

CITY OF REXBURG
ORDINANCE ACCESSORY BUILDINGS - SEPTEMBER 2023

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

SECTION 1: **AMENDMENT** “3.02.060 Accessory” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

3.02.060 Accessory

Accessory structures are permitted in all zones, provided they are incidental to, and do not substantially alter the character of the permitted principal use or structure. Such permitted accessory uses and structures include, but are not limited to the following: detached garages, carports, equipment storage buildings, supply storage buildings, and temporary construction storage and offices.

~~A. **Permitted Accessory Uses.** Such permitted accessory uses and structures include, but are not limited to the following:~~

- ~~1. **Residential.** Accessory building such as garages, carports, equipment storage buildings, and supply storage buildings, which are customarily used in conjunction with and incidental to a principal use or structure, shall be permitted.~~
- ~~2. **Temporary Construction.** Storage of materials used for construction of a building, including the contractor’s temporary office, provided that such use shall be permitted only during the construction period and thirty (30) days thereafter.~~
- ~~3. **Other than Residential.** Equipment storage buildings and supply storage buildings.~~

~~B. **Accessory Building Requirements.**~~

~~C. **All Accessory buildings shall:**~~

- ~~1. Have a building footprint and height less than the main dwelling.~~
2. Comply with all lot coverage configuration requirements in the existing zone.
3. Comply with the Building Codes adopted by the City of Rexburg.
4. Be an accessory to an existing primary structure or residence. Only be used for those accessory uses allowed in the respective zone.
- ~~5. The accessory building shall~~Have facilities for the discharge of all roof drainage on to the lot or parcel on which it is erected.

~~D. **Residential Accessory Buildings.**~~

1. Require a building permit if more than two hundred (200) square feet.
2. **Front Yard.** May not be placed in the front yard.
3. **Side Setback.** Must meet the same side setback requirements as a principal

building if larger than two hundred (200) square feet or taller than ten (10') feet in height.

a. If less than two hundred (200) square feet, may be placed on the property line.

4. **Rear Setback.** Must be a minimum of five (5') feet from property line if larger than two hundred (200) square feet, unless the accessory building is a garage with doors opening into a City-owned alley. Such garages shall be a minimum of fifteen (15') feet from the alley.

a. If less than two hundred (200) square feet, may be placed on the property line.

E. **Commercial & Industrial Accessory Buildings.**

1. Require a building permit if larger than one-hundred-twenty (120) square feet.

2. **Front Yard.** May not be placed in the front yard.

3. **Side Setback.** Must meet the same side setback requirements as a principal building if larger than one-hundred-twenty (120) square feet or taller than ten (10') feet in height.

a. If less than one-hundred-twenty (120) square feet, must be a minimum of five (5') feet from property line.

4. **Rear Setback.** Must meet the same rear setback requirements as a principal building.

5. **Location:**

a. **Front Yard.** Not be placed in the front yard.

b. **Side Yard.** Meet the same side yard requirements as a principal building when the accessory building is:

(1) **(Residential)** larger than two hundred (200) square feet or taller than ten (10') feet in height.

(2) **(Commercial)** larger than one-hundred-twenty (120) square feet or taller than ten (10') feet in height.

c. **Rear Yard.** Accessory building may be placed in any location in the rear yard, unless the accessory building is a garage with doors opening into a City-owned alley. Such garages shall be located at least fifteen (15') feet from the alley.

d. **Accessory Building & Adjacent Lot.** An accessory building shall be five (5') feet or more from a lot line.

(1) **Reduced Distances Between Buildings.** Additional requirements may be needed for reduced distances between buildings per the Codes adopted by the City of Rexburg.

(2) **Less Than 200 sq.ft.** Accessory buildings smaller than two hundred (200) square feet may be placed up to the property line but shall not drain onto neighboring properties.

6. **Accessory Building Size:**

a. **Adjacent to Residential Use or Zone.** If adjacent to a residential use or zone, the accessory building shall not exceed ten (10') feet in height, nor two hundred (200) square feet.

b. **If not adjacent to residential use or zone.** If not adjacent to a

~~residential use or zone, larger accessory buildings shall be allowed and shall meet the standard rear yard setback for principal buildings in the zone.~~

- ~~7. **Building Permit.** A building permit is required when the accessory building is larger than two hundred (200) square feet for single-family, residential, building uses and one hundred twenty (120) square feet for commercial buildings and dwellings greater than a single family.~~

F. **Exception:** University District (UD)

SECTION 2:**AMENDMENT** “7.00.030 Accessory Building” of the Rexburg Development Code is hereby *amended* as follows:

AMENDMENT

7.00.030 Accessory Building

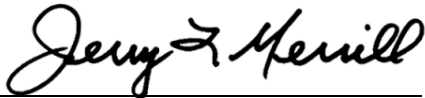
- ~~A. An accessory building may be located on a side or rear property line if:~~
- ~~1. **2-hr. Fire Wall.** The accessory building does not have openings on the side which is contiguous to the side or rear property line, and the wall of said building adjacent to the property line has a two (2) hour fire retardant rating.~~
- ~~B. **Adjacent to Residential.** The accessory building, if adjacent to a residential use or zone, shall not exceed ten (10') feet in height nor two hundred (200) square feet.~~
- ~~1. Larger accessory buildings shall meet the side and rear yard setbacks for principal buildings.~~
- C. ~~(See subsection 3.02.070.)~~

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

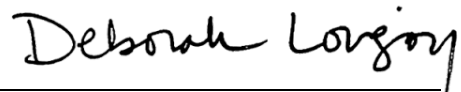
	AYE	NAY	ABSENT	ABSTAIN
Councilmember Robert Chambers	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Colin Erickson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Mikel Walker	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember Bryanna Johnson	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Councilmember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

Presiding Officer

Attest



Jerry L Merrill, Rexburg Mayor, City
of Rexburg



Deborah Lovejoy, Rexburg City Clerk,
City of Rexburg

