

HIGHWAY BUSINESS ZONES

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3.18.010. Purpose and Objectives

The Community Business Center Zone is established to provide an area in which a general shopping center facility can be established to satisfy the specialty shopping needs of a community or a group of neighborhoods. Each community shopping center will range in area from five (5) to twenty (20) acres, depending upon the area served and the range of specialty shops and services provided.

It is intended that the CBC zone will be characterized by specialty shops situated in an attractively designed shopping center complex surrounded by appropriate landscaping.

The CBC zone will be located adjacent to major thoroughfares or collector streets which will provide immediate access for automobile traffic without passing through residential areas. Uses permitted in the CBC zone will be characterized by a junior department store and a supermarket as anchors, and by a wide range of restaurants, specialty shops and hard goods or soft goods stores.

3.18.020. Permitted Uses

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

Permitted Use

Printing, Publishing (including newspapers)
Flat Glass, Glassware
Farm Equipment
Pottery & Related Products
Laboratory & Research Instruments
Instruments for Measuring
Optical Instruments and Lenses
Bus Passenger Terminals
Parking lot – automobile parking lot and garages
Electric transmission right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)

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Gas pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
Gas pressure control stations
Water pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
Irrigation distribution channels
Water pressure control stations and pumping plants
Sewage pipeline right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
Sewage pumping stations
Combination utilities right-of-way (Identifies areas where surface is devoted exclusively to right-of-way activity)
Storm drain or right-of-way (predominantly covered pipes or boxes)
Travel Agencies
Drugs, and Druggist Supplies
Dry Goods and Apparel
Electrical Goods
Hardware, Plumbing, Heating & Supplies
Professional Equipment & Supplies
Lumber Yards and Building Materials
Heating & Plumbing Equipment
Paint, glass, and wallpaper
Electrical supplies
Hardware
Swimming pool supplies
Junior department stores
Discount department stores
Mail and Phone order houses
Variety stores
Retail trade - general merchandise
General Merchandise (Department Variety, etc.)
Food stores (groceries, meats and fish, fruits and vegetables, candy, nuts, dairy products, bakeries, etc.)
Seasonal Food Sales (street or roadside stands)
Miscellaneous retail food establishments
Motor Vehicles
New & Used Motor Vehicle
Automobiles accessories (except tire recapping and vulcanizing)
Apparel and accessories
Furniture, home furnishings, and equipment (no combined warehousing)
Eating places (restaurants)
Drug and proprietary stores
Books, stationary, art, and hobby supplies
Sporting goods, bicycles and toys
Garden supplies (entirely within a building only)
Jewelry
Ice dealer (automated machines or pick-up stations only)
Miscellaneous retail stores (includes florists, cigars, newspapers and magazines, photo supplies, pet stores, and other similar retail stores)
Banks, insurance, and real estate (offices only)
Personal services - including photography, beauty and barber services, clothing repair, etc. (except funeral parlor, cemetery, crematory services, wedding chapels and reception centers only)
Laundry Services
Laundry & Dry Cleaning, Self-Service
Photographic Studios
Beauty and Barber Shops
Funeral and Crematory Services
Laundry Pick-up, Shoe Repair, Alteration
Athletic clubs, body building studios, spas, aerobic centers, (no gymnasiums)
Credit and Collection Services
Duplicating, mailing, stenographic and office services
Employment services

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Research and Testing Services
Consulting Services
Equipment Rental and Leasing
Auto and Truck Rental Services
Automobile Repair Services
Automobile Wash Services
Electrical Repair Services
Radio and Television Repair
Watch, clock, jewelry repairs, etc.
Reupholstering and Furniture
Gunsmith
Physicians' offices and services
Dental offices and services
Hospitals
Medical Laboratory Services
Legal services
Engineer, architectural and planning services
Miscellaneous professional services
Out-Patient Medical Services
Engineering and Architectural Services
Educational & Scientific Research Services
Accounting and Bookkeeping Services
Building Contractor Offices
Plumbing, Heating, Air Conditioning
Painting, Wall Papering, Decorating
Electrical Services
Masonry, Stonework, and Plastering
Roofing and Sheet-Metal Services
Carpentering, Wood Flooring Installation
Concrete Services
Executive, legislative and judicial functions
Protective functions and related activities
Police protection
Postal services
Nursery Schools
Schools
Day Care Centers
Special Training and Schooling
Vocational Schools
Business Schools
Barber and Beauty School
Art and Music Schools
Dancing Schools
Driving Schools
Correspondence Schools
Welfare and Charitable Services
Business Associations
Professional Membership
Labor Organizations
Civil, Social, and Fraternal
Libraries
Museums
Art Galleries
Motion Picture Theatres
Drive-in Movies
Auditoriums, Performing Theaters
Fairgrounds
Amusement Parks
Arcades
Miniature Golf
Golf Driving Ranges
Video Rental Shops

