



ORDINANCE 866

AN ORDINANCE AMENDING ORDINANCE NO. 725 PROVIDING FOR AN AMENDED DEFINITION OF THE UNIVERSITY DISTRICT AND PARKING RULES WITHIN THE UNIVERSITY DISTRICT; PROVIDING FOR CHANGES IN THE USE TABLE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

SECTION I: This Ordinance shall modify, supplement and amend the existing City Ordinance 725 as it exists as of the effective date of this Ordinance. The specific sections set forth shall be changed as follows:

3.15 The University Campus is unique in its nature as to those who visit, work and attend the University. Parking on the campus should be located in a manner which will serve the needs of invitees to the campus. Because of its unique nature, the University campus should be considered as one parcel. All buildings, playing fields and other structures on the Campus should be deemed served by all parking lots on campus wherever situated. The campus as well as private roads and streets owned and maintained by the University.

3.20 Table 2 Land Use Schedule – see attached revision with permitted and conditional uses

5.2 Distance for Private Off-Street Parking

Except in the University District, all required off-street parking shall be located within two hundred feet (200') of the primary entrance of the building.

5.3 B. (4) In the University District, the provisions of subsection (1) hereof shall not apply, however, the University shall provide information which demonstrates that the parking facility proposed to be considered for joint use, will lessen the demand for other parking facilities located in the University District.

5.10 Regulations for University District

The University shall not be required to provide the minimum parking spaces required in subsection 5.8 hereof but shall be regulated in accordance with the University Parking Ratios as set forth below. In determining the ratio for this subsection, all parking spaces located upon the University Campus together with all on-street parking where the University Campus occupies both sides of the street shall be included. The term Full Time Equivalent shall be consistent with the definition established in the BYU-Idaho Parking Study published in 2002.

- A. University Student Ratio: .200 spaces per Student Equivalent.
- B. University Faculty Ratio: .585 spaces per Faculty Equivalent.
- C. University Staff Ratio: .585 spaces per Staff Equivalent.

SECTION II: This Ordinance shall further modify, supplement and amend the existing City Ordinance 725 as it exists as of the effective date of this Ordinance. The Land Use Table shall be changed as follows:

TABLE 2. LAND USE SCHEDULE
LAND USE SCHEDULE

P = Permitted Use
C = Conditional Use
LAND USE

LAND USE	DISTRICT												
	<u>LDR</u>	<u>LDR1</u> <u>LDR2</u>	<u>MDR</u>	<u>HDR</u> <u>HDR2</u>	<u>PO</u>	<u>CBD</u>	<u>HBD</u>	<u>I</u>	<u>A</u>	<u>OS</u>	<u>RR</u>	<u>AG1</u> <u>AG2</u>	<u>U</u>
RESIDENTIAL													
Single family dwelling			P	P	P	C				C	P	P	P
Home for mentally/physically handicapped			P	P	P	P	P			C	P	P	P
Two family dwelling				C	P	P	P			C	C	C	C
Three family dwelling					P	P	P			C			
Four family dwelling					P	P	P			C			P
Five & Six family dwelling or development					C	P	P						P
Twenty-four units per building or development							C						P
Dormitory, fraternity, sorority					C	P							P
Boarding house					C	P	P						
Bed & Breakfast					P	P							
Home occupation			P/C	P/C	P/C	P/C				C	P	P	
Manufactured home 24' or more in width (new)			P	P	P	C				P	P	P	C
Mobile home or manufactured home less than 24' in width					Approved mobile home court or subdivision								
Mobile home park (See mobile home park ordinance)					C	C					C	C	
Mobile home subdivision (See above ordinance)					C	C							
Nursing home			C		P	P							
Religious dormitories					P	P	P						P
Motel, hotels							P	P					
MANUFACTURING													
Food and kindred products (SIUC 21)													
Meat products (211)										C			
Dairy products (212)										C			
Canning and preserving (213)										P			
Grain mill products (214)										P			
Bakery products (215)										P			
Sugar (216)										C			
Confectionery, candy (217)										P			
Beverage (218)										P			
Other food products										C			
Textile mill products (SIUC 22)										P			
Apparel and other clothing products (SIUC 23)								P					
Lumber and other wood products (SILUC 24)										C			
Sawmills and planing mills (242)										C			
Millwork (2431)										P			
Veneer and plywood (2432)										P			
Prefabrication wooden buildings (2433)										P			
Wooden containers (2440)										P			
Other										C			
Furniture and fixtures (SIUC 25)							P			P			
Paper and allied products (SIUC 26)										C			
Printing, publishing, including newspapers (SIUC 27)							P	P		P			P
Chemicals and allied products (SIUC28)										C			
Petroleum refining and related industries, including paving materials (SIUC29)										C			
Rubber and plastic products (SIUC 31)										C			
Stone, clay, and glass products (SIUC 32)										P			
Flat glass, glass, glassware (321,322)							P			P			
Cement manufacturing (323)										C			
Pottery and related products (325)							P			P			
Concrete, gypsum and plaster (326)										C			
Cut stone products (327)										P		C	
Other										C			
Primary material industries (SIUC 33)										C			
Fabricated metal products (SIUC 34)										P			
Ordinance and accessories (341)										C			
Machinery except electrical (342)										P			
Electrical machinery, equipment, supplies (343)							C			P			
Transportation equipment (344)										P			
Other										C			
Professional, scientific, optical goods (SIUC 35)							C			I			
Laboratory and research instruments (351)							P			P			P
Instruments for measuring (352)							P			P			
Optical instruments and lenses (355)							P			P			
Photographic supplies and equipment							P			P			P
Watches, clocks (357)							P			P			
Jewelry manufacturing (391)							P			P			
Musical instruments (392)							P			P			P
Other							C			C			
TRANSPORTATION & UTILITIES													
Railroads, including terminals and yards (SIUC 41)							C		P	P	C		
Bus passenger terminals (SIUC 4121-4123)							P		P	P			P
Bus garaging and equipment maintenance (4214)							C		P	P			P
Motor freight terminals (4221)							C		P	P			
Motor freight garaging and maintenance (4222)							C		P				
Airport fields and terminals (4311-4314)									P				

