## 3.9 High Density Residential 1 (HDR1)

3.9.010. Purposes and Objectives
3.9.020. Permitted Uses
3.9.030. Lot Area
3.9.040. Lot Width
3.9.045. Lot Depth
3.9.050. Lot Frontage
3.9.060. Prior Created Lots
3.9.070. Lot Configuration and Density
3.9.080. Yard Requirements
3.9.090. Setbacks and Rights-of-Ways
3.9.100. Building Height
3.9.110. Distance Between Buildings
3.9.120. Permissible Lot Coverage
3.9.130. Parking, Loading and Access
3.9.140. Project Plan Approval
3.9.150. Fencing and Screening
3.9.160. Design Standards
3.9.170. Other Requirements

### 3.9.010. Purposes and Objectives

The HDR1 zone is established to provide higher density residential housing areas served by collector and arterial streets. The zone shall be characterized by dwellings for three and more families, dormitory housing, ample off-street parking, higher traffic volumes, proximity to BYU-Idaho and other traffic generators and low nuisance potential. Thirty (30) dwelling units per acre is the maximum density permitted in HDR1.

For Infill/Redevelopment Projects (see definitions in Section 2.1) setbacks and buffering are increased as per Section 4.16 Infill/Redevelopment Projects.

### 3.9.020. Permitted Uses

**a. Categories.** Those uses or categories of uses as listed herein, and no others, are permitted in the HDR1 zone.

**b. Permitted Principal Uses.** The following principal uses and structures, and no others, shall be permitted in the HDR1 zone:

**Permitted Uses**
Residential Facility for Elderly Persons
Disabled Persons Residential facility
Up to 48 units per building and developments up to 100 units.
Nursery Schools
Day Care Centers
Bed and Breakfast
Assisted and Residential Care Facility
Boarding House
Mobile Home Courts and Subdivisions
Dormitory Housing, Fraternity, Sorority

**c. Permitted Accessory Uses.** Accessory uses and structures are permitted in the HDR1 zone 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:

i. Accessory buildings such as garages, carports, greenhouses, gardening sheds, recreation rooms, and similar structures which are customarily used in conjunction with, and incidental to, a principal use or structure.

ii. Swimming pools.

iii. Vegetable and flower gardens and noncommercial orchards.

iv. Home occupations subject to the regulations of Chapter 4.10.A of the Rexburg Development Code.

v. Storage of materials used for construction of a building, including the contractor's temporary office, provided that such use is on the building site or immediately adjacent thereto, and provided, further, that such use shall be permitted only during the construction period and thirty (30) days thereafter.

### 3.9.025. Conditional Uses

The following uses and structures may be permitted in the HDR1 zone only after a Conditional Use Permit has been approved, and subject to the terms and conditions thereof.

**Conditional Uses**

Single-family dwelling- detached
Single-family dwelling – attached
Manufactured housing units 24 feet or wider on a permanent foundation.
Buildings containing over 48 units. and developments containing over 100 units.
Communications in accordance other applicable communications ordinances
Electricity Regulating Substations
Other Utility and Public Facilities
Separate Parking Lots
Cemeteries
Hospitals
Schools
Churches, Synagogues, Temples
Libraries
Golf Course
Golf Course w/ Country Club
Tennis Courts
Ice Skating
Athletic Fields
Recreation Centers
Pools
Parks and Playgrounds Skate Parks
Automobile Parking Lots and Garages
Other Utility Facilities
Home Occupations regulated as per the Rexburg Development Code Section 4.10.B

### 3.9.030. Lot Area

The minimum lot area on any parcel of land in the HDR1 zone is six thousand (6,000) sq. ft., seven thousand, five hundred (7500) sq. ft. for a triplex and nine thousand (9000) sq. ft. for a fourplex. Under no circumstance will the density of thirty (30) Units per acre be exceeded.

### 3.9.040. Lot Width

The minimum lot width in the HDR1 zone is sixty (60) feet.

### 3.9.045. Lot Depth

The minimum lot depth in the HDR1 zone is sixty (60) feet.

### 3.9.050. Lot Frontage

The minimum frontage required on and HRD1 parcel is sixty (60) feet.

### 3.9.060. Prior Created Lots

Lots or parcels of land which were legally and lawfully created prior to the application of the zone shall not be denied a building permit solely for reason of nonconformance with the parcel requirements of this Chapter.

### 3.9.070. Lot Configuration and Density

Buildings housing more than forty eight (48) dwelling units may be allowed with a conditional use permit. Dwelling unit density shall not exceed thirty (30) units per acre, and shall comply with the lot area requirements of Section 3.9.030. Pedestrian Emphasis Zone density is regulated by the University, the Building Code and any requirements imposed as part of the CUP required.

### 3.9.080. Yard Requirements

The following minimum yard requirements shall apply in the HDR1 zone:

**a. Front/Rear Yard.** Each lot or parcel in the HDR1 zone shall have a minimum front yard of at least twenty-five (25) feet. Each lot or parcel shall have a minimum front yard of at least twenty-five (25) feet,

unless the street upon which the parcel fronts has a boulevard strip of at least seven (7) feet, in which case the front yard setback may be reduced to twenty (20) feet and for parking lot front yard setbacks reduced to ten (10) feet. The minimum depth of a rear yard shall be twenty (20) feet.

