3.23 Professional Office Zone (PO)

The Professional Office Zone is established to create a buffering effect between residential uses and traffic associated with arterial and collector streets; and to promote non retail professional and service uses that are compatible with adjacent residential uses.

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3.23.010 Purpose and Objectives

The PO zone is established to provide locations beyond the central area of the City, primarily along arterial or major collector streets which will accommodate offices or laboratories for professional persons and other related uses. This zone should not be established in a "strip" zoning manner along major streets but should be concentrated to provide easy accessibility to the public. The zone is intended to provide availability of professional services conveniently to all neighborhoods in the community. Uses permitted in the PO zone would typically include offices for doctors, dentists, accountants, and other similar professions, medical and dental laboratories, and pharmacies.

3.23.020. Permitted Uses

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

b. Permitted Principal Uses. The following principal uses and structures, and no others, are permitted in the PO zone:

Permitted Uses

Electric transmission right-of-way (Identifies areas where the surface is devoted exclusively to the right-of-way of the activity)
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 surface is devoted exclusively to right-of-way 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
Prescription pharmacy (intended for the convenience of permitted establishments and/or clients thereof, provided that no business occupies more than fifteen (15) percent of the total floor area of the building in which it is located and has no separate entrance)
Financial, Insurance and Real Estate Services
Advertising services (office only)

Consumer credit services
Duplicating, stenographic, and office services
Dwelling, janitorial, and other building services (office only)
News syndicate services (office only)
Employment services
Miscellaneous business services (office only)
Professional Services (except hospitals, behavior, drug and alcohol treatment; office only, no lodging or bed facilities, sanitariums, convalescent and rest home services)
Executive, legislative, and judicial offices
Miscellaneous service organizations (office only)
Museums
Video Rental Shops

c. Permitted Accessory Uses. Accessory uses and structures are permitted in the PO 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, supply storage buildings, and similar structures which are customarily used in conjunction with, and are incidental to, principal uses and structures allowed in the PO zone.

ii. Storage of materials used for the construction of a building including a temporary contractor's office and/or tool shed, provided that such uses are on the building site or immediately adjacent thereto and provided that such use shall be for only the period of construction and thirty (30) days thereafter.

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

<u>Conditional Uses</u>
Communications (Subject to Section Rexburg City Code)
Electricity regulating substations
Small generation
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)
Mail and phone order houses (Only on in historic buildings arterial streets)
Dry goods and general merchandise (yarn, linen, crafts, fabric, etc.) (Only in historic buildings on arterial streets)
Candy, nut, and confectionery (only in historic buildings)
Apparel and accessories (Only in historic buildings on arterial streets)
Restaurants, subject to the following conditions:

(a) That the restaurant be architecturally compatible with surrounding buildings.

(b) That there is no short order/fast food or drive-in restaurants.

(c) That signs, landscaping, number of employees, and distance from existing commercial zones, and related matters, shall be factors considered in the review and approval of a conditional use permit.

Miscellaneous retail trade (except drug stores and proprietary stores; only in historic buildings as defined in this title)
Second hand clothing, shoes, furniture and books (does not include flea markets, or thrift store and general second hand merchandise, indoor display and storage only; use of outdoor collection boxes is prohibited, (only on arterial streets))
Photography studio (only in historic buildings on arterial streets)
Beauty and barber shop (only in historic buildings on arterial streets)
Mortuary (only in historic buildings on arterial streets)
Wedding chapels and reception centers
Hospitals
Behavior, drug & alcohol treatment
Sanitariums, convalescent and rest home services
Police protection and related activities, branch (office only)
Veterinarian services, subject to the following conditions:

(a) Experimental or scientific research activities are prohibited.

(b) No on-site disposal of dead animals.

(c) The facility shall be located completely within an air-conditioned and soundproofed building.

(d) Animal noise shall not be audible at the nearest property line.

(e) Overnight boarding shall be limited to animals receiving treatment on the premises.

(f) Services shall be limited to small animals only.