LAND USE												
	<u>LDR</u>	<u>LDR1</u> <u>LDR2</u>	<u>MDR</u>	<u>HDR</u> <u>HDR2</u>	<u>PO</u>	<u>DISTRICT</u>		<u>I</u>	<u>AO</u>	<u>OS</u>	<u>RR</u>	<u>AGIAG2</u>
						<u>CBD</u>	<u>HBD</u>					
Repair services (SIUC 64)												
Automobile repair services (6411)						C	P					P
Automobile wash services (6412)						C	P					
Electrical repair services (6491)						P	P					P
Radio and television repair services (6492)												
Watch, clock, jewelry repair services (6493)						P	P					
Reupholstery and furniture repair services (6496)						P	P					P
Professional services (65)												
Physicians offices (6511)					P	P	P					P
Dental offices (6512)					P	P	P					
Medical laboratory services (6514)					P	P	P					P
Dental laboratory services (6515)					P	P	P					
Hospitals (6513)	C	C	C	C		C	P					
Out-patient medical services (6591)					P	P	P					P
Legal services (652)					P	P	P					
Engineering and architectural services (6591)					P	P	P					P
Educational and scientific research services (6592)					C	P	P					P
Accounting and bookkeeping services (6593)					P	P	P					P
Contract construction services (SIUC 66)												
Building contractor offices (6611)						P	P					P
Building contractor storage yards (6611)							C					P
Plumbing, heating, air conditioning services (6621)							P					P
Painting, wall papering, decorating services (6622)						P	P					P
Electrical services (6623)							P					P
Masonry, stonework, and plastering services (6624)							P					P
Carpentering, wood flooring installation (6625)							P					P
Roofing and sheet metal services (6624)							P					P
Concrete services (6627)												P
Water well drilling services (6628)												P
Governmental services												
Police protection (6721)				C		P	P					P
Postal service (673)				C		P	P					P
Fire protections (6722)				C		P	P				C	C
Municipal, county offices (671)				C	C	P	P				C	
Educational Services												
Nursery schools, day care centers (6811)		C	P	P		P	P	P			C	C
Schools (6812, 6813)	C	C	C	C		C	P				C	C
College buildings												P
Vocational schools (6832)			C	C		P	P				C	P
Business schools (6833)				C		P	P					P
Barber and Beauty School (6833)				C		P	P					P
Art and music schools (6834)				C		P	P					P
Dancing schools (6835)				C		P	P					P
Driving schools (6836)						P	P					P
Correspondence schools (6837)			C	P		P	P					P
Miscellaneous services (SIUC 69)												
Churches, synagogues, temples (6911)	C	C	C	C		C	C					P
Welfare and charitable services (6920)			C	C		P	P					P
Business associations (6991)					P	P	P					C
Professional membership organizations (6992)					C	P	P					
Labor organizations (6993)						P	P					C
Civic, social, and fraternal organizations. (6994)				C		P	P					P
CULTURAL, ENTERTAINMENT, AND RECREATIONAL												
Cultural activities (SIUC 71)												
Libraries (7111)		C	C	C		P	P				C	C
Museums (7112)						P	P				C	C
Art galleries (7113)						P	P				C	C
Public assembly (SIUC 72)												
Motion picture theaters (7212)						P	P					P
Drive-in movies (7212)							P					
Auditoriums, performing theaters (7231, 7214)						P	P					P
Stadiums, arenas, field houses (7221, 7222)						C	C					P
Amusements (SIUC 73)												
Fairgrounds (7311)							P		C	C	C	
Amusement parks (7312)							P					P
Arcades (7391)					P		P					
Miniature golf (7392)							P		P	C		P
Golf driving ranges (7392)							P		C	P		
Go-cart tracks, four wheeler tracks (7394)							C		C			
Radio controlled airplanes							C		C	P		
Recreational activities (SIUC 73)												
Golf course (7411)	C	C	C	C					C	P	C	C
Golf course with country club (7412)		C	C	C					C	C	C	C