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Tennis Courts
Ice Skating
Roller Skating
Bowling
Skiing and Tobogganing
Athletic Fields
Recreation Centers
Athletic Clubs and Gymnasiums
Swimming Pools
Campgrounds and Travel
Vehicle Courts
Parks (including playgrounds)
Farming, Fibers, Grains, Fruits, Vegetables
Small Animal Veterinarian Services (totally enclosed)
Horticulture Services
Plant Nurseries

- c. Permitted Accessory Uses.** Accessory uses and structures are permitted in the CBC zone provided they are incidental to, and do not substantially alter, the character of the permitted principal use or structure. Such permitted uses and structures include, but are not limited to, the following:
- i. 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 permitted in the CBC zone.
 - ii. 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.
- d. Conditional Uses.** The following uses and structures may be permitted in the CBC zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof.

Conditional Uses

Motels and motor hotels
Electrical Machinery, Equipment Supplies
Professional, Scientific, Optical Goods
Railroads, Including Terminals and Yards
Bus Garaging, Equipment Maintenance
Motor Freight Terminals
Motor Freight Garaging and Maintenance
Telephone Exchange Stations, Microwave Towers.
Radio and TV Transmitting Stations and Towers
Radio, Television Broadcasting Station
Other Communication Facilities
Electric Generation Plants, Utility
Electricity regulating substations
Small generation
Natural or manufactured gas storage; distribution points
Other gas utilities, NEC
Water storage as part of a utility system (covered including water storage standpipes)
Debris basin (A dam and basin for intercepting debris)
Spreading grounds (Area for percolating water into underground)
Farm Products, Grain
All Other Wholesale
Shopping Centers, Including Malls
Other Personal Services
Other Business Services
Gasoline service stations
Laundry and Dry Cleaning (includes self-service laundries)
Personal services (wedding chapels and reception centers only)

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Dwelling and building services (not dwelling units)
Refrigerated Warehousing
Food Lockers
Household Goods Warehousing and Storage
Auction houses
Vehicle rental, with the following limitations:

- (a) That the vehicle rental be limited to passenger cars only.
- (b) That the storage of vehicles on site not exceed the parking allocated for the leasable floor space of the business.
- (c) That there is no on-site servicing of the vehicle fleet, including mechanical wash facilities.

Auto washing, polishing, detailing
Auto washing, self-service
Electrical appliance repair
Furniture repair
Saw, knife, and tool sharpening
Miscellaneous small item repair
Building Contractor Storage Yards
Police protection and related activities, branch (Office only)
Churches, Synagogues, Temples
Motion picture theaters
Stadiums, Arenas, and Field Houses
Coin-operated amusement or video centers
Miniature golf
Go-Cart Tracks, Four-Wheeler Tracks
Dance halls - ballrooms
Billiard and pool halls
Radio Controlled Airplanes
Ice skating
Roller skating and Skate Boarding
Riding Stables
Bowling alleys
Skate Park
Kennels
Single-family Dwelling
Nursing Home
Call Centers

3.18.030. Lot Area

The minimum area if any lot or parcel of land in the CBC zone shall be five (5) acres; however, smaller lots or parcels may be created as part of an approved and recorded Record of Survey, as specified in City Code. Said land shall be in single ownership or single control for integrated development.

3.18.040. Lot Width

Each lot or parcel of land in the CBC zone shall have an average width of not less than five hundred (500) feet; however, narrower lots or parcels may be created as part of an approved and recorded Record of Survey.

3.18.050. Lot Frontage

Each lot or parcel of land in the CBC zone shall abut on a public street for a minimum distance of five hundred (500) feet, on a line parallel to the centerline of said street; however, lots or parcels with lesser frontage may be created as part of an approved and recorded Record of Survey. A portion of said frontage may be along the circumference of a cul-de-sac improved to City standards; however, the primary access for a community shopping center shall not be provided from a cul-de-sac street.

3.18.060 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.

3.18.070. Area of Zone

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Each single CBC (Shopping Center) zone shall contain a minimum of five (5) acres and a maximum of twenty (20) acres. The CBC zone shall not be applied to an existing commercial area which does not meet these area requirements, and shall not be applied to an existing commercial development which has not been designed and constructed as an integrated community shopping center.