When a single family home is converted to a triplex or greater, or is converted to dormitory (non-family) housing, no parking spaces are permitted within the required front yard. However, an existing driveway (no greater than 20-feet in width) and garage, when combined, may provide up to four parking spaces per building. If no garage is present then all parking spaces must be located outside of the front yard setback. All other parking areas that may be located within the front yard shall be removed and restored to landscaping prior to the occupancy of the building. Driveway aisle widths shall be no wider than the City's minimum aisle width for two-way access when accessing rear or side yard parking lots.

**b. Side Yard.** Each lot or parcel of land in the HDR1 zone shall have a side yard of at least six (6) feet or six (6) inches of setback for every foot of building height, whichever is greater. However, a setback of ten (10) feet shall be allowed within side yards that abut other HDR zones, MDR zones, commercial zones, or mixed-use zones, regardless of building height.

**c. Infill/Redevelopment Setbacks.** Setbacks are increased as per Section 4.16 Infill/Redevelopment Projects.

**d. Accessory Building Setbacks.** Accessory buildings must meet all setback requirements established by any applicable building code, and shall:

i. Have a building footprint and height less than the main dwelling. Accessory buildings larger than two hundred (200) square feet shall meet the same side yard requirements as principal buildings.

ii. Comply with all lot coverage requirements. An accessory building or group of accessory buildings in any residential zone shall not cover more than thirty (30) percent of the rear yard.

iii. Comply with the current Building Code of the City of Rexburg, ID.

iv. Only be used for those accessory uses allowed in the respective zone.

v. Accessory building shall not be placed in the front yard.

vi. Accessory buildings may be placed in any location in the rear yard not otherwise in conflict with this Ordinance, unless the accessory building is a garage with doors opening into the alley. Such garages shall be located at least fifteen (15) feet from the alley.

### 3.9.090. Setbacks and Rights-of-Way Exceptions

**a. Exceptions.** The following structures may be erected on or projected into any required setback or right-of-way:

i. Fences and walls in conformance with the Rexburg City Code and other City codes or ordinances.

ii. Landscape elements including trees, shrubs, agricultural crops and other plants.

iii. Necessary appurtenances for utility service.

iv. Underground parking structures may be projected into any required setback if the structure is covered by landscaping or grass and does not raise the grade of the yard by more than two (2) feet.

v. In all zones the area between the curb and gutter and the sidewalk is to be landscaped and maintained by the adjacent property owner. For the purpose of insuring visibility and safety in residential zones and other zones which require buildings to be set back from the property line, the triangle of land formed on any corner lot by drawing a line between points on the lot lines, which are thirty (30) feet from the intersection of such lot lines, shall be free from any sight obscuring structure or obstruction except as permitted. Trees in such triangles shall be trimmed to at least ten (10) feet above the centerline grades of the intersecting streets. Shrubs, fences, and walls shall not be higher than three (3) feet above the centerline grades of the intersecting streets.

**b. Permitted Projections with Conditions.** The structures listed below may project into a minimum front yard or rear yard no more than four (4) feet and into a minimum side yard not more than two (2) feet, except that a required driveway shall remain unobstructed from the ground up a height of twelve (12)

feet:

i. Cornices, eaves, belt courses, sills, buttresses, or other similar architectural features.

ii. Fireplace structures and bays provided they are not wider than eight (8) feet and are generally parallel to the wall of which they are a part.

iii. Stairways, balconies, door stoops, fire escapes, awnings, and planter boxes or masonry planters not exceeding thirty (30) inches in height.

iv. Carports and loading docks in a side yard or rear yard, provided that such a structure is not more than one (1) story in height and is entirely open on at least three (3) sides, except for necessary supporting columns and customary architectural features

**c. Box or Bay Windows.** Box or Bay Windows provided they are not wider than eight (8) feet may be projected up to one (1') foot in a front yard and up to two (2') feet in a rear yard. No projection is allowed in a required side yard.

**d. Additional Exception.** When fifty (50) percent or more of the lots on the same side of the street have been built, all buildings erected, established, or rebuilt shall be in conformity with the average setback of such buildings. In all Residential Zones, all buildings erected, established, or rebuilt shall be required to place sidewalks a minimum of seven (7) feet behind the curb and gutter, where conditions permit.

### 3.9.100. Building Height

No lot or parcel of land in the HDR1 zone shall have a building or structure which exceeds a maximum height of fifty-five (55) feet, measured at the top of building's horizontal wall. An unroofed and unenclosed rooftop terrace, an enclosed stairwell or elevator providing access to the roof, shall not be included in the measurement of total building height. In no case shall the height of an accessory structure exceed the height of any main structure on the same lot. Buildings or portions of buildings within fifty (50) feet of a residential zone other than HDR1, HDR2, and mixed use zones shall be limited to a height of thirty-five (35) feet.

