



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.

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 a whole is served by all public streets adjacent to and running through the campus as well as private roads and streets owned and maintained by the University.

3.20 Table 2 Land Use Schedule B 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) here of 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	DISTRICT											R R A G 1 A G 2 U		
	<u>LDR</u>	LDR1	<u>MDR</u>	HDR	<u>PO</u>	<u>CBD</u>	<u>HBD</u>	I	<u>A</u>	<u>OS</u>				
			<u>LDR2</u>		<u>HDR2</u>									
RESIDENTIAL														
Single family dwelling			P	P	P	C		C			C	P	P	P
Home for mentally/physically handicapped					P	P	P	P	P					C
Two family dwelling			C	P	P	P	P				C	C	C	C
Three family dwelling				P	P	P	P				C			
Four family dwelling				P	P	P	P				C			
Five & Six family dwelling or development								C	P		P			
Twenty-four units per building or development									C					
Dormitory, fraternity, sorority				C	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	C						
Mobile home or manufactured home less than 24' in width														Approved mobile home court or

Mobile home park (See mobile home park ordinance)					C	C		
Mobile home subdivision (See above ordinance)				C	C			
Nursing home	C	P	P		C			
Religious dormitories		P	P		P			
Motel, hotels						P	P	

C
C

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		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
Chemicals and allied products (SIUC28)								C
Petroleum refining and related industries, including paving materials (SIUC29)								
Rubber and plastic products (SIUC 31)								C
Stone, clay, and glass products (SIUC 32)								
Flat glass, glass, glassware (321,322)					P		P	
Cement manufacturing (323)						C		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
Instruments for measuring (352)	P		P		
Optical instruments and lenses (355)		P		P	
Photographic supplies and equipment		P		P	
Watches, clocks (357)	P		P		
Jewelry manufacturing (391)	P		P		
Musical instruments (392)	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		
Bus garaging and equipment maintenance (4214)			C				P	P	
Motor freight terminals (4221)		C	P	P					
Motor freight garaging and maintenance (4222)			C				P		
Airport fields and terminals (4311-4314)								P	
Aircraft storage and equipment maintenance (4315)									P
Automobile parking lots, garages (SIUC 46)		C	P	P			P	P	

LAND USE

	DISTRICT										I	AO
	<u>LDR</u>	<u>LDR1</u>	<u>MDR</u>	<u>HDR</u>	<u>PO</u>	<u>CBD</u>	<u>HBD</u>					
	<u>LDR2</u>		<u>HDR2</u>									
Telephone exchange stations, microwave towers (471)		C	C	C	P	C	P	C		C	C	C
Radio and television broadcasting station (475)							C	C	C			
Radio and TV transmitting stations and towers (4732)	C	C	C	C	C	C	C	C	P		C	C
Other communication facilities							C		C			
Electric generation plants, utility substations								C		P		C
Utility storage yards								P				
Water treatment plants							C	P	P	P		
Wastewater treatment plants							C	P	C	C		
Solid waste disposal sites (SIUC 485)										C	C	
Other utility facilities	C	C	C	C	C	C	C		P			

WHOLESALE (SLUC 51)

Electrical goods (516)		P		P								
Hardware, plumbing, heating & supplies (517)									P		P	
Drugs and druggists supplies (5121)						P			P			
Farm products, grain (5121)		C				P						
Professional equipment and supplies (5183)								P		P		
Dry goods and apparel (513)		P				P						
Petroleum bulk stations and terminals (5192)												C
Scrap and waste materials (junkyards)(5193)										C		
Recycling centers entirely enclosed in buildings										P		
All others							C			C		

RETAIL TRADE

Lumber yards and building materials (DSIUC 521)					P	C
Heating and plumbing equipment (SIUC 522)				P	P	C
Paint, glass, wallpaper (523)	P	P				
Electrical supplies (524)	P	P		C		
Hardware (5251)	P	P				
Farm equipment (5252)	C	P				
General merchandise (department, variety, etc)(53)				P	P	
Groceries and other foods stores (54)		P	P	P		
Seasonal food sales (roadside stands)			P	P		
Convenience stores	P	P	P			
Motor vehicles (551)	C	P		C		
Tires, batteries, accessories (552)	C	P				
Gasoline service stations (553)	P	P	P			
Apparel and accessories (56)	P	P				
Furniture and home furnishings (57)		P	P			
Restaurants (581)	P	P				
Drug stores (591)	P	P	P			
Pharmacies	P	P	P	P		
Shopping centers, including malls		C	C			
Other retail stores (59)	P	P				

