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REXBURG, MADISON, IDAHO
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KIM H. MUIR Fee: 0.00
Ex-Officio Recorder Deputy

CITY OF REXBURG
America's Family Community

ORDINANCE NO. 1084

AN ORDINANCE AMENDING ORDINANCE NO. 1026 PROVIDING FOR SUBSTANTIVE AND NON-SUBSTANTIVE CHANGES; INCLUDING: (1) AMEND CHAPTER 3, MEDIUM DENSITY RESIDENTIAL ONE (MDR1) BY ALLOWING LARGER BUILDINGS AND (2) AMEND CHAPTER 4 TO ADD HOME BUSINESS REQUIRMENTS TO SUBSECTION 4.10B AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

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

SECTION I: The Development Code of the City of Rexburg, Idaho, is hereby amended by the following with a Conditional Use Permit for Amendment One (1) and Amendment Two (2) to add subsection b. to Chapter 4.10:

(1) <u>Amendment One (1) Chapter 3, Section 3.7 Medium Density Residential 1 (MDR1)</u>

A. **Chapter 3 Section 7.010. 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. New buildings may range from single-family homes up to four (4) units per building, buildings with more than four (4) units per building require a conditional use permit. The maximum density permitted in this district is sixteen (16) dwelling units per acre.

B. **Chapter 3 Section 7.020 - Permitted Uses (F - Conditional Uses)**

1. More than four (4) dwelling units per building.

(2) <u>Amendment Two (2) Chapter 4</u>

A. **Chapter 4 – add subsection b. to 4.10 Home Occupations:**
<u>b. Home Business Requirements</u> – Home businesses must meet all the requirements of the previous Home Occupations subsection with the following exceptions:
1. All Home Business applications require a Conditional Use Permit (CUP).
2. Home businesses are allowed only in the following zones: Rural Residential 1 (RR1), Rural Residential 2 (RR2), Transitional Agriculture 1 (TAG1), and Transitional Agriculture 2 (TAG2).
3. A home business may be allowed in up to 25% of the *primary* residence *or* 100% of an accessory structure.
4. Up to 4 non-related employees may be allowed.

SECTION 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:

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 All other ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

SECTION IV: The City of Rexburg, Idaho City Council shall enact this Ordinance No. 1084 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 this 16th day of May, 2012.

(SEAL)

Richard S. Woodland, Mayor

ATTEST:

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: (1) AMEND CHAPTER 3, MEDIUM DENSITY RESIDENTIAL ONE (MDR1) BY ALLOWING LARGER BUILDINGS AND (2) AMEND CHAPTER 4 TO ADD HOME BUSINESS REQUIRMENTS TO SUBSECTION 4.10B AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 16th day of May, 2012.

Blair D. Kay, City Clerk

(SEAL)