

### 3.27 University District (UD)

- 3.27.010. Purpose and Objectives
- 3.27.020. Permitted Uses
- 3.27.030. Lot Area
- 3.27.040. Lot Width
- 3.27.050. Lot Frontage
- 3.27.060. Prior Created Lots
- 3.27.070. Lot Area Per Dwelling
- 3.27.080. Yard Requirements
- 3.27.090. Projections into Yards
- 3.27.100. Building Height
- 3.27.110. Distance Between Buildings
- 3.27.120. Permissible Lot Coverage
- 3.27.130. Parking, Loading and Access
- 3.27.140. Project Plan Approval
- 3.27.150. Reserved
- 3.27.160. Other Requirements
- 3.27.170 Change in Use of University Facilities
- 3.27.180 Commercial Lighting Standards

#### 3.27.010. Purpose and Objectives

The University District is to recognize the establishment and growth of Brigham Young University-Idaho.

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.

The University District is established to protect the unique nature of the University while protecting adjacent land uses from nuisance and otherwise incompatible land use.

The University District is established to provide areas for the location and establishment of educational facilities which operate as institutions of higher learning and which utilize relatively large areas of land. This zone is intended to provide immediate recognition of such areas upon the official zoning map of the City, and to reduce the affect which the location of these facilities may have upon zoning statistics in residential, commercial, or industrial areas.

The UD zone is intended for only land that is owned by Brigham Young University- Idaho. If any land is sold, gifted, or transferred to another financially unrelated party, a new zoning category must immediately be sought as there will immediately be a moratorium on approval of new land uses and building permits on the property until a new zoning district can be established.

#### 3.27.020. Permitted Uses

- a. **Categories.** Those uses or categories of uses as listed herein, and no others, are permitted in the UD zone.
- b. **Permitted Principal Uses.** The following principal uses and structures, and no others, are permitted in the UD zone:

##### Permitted Uses

Up to forty-eight dwelling units per building or development  
Dormitory, fraternity, sorority  
Religious dormitories  
Printing, publishing, including newspapers

Laboratory and research instruments  
Photographic supplies and equipment  
Musical instruments  
Bus passenger terminals  
Bus garaging and equipment maintenance  
Motor freight terminals  
Motor freight garaging and maintenance  
Parking lot – automobile parking lot and garages  
Telephone exchange stations, microwave towers  
Radio and TV transmitting stations and towers  
Radio and television broadcasting station  
Other communication facilities  
Electric generation plants, utility substations  
Utility storage yards  
Other utility facilities  
General merchandise (department, variety, etc.)  
Photographic studios  
Photocopying, blueprinting, and stenographic services  
Employment services  
Research, testing services  
Consulting services  
Warehousing and storage services  
Farm products warehousing and storage  
Refrigerated warehousing  
Food lockers  
Household goods warehousing and storage  
General warehousing and storage  
Professional services  
Physicians' offices  
Medical laboratory services  
Out-patient medical services  
Engineering and architectural services  
Educational and scientific research services  
Accounting and bookkeeping services  
Contract construction services  
Building contractor offices  
Building contractor storage yards  
Plumbing, heating, air conditioning services  
Painting, wall papering, decorating services  
Electrical services  
Masonry, stonework, and plastering services  
Carpentering, wood flooring installation  
Roofing and sheet metal services  
Concrete services  
Governmental services  
Police protection  
Postal service  
Educational Services  
Nursery schools  
Day care centers  
Schools  
College buildings  
Vocational schools  
Business schools  
Barber and Beauty School  
Art and music schools  
Dancing schools  
Driving schools  
Correspondence schools  
Miscellaneous services  
Churches, synagogues, temples  
Welfare and charitable services

Civic, social, and fraternal organizations.  
Cultural activities  
Libraries  
Museums  
Art galleries  
Public assembly  
Motion picture theaters  
Auditoriums, performing theaters  
Amusements  
Miniature golf  
Recreational activities  
Tennis courts  
Roller skating  
Ice skating  
Bowling  
Skiing and tobogganing  
Athletic fields  
Recreation centers  
Athletic clubs and gymnasiums  
Swimming pools  
Parks, including playgrounds  
Farming, fibers, grains, fruits, vegetable  
Horticultural services  
Plant nurseries

**c. Permitted Accessory Uses.** Accessory uses and structures are permitted in the UD zone provided they are incidental to, and do not substantially alter the character of the permitted use or structure, and are located on the same or an adjacent lot as the permitted use. Such permitted accessory uses and structures include, but are not limited to the following:

- i. Accessory buildings such as garages, carports, bath houses, green houses, gardening sheds, recreation rooms, and similar structures which are customarily used in conjunction with and incidental to a principal use or structure, and offices associated with a main permitted or conditional use, and a public dance held in conjunction with an existing permitted use.
- ii. Swimming pools and incidental bath houses subject to the standards of Rexburg City Code.
- iii. A detached single-family residence used only for the use of a caretaker, watchman, or similar employee of a permitted use, when located upon the same site as said permitted use.
- iv. Dormitories, fraternity and sorority buildings, other college housing owned by the college or university recreational and service facilities, and office buildings customarily associated with an educational facility or other institutional use, when said facilities are accessory and incidental to the primary use of the land.
- v. Storage of materials used for construction of a building, including the contractor's temporary office, provided that such use is 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.
- vi. Nothing herein shall be construed to permit the open storage of materials or equipment used in conjunction with permitted uses, or shall be concealed from view from public or private streets.

