

3.19 Regional Business Center (RBC) Zone

- 3.19.010. Purpose and Objectives
- 3.19.020. Permitted Uses
- 3.19.025. Single Ownership and Control
- 3.19.030. Lot Area
- 3.19.040. Lot Width
- 3.19.050. Lot Frontage
- 3.19.060. Prior Created Lots
- 3.19.070. Area of Zone
- 3.19.080. Yard Requirements
- 3.19.090. Projections into Yards
- 3.19.100. Building Height
- 3.19.110. Distance Between Buildings
- 3.19.120. Permissible Lot Coverage
- 3.19.130. Parking, Loading and Access
- 3.19.140. Project Plan Approval
- 3.19.150. Other Requirements
- 3.19.160. Architectural Design Standards
- 3.19.170. Commercial Lighting Standards

3.19.010. Purpose and Objectives

The RBC zone is established to provide a district in which the primary use of the land is for commercial and service uses to serve needs of people living in an entire region and to serve as a place of employment in pleasant surroundings close to the center of the regional population it is intended to serve. This shopping center zone should have a minimum site area of twenty (20) acres to serve a population of at least twenty thousand (20,000). The RBC zone should be located close to freeways and adjacent to major arterials to provide convenient access for major traffic volumes without hazard and without traversing through a residential area. It is intended that this zone shall be characterized by a variety of stores, shops, and service buildings grouped into an integrated development. Required yards and areas surrounding buildings shall be attractively landscaped and maintained in harmony with the characteristics of the surrounding residential areas. The uses characteristic of this zone will be large chain department stores with satellite shops and facilities serving an extremely wide range of goods and services with an equally large selection of types and styles. The typical uses allowed in the zone will include virtually the whole range of retail and service establishments which can be attractively accommodated within a unified shopping center complex.

3.19.020. Permitted Uses

- a. **Categories.** Those uses or categories of uses as listed herein, and no others, are permitted in the RBC zone.
- b. **Numbered Listings.** All uses contained herein are listed by number as designated in the Standard Land Use Code published and maintained by the Planning and Zoning Commission. Specific uses are identified by a four (4) digit number in which all digits are whole numbers. Classes or groupings of such uses permitted in the zone are identified by a four (4) digit number in which the last one (1) or two (2) digits are zeros.
- c. **Uses.** All such categories listed herein and all specific uses contained within them in the Standard Land Use Code will be permitted in the RBC zone, subject to the limitations set forth herein.
- d. **Permitted Principal Uses.** The following principal uses and structures, and no others, are permitted in the RBC zone:

Permitted Uses

Motels and automobile travel courts

Tourist courts

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

Paint, glass and wallpaper

Electrical supplies

Hardware

Building maintenance

Swimming pool supplies

Department stores (includes major and junior chain department stores)

Discount department stores

Mail and Phone order houses

Variety stores

Merchandise vending machine operators

Retail trade - general merchandise

Food stores (groceries, meats and fish, fruits and vegetables, candy, nuts, dairy, bakeries, etc.)

Miscellaneous retail food establishment

Motor vehicles, automobiles - new car sales and used car sales which will be permitted only as an accessory use to new car sales

Motor vehicles, trucks and buses - new vehicle sales and used vehicles sales permitted only as an accessory use to new truck and bus sales.

Automobile accessories (except tire recapping and vulcanizing)

Gasoline service stations

Apparel and accessories

Furniture, home furnishings, and equipment (no combined ware-housing)

Eating places (restaurants)

Drug and proprietary stores

Books, stationery, art and hobby supplies

Sporting goods, bicycles, and toys

Garden supplies (entirely within a building only)

Jewelry

Ice dealers (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 (office only)

Personal services - including photography, beauty and barber services, clothing repair, etc. (except funeral and crematory services, wedding chapels and recreation centers only)

Athletic clubs, body building studios, Spas, aerobic centers, (no gymnasiums)

Duplicating, mailing, stenographic and office services

Employment services

Watch, clock, jewelry repair, etc.

Locksmiths and key shops

Gunsmiths

Physicians' offices and services

Dental offices and services

Legal services

Engineering, architectural, and planning services

Data processing services

Professional services

Executive, legislative, and judicial functions

Protective functions and related activities

Postal services

Day Care Center
Nursery Schools
Beauty Schools
Dance studios and schools
Libraries
Video Rental Shops

- e. **Permitted Accessory Uses.** Accessory uses are permitted in the RBC 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, equipment storage and supply storage buildings which are customarily used in conjunction with and incidental to a principal use or structure permitted in the RBC zone.
 - ii. Storage of materials used for construction of a building, including a contractor's temporary office, provided that such use be located 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.
- f. **Conditional Uses.** The following uses and structures may be permitted in the RBC zone only after a Conditional Use Permit has been issued, and subject to the terms and conditions thereof.

Conditional Uses

Hotels
Communications
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)
Surplus store
Motorcycles, motor scooter parts, accessories, supplies
Liquor, package
Antiques (no outside display)
Bottled gas
Laundry and Dry Cleaning (includes self-service laundries)
Funeral parlors
Personal services (wedding chapel and reception centers only)
Dwelling and building services (not dwelling units)
Auction houses
Equipment rental (indoor only)
Vehicle rental (passenger auto-mobiles only)
Miscellaneous business services
Auto washing and polishing
Electrical appliance repair
Furniture repair
Saw, knife, and tool sharpening
Miscellaneous small item repair
Police Protection and related activities, branch (office only)
Motion Picture Theaters
Coin-operated amusements or video center
Miniature golf
Dance Halls, Ballroom
Billiard and pool halls
Ice Skating
Roller Skating and Skate Boarding
Bowling alleys

3.19.025. Single Ownership and Control

Land within a given RBC zone shall be in single ownership or single control in order to provide for integrated development unless requested and approved by the Rexburg City Council. 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 Rexburg City Code). 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 sections of the Rexburg City Code and other Building Codes adopted by Rexburg City. 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 RBC zone.