Tennis courts (7413)	C	C	C			P		C	P	C	C	C	P
Roller skating (7415)						P							P
Ice skating (7414)	C	C	C			P		C	P				P
Riding stables (7416)						C		C		C	C	C	
LAND USE	<u>LDR</u>	<u>LDR1</u>	<u>MDR</u>	<u>HDR</u>	<u>PO</u>	DISTRICT		<u>I</u>	<u>AO</u>	<u>OS</u>	<u>RR</u>	<u>AGIAG2</u>	
	<u>LDR2</u>		<u>HDR2</u>			<u>CBD</u>	<u>HBD</u>						
Bowling (7417)						P	P						P
Skiing and tobogganing							P		C	C			P
Athletic fields (7423)	C	C	C	C			P			C			P
Recreation centers (7424)	C		C	C		P	P						P
Athletic clubs and gymnasiums (7425)						P	P						P
Swimming pools (7432)		C	C	C		P	P		C				P
Campgrounds and travel recreation vehicle courts (7491)							P		C	C			
Parks, including playgrounds (7610)	C	C	C	C			P		C	P	C	C	P
Skate Park	C	C	C	C		C	C		C	C			
AGRICULTURE													
Farming, fibers, grains, fruits, vegetable (811-814)	P	P	P			P	P	P	P	P	P	P	P
Farming, dairy (815)									C				P
Farming, livestock (816)										C	C	P	P
Farming, poultry (817)								C			C	P	P
Agricultural processing (821)								P					
Small animal veterinarian services (totally enclosed)(8221)						P	P		C				C
Large animal veterinarian services (8221)									C				
Horticultural services (8291)							P				C	P	P
Plant nurseries							P		C	P	C	P	P
Kennels							C		P				
MINING													
Sand, gravel pits									C				
OTHERS													
Cemeteries	C	C	C	C			C		P	P	C	C	C
Uses not related to above under SIUC codes						C	C	C	C				

- The above table of land uses permitted in each zone is based on the uses described in the Standard Land Use Coding Manual, 1977 edition. A copy of the manual is available in the Office of the Clerk of the City of Rexburg.
- Residential uses by right in the CBD, except for motel and hotels, are limited to the second floor and above. Residential uses on the first floor are conditional uses.
- Manufactured homes on individual lots and not in mobile home parks shall meet the standards set forth under Note 8 of Table 1, Land Use Table.

SECTION III: 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 3rd Day of April, 2002.

Bruce Sutherland, Mayor

(SEAL)

ATTEST:

Marilyn Wasden, City Clerk

SUMMARY OF ORDINANCE NO. 866

AN ORDINANCE AMENDING ORDINANCE NO. 725 PROVIDING FOR AN AMENDED DEFINITION OF THE UNIVERSITY DISTRICT AND PARKING RULES WITHIN THE UNIVERSITY DISTRICT; PROVIDING FOR CHANGES IN THE USE TABLE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF REXBURG, IDAHO:

SECTION I: It is hereby found and determined that Ordinance 725 shall be and hereby is amended as to Section 3.15 to reflect a new definition of University District incorporating uses consistent with traditional higher education facilities. Section 3.20 is amended to reference the amended land use schedule, with Sections 5.2 and 5.3 are amended to allow for parking within the University District to be managed as a whole rather than on a per building basis. Finally, Section 5.10 is amended to provide for specific parking ratios to be applied within the University District, which ratios are as follows:

1. University Student Ratio: .200 spaces per Student Equivalent.
2. University Faculty Ratio: .585 spaces per Faculty Equivalent.
3. University Staff Ratio: .585 spaces per Staff Equivalent.

SECTION II: That the City Council finds further that the Land Use Schedule shall be and hereby is amended to include traditional uses within areas of higher education as allowed uses, and specifies those uses as well as those uses that are conditionally allowed.

SECTION III: That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the Members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same hereby is, dispensed with, and accordingly, this Ordinance shall be in full force and effect immediately upon its passage, approval and publication.

SECTION IV: The full text of Ordinance no. 866 is available at the offices of the City Clerk located at the Rexburg City Hall, 35 North 1st East, Rexburg, Idaho 83440. The Ordinance was passed by the City Council of Rexburg and approved by the Mayor on the 3rd day of April 2002.

Bruce Sutherland, Mayor

(SEAL)

ATTEST:

Marilyn Wasden, City Clerk

Stephen Zollinger, City Attorney for the City of Rexburg, declares that in his capacity as City Attorney of the City of Rexburg, pursuant to Idaho Code Section 50-901A(3) of the Idaho Code as amended, hereby certifies that he has reviewed a copy of the above cited Summary of Ordinance and has found the same to be true and complete and provides adequate notice to the public of the contents, including the exhibits, of Ordinance no. 866.

DATED this 3rd day of April 2002.

Stephen P. Zollinger
Rexburg City Attorney

REPEALED BY ORD 926