

3.29 Transitional Agricultural 2 (TAG2)

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3.29.010. Purpose and Objectives

The Transitional Agricultural zone is intended to anticipate expansion of the City into agricultural areas (lands). Permitted uses in the TAG2 Zone include all primary agricultural production activities and their accessory uses and buildings, including farm homes.

No more than ten (10) livestock are permitted in a TAG2 zone. However, this does not include commercial enterprises or animal-related business such as produce packing plants, fur farms, veterinary clinics, animal hospitals, feed lots, poultry and egg farms, hog farms, dog kennels, honey processing, and similar uses which would constitute a “business” as opposed to that of the raising of agricultural crops and/or pasture. For the purposes of this chapter, “Feedlot” is defined as any area where one thousand (1,000) head or more of livestock are confined for a period of one year or more. The minimum size parcel shall be two (2) acres or more.

Conditional Uses in the TAG2 Zone include: Public and quasi-public recreation facilities and/or buildings, Home occupations, Cemeteries.

The TAG2 Zone is established to ensure transitional regulations pursuant to, and provide uniform enablement of the provisions of Chapter 8, of this title.

3.29.020. Permitted Uses

- a. **Categories.** Those uses or categories of uses as listed herein, and no others, are permitted in the TAG2 zone.
- b. **Permitted Principal Uses.** The following principal uses and structures, and no others, are permitted in the TAG2 zone:

Permitted Uses

Single-family dwellings-detached
Disabled person's residential facility
Agricultural and related operations

- c. **Permitted Accessory Uses.** Accessory uses and structures are permitted in the TAG zone provided they are incidental to, and do not substantially alter the character of the permitted use or structure, and are located on the same or an adjacent lot as the permitted use. Such permitted accessory uses and structures include, but are not limited to, the following:
 - i. Accessory buildings such as garages, carports, bath houses, green houses, gardening sheds, recreation rooms, and similar structures which are customarily used in conjunction with and incidental to a principal

- use or structure, and offices associated with a main permitted or conditional use, and a public dance held in conjunction with an existing permitted use.
- ii. Swimming pools and incidental bath houses subject to the standards of Rexburg City Code.
 - iii. A detached single-family residence used only for the use of a caretaker, watchman, or similar employee of a permitted use, when located upon the same site as said permitted use.
 - iv. 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.
 - v. Nothing herein shall be construed to permit the open storage of materials or equipment used in conjunction with permitted uses, or shall be concealed from view from public or private streets.
- d. Conditional Uses.** The following uses and structures may be permitted in the TAG 2 zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof:

Conditional Uses

Manufactured home 24' or more in width on a permanent foundation
 Small animal veterinarian services (totally enclosed)
 Airports
 Cemeteries
 Commercial kennels
 Broadcasting towers for radio, television or similar use
 Public buildings
 Schools
 Hospitals
 Churches or religious facilities

3.29.030. Lot Area

The minimum area of any lot or parcel of land in the TAG zone shall be two (2) acres.

3.29.040. Lot Width

Each lot or parcel of land in the TAG zone shall have a width of not less than two hundred fifty (250') feet.

3.29.050. Lot Frontage

Each lot or parcel of land in the TAG 2 zone shall abut a public street for a minimum distance of thirty-five (35) feet, on a line parallel to the centerline of the street or along the circumference of a cul-de-sac improved to City standards. Frontage on a street end which does not have a cul-de-sac improved to City standards shall not be counted in meeting this requirement.

3.29.060. Prior Created Lots

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

3.29.070. Lot Area per Dwelling

Any caretaker dwelling established in conjunction with a permitted use in the TAG zone shall have a land area of at least five thousand (5,000) square feet devoted exclusively to the use of the inhabitants of said residential unit.

3.29.080. Yard Requirements

The following minimum yard requirements shall apply to the TAG zone:

- a. **Front Yard.** Each lot or parcel of land in the TAG zone shall have a front yard of not less than fifty (50) feet and except for single family detached homes shall not be used for vehicular parking or maneuvering except such portion as is devoted to driveway use for direct access from a street to a garage or carport.

- b. **Side Yard.** Each lot or parcel of land in the TAG zone shall have a side yard setback of not less than ten (10) feet, except corner lots contiguous to the street shall not be less than fifty (50) feet and shall not be used for vehicular parking or maneuvering except such portion as is devoted to driveway use for direct access from a garage or carport.
- c. **Side Yard. Accessory Building.** An accessory building may be located on a side property line if, and only if, all of the following conditions are met:
 - i. That said accessory building is located more than ten (10) feet away from any main building on the same lot, or more than six (6) feet away from any building structure on any adjacent lot lying within a residential zone.
- d. **Rear Yard.** Each lot or parcel of land in the TAG Zone shall have a rear yard setback of not less than twenty-five (25) feet.

3.29.090. Projections into Yards

- a. **Permitted Projections.** The following structures may be erected on or projected into any required yard:
 - i. Fences and walls in conformance with the Rexburg City Code and other City codes and ordinances.
 - ii. Landscape elements including trees, shrubs, agricultural crops, and other plants.
 - iii. Necessary appurtenances for utility service.
- b. **Permitted Projections with Conditions.** The structures listed below may project into a minimum front or rear yard not more than four (4) feet, and into a minimum side yard not more than two (2) feet:
 - i. 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. Door stoops, fire escapes, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.
 - iv. Carports over a driveway in a side yard, provided that such a structure is not more than one (1) story in height and twenty-four (24) feet in length, and is entirely open on at least three (3) sides, except for necessary supporting columns and customary architectural features.

3.29.100. Building Height

Any building or structure or portion thereof hereafter erected which is not of an agricultural nature shall not exceed two and one-half stories, or thirty feet (30') in height, measured at the top of building's horizontal wall.

3.29.110. Distance Between Buildings

As required by the Building Code

3.29.120. Permissible Lot Coverage

The maximum lot coverage for all buildings and structures shall not be greater than fifty (50) percent of the lot area.

3.29.130. Parking, Loading, and Access

See the Development Code and Subdivision Ordinance.

3.29.135. Code Exemptions of Agricultural Buildings

By State Law, agricultural buildings, as defined by the State of Idaho, are exempt from Building Codes.

3.29.140. Project Plan Approval

All projects constructed within the MDR1 zone must submit, prior to beginning construction, a site plan (including a drainage plan) for review and approval by City of Rexburg Building Department. All structures must comply with the current Building Code of Rexburg, ID. Drainage on to an adjacent lot not owned by applicant is not allowed.

3.29.150. Other Requirements

Signs. See standards and provisions of Rexburg City Sign Code.

Landscaping. See the City Development Code and Subdivision Ordinance.

Trash Storage. See the City Development Code and Subdivision Ordinance.

3.29.160. Lighting Standards

See Commercial and Residential Lighting Standards in the Development Code and Subdivision Ordinance