(g) No services shall be permitted for poisonous or dangerous animals.

3.23.025. Single Ownership or Control

a. Ownership or Control. Land within a given PO zone, for which a preliminary project plan has been approved, shall be in single ownership or single control in order to provide for integrated development unless otherwise approved by the Rexburg Planning and Zoning Commission. The term "single control" shall be construed to allow the recording of a Record of Survey which is in conformance with the "Final Development Plans," the "Final Approval by Mayor," the "Standards and Requirements," and the "Guarantees and Covenants" sections of the Planned Development Chapter of this Title.

The Record of Survey must be approved and recorded prior to the issuance of any building permits and must be in compliance with all applicable portions of the Code and other Building Codes adopted by the City.

b. Rezoning. Upon Rezoning and the granting of Preliminary Project Plan Approval a notice must be recorded with the County Recorder's Office, on all properties within the zoned area, indicating the zoning, the requirement for single ownership or single control of the development, the existence of Covenants, Conditions, and Restrictions on the development, and the requirements for common management through the developments association to guarantee perpetual integration and maintenance.

c. Developments. Developments within the PO Zone must provide for common management throughout the development by establishing an association and providing management provisions within the required Covenants, Conditions, and Restrictions. The Association management will enforce the covenants, and provide perpetual maintenance of the development.

d. Failure to maintain single ownership or control. Failure to maintain single ownership or single control may result in the initiation of action to return the property to the zone or zones existing prior to the establishment of the PO zone.

3.23.030. Lot Area

The minimum area of any lot or parcel of land in the PO zone shall be one (1) acre; provided, however, that smaller lots or parcels may be created:

a. pursuant to the provisions of City Code, or

b. as part of an approved and recorded Record of Survey, as specified in City Code. The area of land within such Record of Survey shall be at least one (1) acre.

3.23.040. Lot Width

Each lot or parcel of land in the PO zone shall have an average width of not less than two hundred (200) feet; however, narrower lots or parcels may be created as part of an approved and recorded Record of Survey.

3.23.050. Lot Frontage

Each lot or parcel of land in the PO zone shall abut a public street for a minimum distance of two hundred (200) feet, on a line parallel to the centerline of a street or along the circumference of a cul-de-sac improved to City standards; however, lots or parcels with lesser frontage, or no frontage, on a public street may be created as part of an approved and recorded Record of Survey, as specified in City Code. 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.

3.23.060. 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 parcel requirements of this Chapter.

3.23.070. Area of Zone

Except as provided in Section 3.22.075, Rexburg City Code, each single PO zone shall contain a minimum of one (1) acre, and a maximum of twenty (20) acres. The PO zone shall not be applied to an existing area which does not meet these area requirements, and shall not be applied to an existing office development which has not been designated and constructed as an integrated professional office complex.

3.23.075. Professional Offices on Less Than One Acre

a. Permitted Professional Offices with Conditions. In order to further neighborhood objectives set forth in the General Plan, professional offices located on a lot or parcel of land which is less than one (1) acre may be allowed so long as:

i. The proposed use is located on a lot that:

1. Is at least one-half (½) acre in area.

2. Has frontage on a collector or arterial street for a distance of at least one hundred (100) feet.

3. Has an average lot width of at least one hundred (100) feet.

ii. The Planning and Zoning Commission finds that potentially adverse land use impacts of the proposed use upon the neighborhood resulting from the circumstances set forth in subsection (2) of this section will be mitigated and the safety and well-being of the area will be maintained.

b. Land Use Impacts. Land use impacts to be evaluated in applying subsection (1) of this section shall include the following:

i. A substantial increase in daily or peak hour traffic.

ii. A change in circulation patterns on or around the property.

iii. A significant increase in parking demand.

iv. A change in the density of people on the site.

v. Hours of operation of the proposed uses.

vi. Any increased environmental impact, such as noise or air pollution; offensive odors; excessive illumination or glare, etc.

c. Lots One Acre or More. This section shall not apply to any lot in a PO zone which is one (1) acre or more. Notwithstanding the provisions of this section, no such lot shall be subdivided into a size which is less than one (1) acre.

