ORDINANCE NO. 886

AN ORDINANCE AMENDING ORDINANCE NO. 725 PROVIDING FOR THE ADDITION OF NEW ZONES FOR RURAL RESIDENTIAL SUBDIVISIONS AND PROVIDE AN ADDITIONAL MEDIUM DENSITY ZONE; AMENDING THE LIST OF ZONING DISTRICTS WITH THE ACCOMPANYING LAND USE SCHEDULES THAT MAY BE GRANTED BY PLANNING AND ZONING WITHOUT COUNCIL REVIEW; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

SECTION I. Ordinance No. 725 is hereby amended as follows:
Chapter 3 - Zoning Districts amended as follows:

Page 15	**Action**
Zoning Districts List	Add Rural Residential 1 (RR1) Add Rural Residential 2 (RR2) Add Medium Density Residential 2 (MDR2)

Page 16	**Action**
Zoning Districts	Add 3.51 (RR1 Zone) Add 3.52 (RR2 Zone) Add 3.61 (MDR2 Zone)

Section 3.51 Rural Residential 1 (RR1):
The RR1 zone is established to protect stable neighborhoods of detached family dwellings on lots of one acre or more up to five (5) acres. The minimum lot width shall be 150 feet; the minimum front yard shall be 60 feet from the property line or 90 feet from the center line of the road, whichever is greater; the minimum rear yard shall be 30 feet from the property line; and the minimum side yard shall be six inches for every foot of building height with a 10 foot minimum. No structure shall be erected to a height greater than 30 feet to eave height, measured from natural grade at the building site. There can be only one single family dwelling per lot. Household pets are allowed, no more than two domestic livestock for each acre shall be allowed. Installation of curb and gutter or a drainage facility approved in advance by the Planning and Zoning Commission shall be required; however, no sidewalk will be required. The maximum lot coverage by buildings, including the dwelling, shall be 50 per cent.

Section 3.52 Rural Residential 2 (RR2):
The Rural Residential 2 Zone is established to provide rural residential zoning for the development and protection of country neighborhoods. The minimum development size for RR2 Zoning is two acres. 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. The zone shall be characterized by single family dwellings on lots of a minimum of ½ acre, ample off-street parking and reflecting a rural isolated atmosphere. An accessory apartment is allowed with a Conditional Use Permit. Neighborhoods with RR2 zoning conform to the city typical road section for RR2 neighborhoods. Application of RR2 Zoning must be consistent with topography where storm water run off and erosion are not a problem. The City of Rexburg right of way width is a minimum of 68 feet. Two (2) dwelling units per net acre is the maximum density permitted in RR2.

Section 3.61 Medium Density Residential 2 (MDR2):
The Medium Density Residential 2 is established to protect stable neighborhoods of detached single family dwellings on smaller lots and multi-family housing not to exceed 22 units per acre as an allowed use by right. Restoration or rehabilitation of older homes in this district shall be encouraged. Conditional uses of up to 24 units per acre 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 MDR zones. The maximum density permitted in this district is twenty-four (24) dwelling units per net acre. Setback and minimum lot size requirements in MDR2 are the same as in MDR1. Maximum Lot Coverage is 80%.

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Land Use by Right

Action
Add (RR1 Standards for Use by Right)
(RR2 Standards for Use by Right)
(MDR2 Standards for Use by Right)

DISTRICT	USES		STANDARDS FOR USES BY RIGHT						
	By Right	Conditional	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Maximum Lot Coverage	Maximum Building Height
RR1	Single Family dwelling		43,560 sq. ft.	150 ft.	60 ft.	30 ft.	6" for every foot of building height 10' minimum	50%	30 ft.
	Accessory Buildings								
	Homes for Mentally and/or Physically handicapped as in Idaho Code 67-6531								
	Limited home occupations								
	Gardening for personal use								
	Customary household pets								
	Agriculture								
	Right of Way		Minimum Width 68 Feet						

DISTRICT	USES		STANDARDS FOR USES BY RIGHT						
	By Right	Conditional	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Maximum Lot Coverage	Maximum Building Height
RR2	Single Family dwelling		21,780 sq. ft.	120 ft.	25 ft.	20 ft.	6" for every foot of building height 6' minimum	70%	25 ft.
	Accessory Buildings	accessory apartment							
	Homes for Mentally and/or Physically handicapped as in Idaho Code 67-6531								
	Limited home occupations								
	Gardening for personal use								
	Customary household pets								
	Agriculture								
	Right of Way		Minimum Width 68 Feet						

DISTRICT	USES		STANDARDS FOR USES BY RIGHT						
	By Right	Conditional	Minimum Lot Area	Minimum Lot Width	Minimum Front Yard	Minimum Rear Yard	Minimum Side Yard	Maximum Lot Coverage	Maximum Building Height
MDR2	Same as LDR1	Same as LDR1 plus	4,500 sq.ft. Plus 1,500 sq. ft. for each additional dwelling unit	60 ft.	25 ft.	20 ft.	4" for every 1' of building height: 6' minimum	80%	30 ft.
	Two, three, and four family dwellings	Five and six family dwellings							
	Limited home occupations	Boarding house							
		Nursing homes							
	Child care centers and nurseries	Mobile home courts and subdivisions							
		Five & six dwellings per development							
		Dormitory housing, fraternity, sorority							
		Separate Parking Lots							

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Allowable Density
Per net acre
(Dwelling Units)

Action
Add Dwelling Units for RR1 = 1
Dwelling Units for RR2 = 2
Dwelling Units for MDR2 = 24

Page 25
Land Use Schedule

Action
Add RR1, RR2, & MDR2

SECTION II. This ordinance shall take effect and be in force from and after its passage and publication as required by law.

PASSED AND APPROVED BY THE REXBURG CITY COUNCIL, THIS 05th DAY OF March, 2003.

Bruce Sutherland, Mayor

ATTEST:

Blair D. Kay, Clerk

(SEAL)

STATE OF IDAHO)
:ss
County of Madison)

I, Blair D. Kay, City Clerk of the City of Rexburg, Idaho, do hereby certify: That the above and foregoing is a full, true and correct copy of the Ordinance entitled:

AN ORDINANCE AMENDING ORDINANCE NO. 725 PROVIDING FOR THE ADDITION OF NEW ZONES FOR RURAL RESIDENTIAL SUBDIVISIONS AND PROVIDE AN ADDITIONAL MEDIUM DENSITY ZONE; AMENDING THE LIST OF ZONING DISTRICTS WITH THE ACCOMPANYING LAND USE SCHEDULES THAT MAY BE GRANTED BY PLANNING AND ZONING WITHOUT COUNCIL REVIEW; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

Passed by the City Council and approved by the Mayor this 05th day of March, 2003.

Blair D. Kay

Blair D. Kay, City Clerk

(SEAL)