### 3.9.110. Distance Between Buildings

The distance between any accessory building and a dwelling shall not be less than six (6) feet.

### 3.9.120. Permissible Lot Coverage

**a. Building Coverage.** In an HDR1 zone, all buildings, including accessory buildings and structures (including impervious surfaces, e.g. driveways), shall not cover more than eighty (80) percent of the area of the lot or parcel of land.

**b. Landscaping.** At least twenty (20) percent of the area of any lot shall be maintained in landscaping. On any lot, concrete or asphaltic cement shall not cover more than forty (40) percent of a front yard and one hundred (100) percent of one (1) side yard.

### 3.9.130. Parking Loading and Access

Parking is required as per Chapter 5 Parking Regulation. Housing projects made up of twelve (12) or more units will be required to demonstrate sidewalk access to the BYUI campus and to the nearest Substantial Commercial Cluster (see definition).

### 3.9.140. Project Plan Approval

All projects constructed within the HDR1 zone must submit, prior to beginning construction, a site plan (including a drainage plan) for review and approval by City of Rexburg Staff. All structures must comply with the current Building Code of The City of Rexburg, ID.

### 3.9.150. Buffering, Fencing and Screening

Buffering screening and fencing within the City of Rexburg shall be constructed and maintained in conformance with the following standards:

**a. Highway 20 Corridor.** All development adjacent to the Highway 20 right-of-way must submit a site plan to the Planning and Zoning Commission and be approved by the Commission prior to obtaining a Building Permit.

**b. Parking Areas.** An effective buffer shall be provided between parking areas for more than five (5) vehicles and existing residential uses, schools, hospitals, nursing homes and other institutions for long-term human care. The buffer shall consist of a minimum five (5) foot wide landscaped strip to be planted with one (1) tree and five (5) low shrubs per thirty (30) lineal foot

**c. Infill/Redevelopment Buffering.** Buffering is increased as per Section 4.16 Infill/Redevelopment Projects

**d. Fences.** The maximum height of any fence, wall, or sight obscuring objects within fifteen (15) feet of the public right-of-way shall be three (3) feet. Fences will be allowed in excess of three (3) feet and up to six (6) feet if constructed out of rigid materials and are fifty (50) percent or more see through per lineal foot. All other fences shall not be greater in height than eight (8) feet unless approved by the Planning and Zoning Commission. A fence of at least six (6) feet in height shall be erected along all property lines which lie adjacent to a residential or commercial zone.

### 3.9.160. Design Standards

**a. Purpose.** The architectural standards are intended to provide detailed, human-scale design, while affording flexibility to use a variety of building styles.

**b. Applicability.** This section applies to all of the following types of buildings, and shall be applied during Site Plan Review described in Section 6.11:

i. All uses except Single Family Detached

**c. Standards.** All buildings which are subject to this Section shall comply with all of the following standards. Other building styles and designs can be used to comply, so long as they are consistent with the text of this section. An architectural feature may be used to comply with more than one standard.

i. **Building Form.** The continuous horizontal distance (i.e., as measured from end-wall to end-wall) of individual buildings shall not exceed one hundred and sixty (160) feet. All buildings shall incorporate design features such as offsets, balconies, projections, window reveals, or similar elements to preclude large expanses of uninterrupted building surfaces. Along the vertical face of a structure, such features shall occur at a minimum of every forty (40) feet, and on each floor shall contain at least two of the following features:

a. Recess (e.g., deck, patio, courtyard, entrance or similar feature) that has a minimum depth of four (4) feet;

b. Extension (e.g., floor area, deck, patio, entrance, or similar feature) that projects a minimum of two (2) feet and runs horizontally for a minimum length of four (4) feet; **and/or**

c. Offsets or breaks in roof elevation of two (2) feet or greater in height.

ii. **Eyes on the Street.** All building elevations visible from a street right of way shall provide doors, porches, balconies, and/or windows. A minimum of forty (40) percent of front (i.e., street-facing) elevations, and a minimum of twenty (20) percent of side and rear building elevations, as applicable,

shall meet this standard. "Percent of elevation" is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces and/or windows. Trim, shutters, and other features that are part of the items making up the requirement shall be included in the measurement. The standard applies to each full and partial building story.

iii. **Detailed Design.** All buildings shall provide detailed design along all elevations (i.e., front, rear and sides). Detailed design shall be provided by using at least two (2) of the following architectural features on all elevations, as appropriate for the proposed building type and style (features may vary on rear/side/front elevations):

1. Dormers
2. Gables
3. Recessed entries
4. Covered porch entries
5. Cupolas or towers
6. Pillars or posts
7. Off-sets in building face or roof (minimum sixteen (16) inches)
8. Bay windows, box windows and window trim (minimum four (4) inches wide)
9. Balconies
10. Decorative patterns on exterior finish
11. Decorative cornices and roof lines
12. Changes in exterior texture or color.
13. An alternative feature providing visual relief, similar to previous options

### 3.9.170. Other Requirements

Commercial Lighting Standards are applicable as described in Chapter 4.13, Supplementary Regulations.