3.23.080. Yard Requirements

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

a. Front Yard. Each lot or parcel in the PO zone shall have a front yard of not less than ten (10) feet. Said front yard shall not be used for vehicular parking spaces or drive aisles and shall be appropriately landscaped.

b. Side Yard. Each lot or parcel of land in the PO zone shall have a side yard of at least ten (10) feet when located adjacent to a residential zone. There shall be no requirements 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.

iv. Accessory buildings are less than 120-square feet and under 10-feet in height.

d. Rear Yard. Same as adjacent zone. If adjacent zone is Professional Office, then no setback is required.

3.23.090. 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 City Code and other City codes and ordinances.

ii. Landscape elements including trees, shrubs, 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, except that a required driveway shall remain unobstructed from the ground up.

i. Belt courses, sills, buttresses, or similar architectural features.

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

iii. Ramps, door stoops, fire escapes, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.

iv. Carport and loading docks in a side yard or rear yard, provided that such 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.

3.23.100. Building Height

a. Permitted Building Height. No lot or parcel of land in the PO zone shall have a building or structure which exceeds thirty-five (35) feet in height, measured at the top of building's horizontal wall. Chimneys, flagpoles, or similar structures not used for human occupancy are excluded in determining height.

b. Two Story Buildings. Buildings with a height greater than two (2) stories may be allowed with the issuance of a Conditional Use Permit by the Planning and Zoning Commission.

3.23.110. Distance Between Buildings

The minimum distance between any accessory building and a main building on a lot in the PO zone shall not be less than ten (10) feet. The minimum distance between all other buildings shall be governed by the latest edition of the Building Code as adopted by the Council.

3.23.120. Permissible Lot Coverage

a. Building Coverage. In a PO zone, all buildings and structures shall not cover an area of more than eighty (80) percent of the lot or parcel of land upon which they are placed.

b. Parking Structures. Parking structures shall be exempt from lot coverage requirements. Provided, however, that parking structures shall be screened and buffered from adjacent properties and public view as required.

3.23.130. Parking, Loading, and Access

Each lot or parcel of land in the PO zone shall have on the same lot or parcel, automobile parking sufficient to meet the requirements for professional offices or similar permitted uses as set forth in Chapter 5.

All parking spaces shall be paved with asphaltic cement or concrete, and shall be provided with paved access from a public street.

Parking spaces and drive aisles shall not be provided within a required front yard.

3.23.140. Project Plan Approval

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

3.23.150. Reversion of Zoning

If a project plan has not been approved within two (2) years of the establishment of the PO zone to a specific property, the Planning and Zoning Commission will automatically initiate a rezoning action to revert said property to the zone existing on said land prior to the establishment of the PO zone. An approved project plan or preliminary project plan shall be in effect for all PO zones. In the event an approved project plan or preliminary project plan expires, a rezoning action to revert said zone shall be initiated.

3.23.160. 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 PO zone shall be in conformance with the sign provisions of City Code and shall be in general compliance with the typical signing program described in the provisions of City Code. Signs proposed to be erected in the PO zone shall be placed in the same classification with signs permitted in shopping center zones.

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

d. 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.

e. 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 PO zone.

ii. A minimum vinyl fence at least six (6) feet in height shall be erected along all property lines which lie immediately adjacent to any residential zone, except that alternative screening may be used which may include a landscape hedge of six (6) feet at a two (2) year maturity, wood fence or a combination of landscaping with chain-link, with or without slats. In the case where there is mutual agreement by adjoining property owners and approved by the Planning and Zoning Commission or its designee, this requirement may be waived.

3.23.170 Architectural Design Standards

Architectural design requirements are found in Chapter 4.13 Supplementary Regulations under Commercial Design Standards.

3.23.180. Commercial Lighting Standards

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