.** All buildings, including accessory buildings or structures and impervious surfaces, shall not cover more than thirty (30%) percent of the area of the lot.
 - (1) **Impervious Surface.** Concrete or asphaltic cement shall not cover more than forty (40%) percent of a front yard, fifty (50%) percent of a rear yard, and one hundred (100%) percent of one (1) side yard.
 - b. **Landscaping.** At least seventy (70%) percent of the area of the lot shall be maintained in landscaping.
5. **Setback Requirements**
- a. **Front Setback.** The minimum front yard setback is fifty (50') feet from right-of-way.
 - b. **Rear Setback.** The minimum rear yard setback is forty (40') feet.
 - c. **Side Setback.** The minimum side yard setback is ten (10') feet.
6. **Building Height.** The maximum height of any building or structure is thirty (30') feet, measured at the top of the building's horizontal wall.
7. **Accessory Buildings.** (See subsection 3.02.060.)
- a. **Agriculture Buildings.** By State Law, agricultural buildings, as defined by the State of Idaho, are exempt from Building Codes.

SECTION 114:AMENDMENT “5.02.080 Yard Requirements.” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.02.080 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 115: **AMENDMENT** “5.02.090 Building Height.” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.02.090 Building Height.

~~Any building or structure or portion thereof hereafter erected which is not of an agricultural nature shall not exceed two and one-half (2½) stories, or thirty feet (30') in height, measured at the top of building's horizontal wall.~~

SECTION 116: **AMENDMENT** “5.02.100 Permissible Lot Coverage” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.02.100 Permissible Lot Coverage

~~The maximum lot coverage for all buildings and structures shall not be greater than thirty (30%) percent of the lot area.~~

SECTION 117: **AMENDMENT** “5.02.110 Code Exemptions Of Agriculture Buildings” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.02.110 Code Exemptions Of Agriculture Buildings

~~By State Law, agricultural buildings, as defined by the State of Idaho, are exempt from Building Codes.~~

SECTION 118: **AMENDMENT** “5.02.120 Referenced Sections” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.02.120 Referenced Sections

A. Prior Created Lots (See subsection [3.03.070.](#))

- B. **Projections Into Yards** (See subsections 3.02.090.)
- C. **Distance Between Buildings** (See subsection 3.02.060.)
- D. **Parking, Loading and Access** (See section 3.4)
- E. **Project Approval** (See subsection [3.02.120.](#))
- F. **Landscaping.** (See subsection 3.02.100.)
- G. **Trash.** (See subsection 3.02.120.)
- H. **Signs.** (See section 3.5.)
- I. **Lighting Standards** (See section [3.6.](#))

SECTION 119: **AMENDMENT** “5.01.140 Other Requirements” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

5.01.140 Other Requirements

- ~~A. **Entrances.** In order to create a pedestrian-oriented environment in which buildings are oriented toward publicly accessible streets and sidewalks, a principal building must have its main entrance from a public sidewalk or plaza or from a private sidewalk or plaza that is publicly accessible through a public use easement.

 - 1. The main entrance shall not be from a parking lot; however, secondary entrances from parking lots are permitted.
 - 2. Interior buildings constructed as part of a campus development are exempt from these requirements.~~
- ~~B. **Outdoor Storage or Display.** Outdoor storage or display requires a Conditional Use Permit (CUP).~~
- ~~C. **Signs.** (See section 3.5.)~~
- ~~D. **Street lighting and utilities** within the right-of-way shall be installed as per the City Engineering Standards.~~
- ~~E. **Walls, Fences, and Gates** (See subsection [3.02.110.](#))

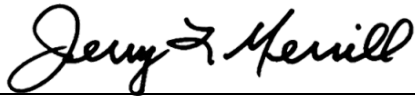
 - 1. In order to promote pedestrian-oriented developments, exterior security fences and gates that are located along public streets, along private street or walkways that are publicly accessible through a public use easement, or along publicly accessible open spaces, shall not extend beyond the building façades (i.e., these fences shall not be located in the area between building façades and the property line).~~
- ~~F. **Commercial Design Standards.** Commercial projects must meet commercial design standards. (See section [6.0.](#))~~

PASSED AND ADOPTED BY THE CITY OF REXBURG COUNCIL FEBRUARY 21, 2024.

	AYE	NAY	ABSENT	ABSTAIN
Councilmember Robert Chambers	<u>X</u>	_____	_____	_____
Councilmember Colin Erickson	<u>X</u>	_____	_____	_____
Councilmember Mikel Walker	<u>X</u>	_____	_____	_____
Councilmember Bryanna Johnson	<u>X</u>	_____	_____	_____
Councilmember Eric Erickson	<u>X</u>	_____	_____	_____
Councilmember David Reeser	<u>X</u>	_____	_____	_____

Presiding Officer

Attest



Jerry L Merrill, Rexburg Mayor, City of
Rexburg



Deborah Lovejoy, Rexburg City Clerk,
City of Rexburg

