



ORDINANCE NO. 864

AN ORDINANCE AMENDING ORDINANCE NO. 725 PROVIDING FOR CHANGES IN THE USE TABLE; AMENDING THE LIST OF CONDITIONAL USE PERMITS THAT MAY BE GRANTED BY PLANNING AND ZONING WITHOUT COUNCIL REVIEW; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

SECTION I: Ordinance No. 725 is hereby amended as follows:

Section 3.20 the Land Use Schedule (Table 2) is amended as follows:

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Item

NBD Category
Twenty-four units per building or development
Sawmills and Planing mills

Action

Delete all
Delete from CBD
Conditional in I

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Fabricated metal products
Electrical machinery, equipment, supplies
Professional, scientific, optical goods

Permitted in I
Leave as is
Conditional in HBD
Permitted in I

Miscellaneous
Other

Scratch
Leave as is

Automobile parking lots, garages
Telephone exchange stations, microwave towers

Conditional in HDR
Delete from LDR & LDR1

Radio and television broadcasting stations

Conditional in HBD
Conditional in CBD

Radio and TV transmitting stations and towers

Conditional in HBD
Conditional in CBD

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Motor vehicles
Personal Services

Conditional in I
Scratch

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Other personal services

Other business services

Dental laboratory services

Conditional in CBD
Conditional in HBD
Conditional in CBD
Conditional in HBD
Permitted in CBD
Permitted in HBD
Permitted in PO

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Churches
Libraries

Museums

Art Galleries
Auditoriums, legitimate theaters

Stadiums, arenas, field houses

Conditional in HBD
Delete in AG1
Delete in AG2
Delete in MDR
Delete in HDR
Delete in HDR
Change to Auditoriums
Performing theaters
Delete in HRD
Conditional in CBD
Conditional in HBD

Fairgrounds	Delete in HDR Delete in MDR
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Golf course	Conditional in LDR
Skiing and tobogganing	Conditional in OS
Recreation centers	Conditional in LDR Conditional in MDR
Swimming pools	Conditional in MDR Conditional in LDR1
Skate Park	Add category Conditional in LDR Conditional in LDR1&LDR2 Conditional in MDR Conditional in HDR&HDR2 Conditional in CBD Conditional in HBD Conditional in AO Conditional in OS Delete OS
Sand, gravel pits	Delete OS

Section 6.13 Conditional Use Permits, is amended as follows:

F. Authority of Commission to Review Conditional Use Permits. The Planning and Zoning Commission may, without approval of the Council, grant the following conditional use permits:

<u>Item</u>	<u>Action</u>
(1) Permits for parks	Leave as is
(2) Permits for nursery schools, day care centers, and primary and secondary schools	Delete primary and secondary schools
(3) Permits for churches, synagogues, and temples	Leave as is
(4) Permits for funeral and crematory services and cemeteries	Delete cemeteries
(5) Permits for nursing homes and boarding houses	Delete nursing homes
(6) Permits for home occupations under Section 4.10B	Leave as is
(7) Permits for developments with eight or less dwelling units	Change to four dwelling units
(8) Permits for government buildings	Leave as is
(9) Add new category: Household goods warehousing and storage	

All other conditional use permits may only be granted after review and recommendation by the Commission and approval by the City Council. The Commission and the Council shall each hold a public hearing.

SECTION II: This ordinance shall take effect and be in force from and after its passage and publication as required by law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 2nd day of January, 2002.

Bruce Sutherland, Mayor

(SEAL)

ATTEST:

Marilyn Wasden, City Clerk

STATE OF IDAHO)
)ss
County of Madison)

I, MARILYN WASDEN, City Clerk of the City of Rexburg, Idaho, do hereby certify: That the above and foregoing is a full, true and correct copy of the Ordinance entitled:

AN ORDINANCE AMENDING ORDINANCE NO. 725 PROVIDING FOR CHANGES IN THE USE TABLE; AMENDING THE LIST OF CONDITIONAL USE PERMITS THAT MAY BE GRANTED BY PLANNING AND ZONING WITHOUT COUNCIL REVIEW; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR this 2nd day of January, 2002.

Marilyn Wasden, City Clerk

(SEAL)