SERVICES

Finance, real estate & insurance services (SIUC 61)				P	P	P
Laundry services (6211,6212,6213,6215)				P	P	C
Laundry and dry-cleaning, self service (6214)					P	P
Photographic studios (622)	C	P	P			
Beauty and Barber Shops (623)		P	P	P		
Funeral and crematory services (624)	C	C	P	P		

SERVICES continued

Laundry pick-up, shoe repair, alteration (625)					P	P	P
Other personal services		C	C				

Business services (SIUC 63)

Credit and collection services (632)	C	P	P				
Photocopying, blueprinting, and stenographic services (633)				C	P	P	
Employment services (636)	C	P	P				
Research, testing services (6391)		C	P	P			
Consulting services (6392)	P	P	P				
Equipment rental and leasing services (6394)				C	P		
Detective, protective services (6393)						P	P
Auto and truck rental services (6397)						C	P
Other business services						C	C

Warehousing and storage services (637)

Farm products warehousing and storage (6371)						
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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				
Postal service (673)	C		P	P				
Fire protections (6722)					C		P	P
Municipal, county offices (671)					C	C	P	P

Educational Services

Nursery schools, day care centers (6811)		C	P	P		P	P	P
Schools (6812, 6813)	C	C	C	C	C			C

College buildings								
Vocational schools (6832)			C	C		P	P	C
Business schools (6833)				C			P	P
Barber and Beauty School (6833)	C		P	P				
Art and music schools (6834)				C			P	P
Dancing schools (6835)				C			P	P
Driving schools (6836)							P	P
Correspondence schools (6837)			C	P		P	P	

Miscellaneous services (SIUC 69)

Churches, synagogues, temples (6911)	C	C	C	C	C	C		
Welfare and charitable services (6920)				C	C		P	P
Business associations (6991)						P	P	C
Professional membership organizations (6992)						C	P	P
Labor organizations (6993)							P	P
Civic, social, and fraternal organizations. (6994)					C		P	P

CULTURAL, ENTERTAINMENT, AND RECREATIONAL

Cultural activities (SIUC 71)

Libraries (7111)	C	C	C		P	P		
Museums (7112)						P	P	C
Art galleries (7113)					P	P		

Public assembly (SIUC 72)

Motion picture theaters (7212)

P P

Drive-in movies (7212)

Auditoriums, performing theaters (7231, 7214)

Stadiums, arenas, field houses (7221, 7222)

P

P

P

C

C

Amusements (SIUC 73)

Fairgrounds (7311)

Amusement parks (7312)

P

C

C

C

P

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Arcades (7391)

P P

Miniature golf (7392)

P P C

Golf driving ranges (7392)

P C P

Go-cart tracks, four wheeler tracks (7394)

C C

Radio controlled airplanes

C C

Recreational activities (SIUC 73)

Golf course (7411)

C C C C C P

Golf course with country club (7412)

C C C C C C

Tennis courts (7413)

C C C P C P C

Roller skating (7415)

P P

Ice skating (7414)

C C C P C P

Riding stables (7416)

C C C C C C

LAND USE

DISTRICT

LDR LDR1 MDR HDR PO CBD HBD I AO
LDR2 HDR2

Bowling (7417)

P P

Skiing and tobogganing

P C C

Athletic fields (7423)

C C C C P C

Recreation centers (7424)

C C C P P

Athletic clubs and gymnasiums (7425)

P P

Swimming pools (7432)

C C C P P C

Campgrounds and travel recreation vehicle courts (7491)

P C C

Parks, including playgrounds (7610)	C	C	C	C		P		C	P	C
Skate Park	C	C	C	C	C		C	C		

AGRICULTURE

Farming, fibers, grains, fruits, vegetable (811-814)	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		
Large animal veterinarian services (8221)								C			
Horticultural services (8291)					P	C			C	P	P
Plant nurseries					P	C	P	C	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	

1. 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

2. 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.

3. 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 AND APPROVED BY THE REXBURG CITY COUNCIL, THIS 3rd DAY OF APRIL, 2002.

Bruce Sutherland, Mayor

ATTEST:

Marilyn Wasden, 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 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.

Passed by the City Council and approved by the Mayor this 3rd day of April, 2002.

Marilyn Wasden, City Clerk

(SEAL)

REPEALED BY ORD. 926