

ORDINANCE NO. 2009-8

AN ORDINANCE OF THE CITY OF ST. ANTHONY, IDAHO, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO; AMENDING SECTIONS 17.16.010, 17.16.030 AND 17.16.040 TO REMOVE THE REQUIREMENT OF A MINIMUM FRONTAGE AND MINIMUM AREA FOR A BUILDABLE LOT; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF ST. ANTHONY, IDAHO THAT SECTION 17.16.010 AND SECTION 17.16.030 OF THE ST. ANTHONY MUNICIPAL CODE BE AND HEREBY ARE AMENDED AS FOLLOWS:

Section 1. Amendment of Section 17.16.010

17.16.010 General objectives and characteristics.

A. The R-1 residence zone is established to provide a residential environment characterized by generally larger sized lots and somewhat lesser density of population than is permitted in the R-2 residence zone. It is recognized that within the City there are numerous platted lots and dwellings on lots that are 2500 square feet and that it is in the City's interest to permit the development of smaller lots and the improvement and replacement of dwellings on smaller lots; the alternative being unbuildable, vacant, unkept lots and deteriorating dwellings.

B. Representative uses in this zone include single-family dwellings, parks, playgrounds, schools, churches, and other similar and compatible uses. However, duplexes, apartment buildings and other multiple-family dwellings and other uses normally associated with a high-density population residential area are permitted subject to conditional use permit and design review. All commercial and industrial uses shall not be permitted in this zone.

C. Primacy in the R-1 residence zone is given to single-family dwellings having a floor space of not less than five hundred square feet, situated on lots in compliance with the set back requirements set forth in Section 17.16.050.

D. To accomplish the objectives and purposes of this title and to promote the characteristics of the R-1 zone, the regulations in this chapter shall apply.

Section 2. Amendment of Section 17.16.030

17.16.030 Area. A lot with an area of not less than ten thousand square feet be provided and maintained for each single-family dwelling. The building(s) on any City Lot or other described parcel of property lying within the City shall not exceed sixty percent (60%) of the total square footage of the lot or parcel.

Section 3. Amendment of Section 17.16.040

17.16.040 Width Dimensions. In any subdivision approved after the date of the adoption of this ordinance, a lot on which a single family dwelling is situated shall not be less than eighty feet wide. Any buildings shall be required to meet all yard/setback requirements as set forth in

Section 17.16.050 of the City Code. The City Public Works Director shall have the authority to authorize setbacks that are no more than five feet less than the requirements of Section 17.16.050 if, when all facts are considered there is no access or public safety concern present or encroachment on neighboring property.

Section 4. 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 5. Repeal of Conflicting Provisions:

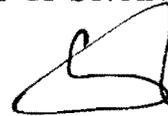
All provisions of the St. Anthony Municipal Code which conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 6. Effective Date:

This ordinance shall be effective upon its passage and publication as provided by law.

Enacted by the City Council and Approved by the Mayor, on the 14th day of October, 2009.

CITY OF ST. ANTHONY, IDAHO



Garth Rose, Mayor

ATTEST:


Patty Unruh Parkinson, City Clerk

