CITY OF REXBURG
ORDINANCE 1298 COMMERCIAL & INDUSTRIAL - APRIL 2023

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

SECTION 1: **AMENDMENT** "6.01.030 Lot Area" of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

6.01.030 Lot Area

A. The **minimum** area of any new subdivision in the CBC zone shall be five (5) acres; however, smaller lots or parcels may be created as part of an approved plat and recorded Record of Survey, as specified in City Code.
B.
C. **Single ownership**. Said land shall be in single ownership or single control for integrated development.

SECTION 2: **AMENDMENT** "6.02.030 Single Ownership And Control" of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

6.02.030 Single Ownership And Control

A. Land within a given RBC zone shall be in single ownership or single control in order to provide for integrated development unless requested and approved by the Rexburg City Council.
B. **Single Ownership**. The term, "single control", shall be construed to allow the recording of a Record of Survey.
    1. **Consequence**. Failure to maintain single ownership or single control may result in the initiation of action to return the property to the zone, or zones, existing prior to the establishment of the RBC zone.
C. **Record of Survey before Building Permits**. The Record of Survey must be approved and recorded prior to the issuance of any building permits and must be in compliance with all applicable sections of the Rexburg City Code and other Building Codes adopted by the City of Rexburg.

SECTION 3: **AMENDMENT** "7.00.050 Building Height" of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

7.00.050 Building Height

A. The height of every building or structure hereafter designed, erected, or structurally altered or enlarged, shall conform to the requirements of the Building Code as adopted by the City, of Rexburg and shall not exceed fifty-five (55') feet in maximum height.
    1. Additional height for a building or structure may achieved through an approved Conditionalbetop Use'Permit (CUP) wall

SECTION 4: **AMENDMENT** "7.01.050 Yard Requirements" of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

7.01.050 Yard Requirements

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

A. **Front Yard**. Each lot or parcel in the LI zone shall have a landscaped front yard of not less than ten (10') feet from the right-of-way.
B. **Side and Rear Yard**. No side and/or rear yard required unless adjacent to Residential or Commercial Zones.
    1. **Adjacent to Residential.** Buildings adjacent to residential shall have a minimum setback of twenty (20') feet or a setback of six (6") inches for every one (1') foot of building height, whichever is greaterrequired
    .
C. **Accessory Building**. *(See subsection 7.00.030.)*

SECTION 5: **AMENDMENT** "7.02.050 Yard Requirements" of the Rexburg Development Code is hereby *amended* as follows:

A M E N D M E N T

7.02.050 Yard Requirements

(See subsection 3.02.070.)

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

A. **Front Yard**. Each lot or parcel of land in the HI zone shall have a landscaped front yard of at least ten (10') feet from the right-of-way.
B. **Side Yard**. No side yard requirement unless imposed by the Zoning Administrator to protect adjacent properties against the undesirable characteristics of a particular use; or as required by the Building Code adopted by the City of CodeRexburg
    1. **Side & Rear Yard Accessory Building**. (*See subsection 7.00.030*.)
C. **Rear Yard**. Where the rear property line abuts on a residential or commercial zone, the rear yard shall be the same as that required by the adjacent zone, or as determined by the Zoning Administrator to mitigate potential nuisances. Otherwise, no setback required.

PASSED AND ADOPTED BY THE CITY OF REXBURG COUNCIL JUNE 07, 2023.

	AYE	NAY	ABSENT	ABSTAIN
Council President Jordan Busby	X			
Councilmember Robert Chambers	X			
Councilmember Tisha Flora	X			
Councilmember Colin Erickson	X			
Councilmember Mikel Walker	X			
Councilmember Bryanna Johnson	X			

Presiding Officer

Jerry L Merrill, Rexburg Mayor, City of Rexburg

Attest

Deborah Lovejoy, Rexburg City Clerk, City of Rexburg

CITY OF REXBURG CORPORATE SEAL STATE OF IDAHO