

ORDINANCE NO. 2016-02

AN ORDINANCE ENACTING A NEW SECTION 17.06.070 D TO PROVIDE FOR AN EXCEPTION TO THE REQUIREMENTS OF 17.06.070 C FOR LOTS AND OTHER PARCELS OF REAL PROPERTY HAVING AN AREA OF LESS THAN 11,000 SQUARE FEET; PROVIDING FOR SEVERABILITY, REPEALING CONFLICTING PROVISIONS AND REGULATIONS AND PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

WHEREAS, it is the conclusion of the City Council that the current code requirements that a residential lot have a minimum square footage of 11,000 square feet and frontage of at least 80 feet are too restrictive in that the average size of a platted city lot is less than 5,000 square feet, and

WHEREAS, many existing residences in the City are in violation of the current lot size standards which has had the effect of inhibiting the maintenance, improvement and replacement of existing residences resulting in run-down buildings and vacant lots which cannot be improved, and

WHEREAS, the City Council desires to encourage the maintenance, improvement and replacement of existing residences on existing lots in the City and to encourage the utilization of vacant lots within the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. ANTHONY, AS FOLLOWS:

SECTION I. Enactment of a New 17.06.070 D. Exception to Requirements of 17.06.070 C.

A new St. Anthony Municipal Code Section 17.06.070 D as follows is hereby enacted:

17.06.070 D. Exception to the Requirements of 17.06.070 C: In the event there is a lot or parcel of property consisting of more than one lot or of a meets and bounds description all under the same ownership, that aggregates less square footage, width, depth or frontage than is required by said subsection C. 1. but at least 5,000 square feet, the following Density, Area Requirements and Standards shall apply.

1. There shall be no minimum lot width or depth.
2. Lot Frontage. Each lot or parcel of land in the LDR1 zone shall abut a public street for a minimum distance of twenty-five feet, on a line parallel to the centerline of the street.
3. The square footage of the footprint of a single family dwelling and its accessory buildings shall not exceed 70 percent of the total square feet of the lot on which it is constructed.

2. All other requirements of 17.06.070 C, not modified by this subsection shall apply to properties falling under this subsection.

SECTION II. Severability.

This ordinance is hereby declared to be severable. Should any portion of this ordinance be declared invalid by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect and shall be read to carry out the purpose(s) of the ordinance before the declaration of partial invalidity.

Section III. Repeal of Conflicting Provisions:

All provisions of the ordinances of the City of St. Anthony which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section IV. Conflicting Regulations:

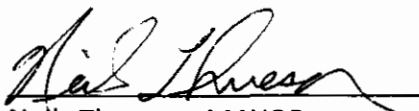
If conflicts occur between different regulations of this Ordinance, or between this ordinance and other regulations of the City of St. Anthony, the most restrictive regulation shall apply.

Section V. Effective Date:

This ordinance shall be in full force and effect from and after its passage, approval and due publication.

ENACTED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 11th day of February, 2016.

CITY OF ST. ANTHONY, IDAHO



Neils Thueson, MAYOR

ATTEST:



Patty Unruh Parkinson, CITY CLERK