3.18.080. Yard Requirements

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

- a. **Front Yard.** Each lot or parcel in the CBC zone shall have a front yard of no less than ten (10) feet. Said front yard shall not be used for vehicular parking and shall be appropriately landscaped.
- b. **Side Yard.** Except as provided in Sub-sections (3), (4), and (5) of the Rexburg City Code, each lot or parcel of land in the CBC zone shall have a side yard of at least ten (10) feet when located adjacent to a residential zone. There shall be no requirement in those instances where the side property line abuts a commercial or industrial zone.
- 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. The accessory building is located more than ten (10) feet from any main residential building on an adjacent property.
 - ii. The accessory building has no openings on the side which is contiguous to the property line, and the wall of said building adjacent to the property line has a two (2) hour fire retardant rating.
 - iii. The accessory building has facilities for the discharge of all roof drainage onto the lot or parcel on which it is erected.
- d. **Rear Yard.** No requirement.
- e. **Storage Units.** In this zone, all storage units are required to be built internally to a lot. During the "Conditional Use Permit" proceedings, the applicant shall show how the storage units are being buffered from any street rights-of-way and neighboring properties. For example, the most desirous buffering would be commercial buildings. Areas of landscaping greater in distance than the required yard setbacks should be included. These landscaped areas would need large nursery stock shrubs and trees to act as buffering. The landscaping and use of landscaping must be approved by the Planning and Zoning Commission.

3.18.090. Projections into Yards

- a. **Permitted Projections.** The following structures may be erected on or project into any required yard, except required driveways:
 - i. Fences and walls in conformance with the Rexburg City Code and other City codes and ordinances.
 - ii. Landscape elements, including trees, shrubs, turf, and other plant material.
 - iii. Necessary appurtenances for utility services.
- 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, except that required driveways shall remain unobstructed from the ground up.
 - i. Belt course, 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.

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- iii. Door stoops, fire escapes, and planter boxes of masonry planters not exceeding twenty four (24) 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 are entirely open on at least three (3) sides, except for necessary supporting columns and customary architectural features.

3.18.100. Building Height

No lot or parcel of land in the CBC zone shall have a building or structure which exceeds a height of sixty-five (65) feet, measured at the top of building's horizontal wall. Chimneys, flagpoles, or similar structures not used for human occupancy are excluded in determining height.

3.18.110. Distance Between Buildings

As required by the Building Code.

3.18.120. Permissible Lot Coverage

a. Building Coverage. In a CBC zone in which a majority of the perimeter is contiguous to residential zones, all buildings and structures shall not cover an area of more than seventy (70) percent of the lot or parcel of land upon which they are placed.

b. Landscaping. In addition to required landscaping, all unpaved areas shall be landscaped.

3.18.130. Parking, Loading and Access

Each lot or parcel in the CBC zone shall have on the same lot or parcel automobile parking sufficient to meet the requirements as set forth in Chapter 5.

All parking spaces shall be paved with asphalt cement or concrete, and shall be provided with adequate drainage which shall not run across a public sidewalk.

Parking spaces and drive aisles, except ingress/egress points, shall not be provided within a required front yard adjacent to a public street without a minimum 10' wide landscape buffer.

Loading spaces shall be provided as required by the Planning and Zoning Commission.

3.17.140. Project Plan Approval

All Project plans for projects in the CBC Zone must be prepared and engineered by A/E professionals and be submitted for review and approval from conception on by the Architectural and Design Review Boards, followed by professional engineered plans (including drainage) and specifications for review by all City Departments and Permitting Authorities.

3.18.150. Other Requirements

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. Signs. All signs erected in the CBC zone shall be in conformance with the sign provision of this Title, and shall be in general compliance with the typical sign program approved by the Planning and Zoning Commission under the provisions of the Rexburg City Code.

c. Uses Within Buildings. All uses established in the CBC zone shall be conducted entirely within a fully enclosed building except those uses deemed by the Planning and Zoning Commission to be customarily and appropriately conducted in the open. Such uses may include, but would not be limited to, service stations, equipment rental, ice skating, miniature golf, etc.

d. Landscaping. A minimum of ten (10) percent of the site shall be landscaped. .

e. Trash Storage. Trash shall be stored in screened areas that are not visible from streets. Materials and location of the screened areas shall be reviewed and approved by City of Rexburg Staff prior to installation. Materials

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used for screening should be consistent with the predominant material found in the exterior construction of the building used by the business served. However, as a minimum, a vinyl fence will be allowed.

f. Walls and Fences.

- i. No wall, fence, or opaque hedge or screening material higher than thirty-six (36) inches shall be maintained within a required front yard in a CBC zone.
- ii. A minimum vinyl fence, at least six (6) feet in height, shall be erected along all property lines which lie adjacent to a residential zone. In the case where there is mutual agreement between the property owners of the commercial zone and the adjacent residential zone, the vinyl fence requirement may be modified to allow other suitable materials. A signed agreement must be submitted to the Planning and Zoning Commission or its designee, indicating this agreement, the vinyl fence will be required.

- g. Transitional Development Standards.** Where a lot or parcel borders a residential zone, the standards of the residential zone shall apply with regards to setbacks and building heights within a fifty (50) foot distance of that zone.

3.18.160. Commercial Lighting Standards

Commercial Lighting Standards are applicable as described in Chapter 4.14, Supplementary Regulations.