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

**Conditional Uses**

Greater than forty-eight dwelling units per building  
Manufactured home 24' or more in width  
Stadiums, arenas, field houses

Buildings of structures that have occupancy as defined by the City of Rexburg Building Code in excess of 2500 occupants.  
Veterinary Service for Livestock (totally enclosed)  
Livestock Services, Except Veterinary (totally enclosed)  
Small animal veterinarian services (totally enclosed)

### **3.27.030. Lot Area**

There is no minimum lot area in the University Zone. Parcels sold or otherwise vacated by the University must meet the minimum lot requirements of the intended zone.

### **3.27.040. Lot Width**

There is no minimum lot width in the University Zone.

### **3.27.050. Lot Frontage**

For the purposes of this ordinance, the university zone shall be considered one contiguous parcel. There is no minimum lot frontage requirement on this large parcel

### **3.27.060. Prior Created Lots**

Lots or parcels of land which were legally and lawfully created prior to the application of this zone (December 12, 1974) shall not be denied a building permit solely for reason of nonconformance with the above parcel requirements of this Chapter.

### **3.27.070. Lot Area per Dwelling**

Any caretaker dwelling established in conjunction with a permitted use in the UD zone shall have a land area of at least five thousand (5,000) square feet devoted exclusively to the use of the inhabitants of said residential unit.

### **3.27.080. Yard Requirements**

The following minimum yard requirements shall apply to the UD zone:

- a. Front Yard.** Front yard setback requirements where the University Zone abuts a residential zone or non-University owned parcel shall be at a 1:1 ratio, or 1 foot for every foot of building height.
- b. Side Yard.** Side yard setback requirements where the University Zone abuts a residential zone or non-University owned parcel shall be at a 1:1 ratio, or 1 foot for every foot of building height. This requirement is twice that of a typical residential side yard.
- 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.** That said accessory building is located more than ten (10) feet away from any main building on the same lot, or more than six (6) feet away from any building structure on any adjacent lot lying within a residential zone.
- d. Rear Yard.** Minimum of twenty (20) feet.

### **3.27.090. 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 Rexburg City Code and other City codes and ordinances.
  - ii.** Landscape elements including trees, shrubs, agricultural crops, 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:
- 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 apart.
  - iii. Door stoops, fire escapes, and planter boxes or masonry planters not exceeding twenty-four (24) inches in height.
  - iv. Carports over a driveway in a side yard, provided that such a 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.

### **3.27.100. Building Height**

Building height is unrestricted in the University Zone as long as the 1:1 setback ratio is met on buildings constructed adjacent to non-university owned parcels.

### **3.27.120. Permissible Lot Coverage**

In a UD zone, all buildings and structures, inclusive of parking lots, shall not cover more than sixty (60) percent of the lot or parcel of land upon which they are placed.

### **3.27.130. Parking, Loading, and Access**

- a. 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.
- b. Provisions of Chapter 5 subsection (1).** 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.
- c. 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.
  - i. University Student Ratio: .200 spaces per Student Equivalent.
  - ii. University Faculty Ratio: .585 spaces per Faculty Equivalent.
  - iii. University Staff Ratio: .585 spaces per Staff Equivalent.
- d. Paving.** All parking spaces shall be paved with asphaltic cement or concrete, and shall be provided with paved access from the public street.
- e. Location of Parking Spaces.** Parking spaces shall not be provided within a required front yard or a side yard adjacent to a public street.

### **3.27.140. Project Plan Approval**

All Project plans for projects in the UD Zone must be prepared and engineered by A/E professionals and be submitted for review and approval from conception on by the Community Development Director or Designee, followed by

professional engineered plans and specifications for review by the City of Rexburg Development Review Committee . Drainage on to an adjacent lot not owned by applicant is not allowed.

### **3.27.150. Reserved**

### **3.27.160. Other Requirements**

- a. **Signs.** See standards and provisions of Rexburg City Sign Code.
- b. **Landscaping.** A minimum of twenty (20) percent of the site shall be landscaped. All residential development shall provide a minimum of ten (10) percent landscaping.
- c. **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.
- d. **See Chapter 4: Supplementary Regulations**

### **3.27.170. Change in Use of University Facilities**

- a. **Conditional Use Permit.** Before any existing University facility use may be changed to another use but under the same ownership a Building Permit must be taken out with the City of Rexburg. The use must be compatible with the City of Rexburg Development Code and the current Rexburg Building Codes.
- b. **Mitigating Land Use Impacts.** Any change of use that creates more intense impacts may be denied if the Planning and Zoning Commission finds that such impacts cannot be mitigated by the imposition of conditions. Land use impacts that may need to be mitigated include the following:
  - i. An increase in daily or peak hour traffic.
  - ii. A change in circulation patterns on or around the property.
  - iii. A significant increase in the demand for parking.
  - iv. A change in the density of people on site.
  - v. Expansion of the hours of operation.
  - vi. Any increased environmental impact, such as noise or air pollution; offensive odors; excessive illumination or glare, etc.

### **3.27.180. Commercial Lighting Standards**

All University Facilities located in the University Zone are subject to the Commercial Lighting Standards as described in Chapter 4.14, Supplementary Regulations.