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REXBURG, MADISON, IDAHO
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Ex-Officio Recorder Deputy

CITY OF
REXBURG
America's Family Community

BILL NO. 1073

AN ORDINANCE AMENDING ORDINANCE NO. 1026 PROVIDING FOR SUBSTANTIVE AND NON-SUBSTANTIVE CHANGES; INCLUDING PROVIDING FOR AMEND THE DEVELOPMENT CODE ORDINANCE 1026 CHAPTER 3, MEDIUM DENSITY RESIDENTIAL TWO (MDR2) BY ALLOWING LARGER BUILDINGS. CHANGE THE CODE TO READ "BUILDINGS WITH MORE THAN FOUR (4) DWELLING UNITS." THE SECOND CHANGE IS TO ADD THE "MEDIUM DENSITY RESIDENTIAL TWO (MDR2) ZONE TO "LOW-MODERATE DENSITY RESIDENTIAL" LAND USE DESIGNATION; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY the Mayor and Council of the City of Rexburg, Idaho:

TITLE I: The Development Code of the City of Rexburg, Idaho, is hereby amended by the following with a Conditional Use Permit:

A. Chapter **3 Section 8.010. Purposes and Objectives:** The MDR2 zone is established to protect stable neighborhoods of detached single-family dwellings on smaller lots and to act as a buffer between single-family dwellings and non-single-family zones. Restoration or rehabilitation of older homes in this district shall be encouraged. Up to twenty (20) units per acre shall be allowed with an atmosphere consistent with low building heights, low traffic volumes, ample off-street parking, and low nuisance potentials than higher density zoning. Structures within this zone shall be allowed to have more than four (4) dwelling units in any one structure, with maximum lot coverage of no more than eighty (80) percent. Setbacks and minimum lot size requirements in MDR2 shall be the same as in MDR1.

B. Chapter **3 Section 8.020 (F) – Modify Permitted Uses:**

<u>SIC Code 1291</u>

1. More than four (4) dwelling units per building.
2. Dormitory Housing, Fraternity, Sorority (with More than four (4) dwelling units per building)

C. Add "Medium Density Residential Two (MDR2) Zone to "Low-Moderate Density Residential" land use designation.

TITLE II. Providing for other substantive and non-substantive changes in the Development Code as recommended and approved by the Planning and Zoning Commission of the City of Rexburg, Idaho:

TITLE III. Repeal. All other ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

TITLE IV. The City of Rexburg, Idaho City Council shall enact this Ordinance No. 1073 amending Ordinance 1026 otherwise known as **THE DEVELOPMENT CODE OF THE CITY OF REXBURG, IDAHO** upon its passage, approval and publication.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR on this 3rd day of August, 2011.

Richard S. Woodland, Mayor

(SEAL)

ATTEST:

Blair D. Kay
Blair D. Kay, City Clerk

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. 1026 PROVIDING FOR SUBSTANTIVE AND NON-SUBSTANTIVE CHANGES; INCLUDING PROVIDING FOR AMEND THE DEVELOPMENT CODE ORDINANCE 1026 CHAPTER 3, MEDIUM DENSITY RESIDENTIAL TWO (MDR2) BY ALLOWING LARGER BUILDINGS. CHANGE THE CODE TO READ "BUILDINGS WITH MORE THAN FOUR (4) DWELLING UNITS." THE SECOND CHANGE IS TO ADD THE "MEDIUM DENSITY RESIDENTIAL TWO (MDR2) ZONE TO "LOW-MODERATE DENSITY RESIDENTIAL" LAND USE DESIGNATION; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR on this 3rd day of August, 2011.

Blair D. Kay
Blair D. Kay, City Clerk

(SEAL)