3.19.030. Lot Area

The minimum area of any lot or parcel of land in the RBC zone shall be twenty (20) acres; however, smaller lots or parcels may be created as part of an approved and recorded Record of Survey, as specified in Rexburg City Code. Said land shall be in single ownership or single control for integrated development.

3.19.040. Lot Width

Each lot or parcel of land in the RBC zone shall have an average width of not less than seven hundred (700) feet; however, narrower lots or parcels may be created as part of an approved and recorded Record of Survey, as specified in Rexburg City Code.

3.19.050. Lot Frontage

Each lot or parcel of land in the RBC 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, or no frontage on a public street, may be created as part of an approved and recorded Record of Survey which conforms to provisions specified in Rexburg City Code. A portion of the lot frontage may be along the circumference of a cul-de-sac improved to City standards; however, the primary access to a regional shopping center shall not be provided from a cul-de-sac street.

3.19.060. 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.

3.19.070. Area of Zone

Each single RBC (Business Center) zone shall contain a minimum of twenty (20) acres. The RBC 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 area which has not been designed and constructed as an integrated regional shopping center.

3.19.080. Yard Requirements

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

- a. Front Yard.** Each lot or parcel in the RBC zone shall have a front yard of not less than twenty (20) feet. Said front yard shall not be used for vehicular parking and shall be appropriately landscaped.
- b. Side Yard.** Each lot or parcel of land in the RSC 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.
- d. Rear Yard.** Each lot or parcel of land in the RSC 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 rear

property line abuts a commercial or industrial zone.

3.19.090. Projections into Yards

- a. Permitted Projections.** The following structures may be erected on or project into any required yard, except they may not obstruct a required driveway:
 - i. Fences and walls in conformance with the Rexburg City Code and other City codes and ordinances.
 - ii. Landscape elements, including trees, shrubs, and other plants.
 - 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 they may not obstruct a required building.
 - i. Belt courses, 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.
 - iii. Door stoops, fire escapes, and planter boxes or 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 is entirely open on at least three (3) sides, except for necessary supporting columns and customary architectural features.

3.19.100. Building Height

No lot or parcel of land in the RBC zone shall have a building or structure which exceeds a seventy-five (75) 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.

3.19.110. Distance Between Buildings

The minimum distance between any accessory building and a main building on a lot in the RBC 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 Rexburg City Council.

3.19.120. Permissible Lot Coverage

In an RBC zone, all buildings and structures shall not cover an area of more than thirty (30) percent of the lot or parcel of land upon which they are placed. A minimum of 10% landscaping is required.

3.19.130. Parking, Loading, and Access

Each lot or parcel in the RBC zone shall have on the same lot or parcel automobile parking sufficient to meet the requirements as set forth in Rexburg City Code. When possible, connectivity through parking lots of adjacent properties is required.

All parking spaces shall be paved with asphaltic 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 adjacent to a public street.

Loading spaces shall be provided unless applicant provides information to staff identifying acceptable alternate means. When the use of a building changes, loading spaces will be required unless applicant provides information to staff identifying acceptable alternate means.

3.19.140. Project Plan Approval

All Project plans for projects in the RBC 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 the Development Review Committee Drainage on to an adjacent lot not owned by applicant is not allowed.

3.19.150. 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 RBC zone shall be in conformance with the sign ordinance and shall be in general compliance with the typical sign program approved by the Planning and Zoning Commission. Large scale developments of at least fifty (50) acres or more having no direct vehicular access to an arterial street shall be entitled to two (2) additional free standing, development entrance signs subject to the following standards:
 - i. Sign copy shall be limited to the name, logo and address of the development.
 - ii. Sign location sign shall be limited to the immediate area where a secondary road connects to an arterial road whether on private or public property.
 - iii. A sign may be located in a landscaped or concrete median in city-owned right-of-way subject to (i) issuance of an encroachment permit and (ii) resolution of all sight safety issues.
 - iv. Sign size shall be limited to one hundred (100) square feet.
 - v. Sign height shall be limited to twenty (20) feet.
 - vi. No more than two such signs shall be permitted.
 - vii. Sign area shall be calculated as a part of the overall free standing sign allowances for signs over five (5) feet. For the purpose of this subsection the phrase “no direct vehicular access to an arterial street” shall mean a development project that (i) has no drive entrances directly from an arterial into the development, (ii) has no frontage on an arterial road, or (iii) must be accessed from a secondary road.
- c. Uses Within Buildings.** All uses established in the RBC 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, ice skating, miniature golf, etc.
- d. Landscaping.** A minimum of ten (10) percent of the site shall be landscaped. In addition, all unpaved areas 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 Committee Development Director or Designee prior to installation.
- 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 an RSC 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. In the case where there is not mutual 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.

3.19.160 Architectural Design Standards

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

3.19.170. Commercial Lighting Standards

Commercial Lighting Standards are applicable as described in Section 4.14.